

SOLID WASTE

Chapter 75

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[HISTORY: Adopted by Annual Town Meeting March 13, 2014 as Art. 25. Amendments noted where applicable.]

§ 75-1. Authority.

RSA 31:39, I (f) provides the authority to regulate the collection, removal and destruction of garbage, and other materials

§ 75-2. Authority to establish rules and regulations.

The Board of Selectmen shall have the authority and be responsible for establishing, amending and revising such rules, regulations and procedures as are necessary for the implementation and execution of this Chapter and the effective operation of the curbside pickup and recyclables program.

§ 75-3. Definitions. (Amended by Board of Selectmen 3-24-2015 Ord. No. 15-05)

As used in this chapter, the following terms shall have the meanings indicated:

ADDRESS - The location or place where one lives or works and generally the location or place to which mail can be sent.

COMMERCIAL WASTE - All solid waste emanating from business establishments including, but not limited to, solid waste originating in stores, markets, office buildings, industrial complexes, restaurants, shopping centers and multi-family structures or complexes containing three or more dwelling units, structures or complexes containing a mixed use of a residential dwelling or dwelling and premises utilized for commercial purposes, or manufactured housing parks.

OWNER - A property owner is the person or entity who has lawful title or legal right of possession of the property. An owner of a dumpster is the person or entity who has lawful title or the right of possession of the container/dumpster.

PROHIBITED COLLECTION MATERIALS - The following materials shall not be placed in the solid waste or recycling carts: any type of liquid waste, animal carcasses, manure and renderings, flammable liquids, pesticides, septage, asbestos materials, medical and dental waste, grease, cooking oil, leaves, yard waste, brush, ammunition and explosives, nuclear or atomic waste, computer monitors, televisions, or other electronic equipment and any materials containing hazardous waste as defined by state and federal agencies, refrigerators, air conditioners or any appliance containing CFCs, building demolition, wood, bricks, stone or metal barrels.

RECYCLABLES - Products intended for reuse generated by residential households (excludes commercial and industrial units). Recyclables shall include newspaper, magazines, paperback books, egg cartons, cup travel trays., mixed and/or shredded office paper, junk mail (plastic window okay), corrugated cardboard, boxboard/paperboard (i.e. cereal boxes, free of plastic and wax lining), All plastic containers #1-#7 (i.e. beverage containers, tubs, laundry detergent containers, etc.), Glass containers used for foods and beverages any color), aluminum, tin, and steel cans, metal lids to jars or bottles, and aluminum foil, disposable pie tins, & aluminum baking trays.

RECYCLING CART - Shall be the cart provided by the Town with "Town of Bow" imprinted on the side.

RESIDENTIAL HOUSEHOLD - A dwelling unit in a single-family or duplex; or a manufactured (mobile home) where the property associated with the unit which is owned by the homeowner and not part of a housing park.

RESIDENTIAL HOUSEHOLD WASTE - Solid waste comprised of garbage and rubbish normally originating in residential households.

TRASH CART - The trash cart provided by the Town of Bow.

§ 75-4. Residential household waste pickup. (Amended by Board of Selectmen 1-13-2015, Ord. No. 15-01, Amended by Board of Selectmen 3-24-2015 Ord. No. 15-05)

- A. Town service will be limited to one Town issued trash cart, per address, per pick-up for residential households within the geographic boundaries of the Town of Bow. Residents will be required to contain residential household waste solely in plastic bags inside the existing Town issued trash cart. Residents may leave two (2) tires per week, per household, next to the trash cart, as long as the disposal contract with the hauler permits.
- B. For those residents with greater household waste disposal needs, the Town's contract service provider will provide extra waste hauling service for an annual subscription fee of \$150. The subscription period will run May 1 through April 30 each year, and will be pro-rated for those subscribing after the start date. Subscription customers will receive a second cart, with a yellow lid, which can be placed curbside along with the cart provided by the Town.
- C. Curbside collection shall be restricted to residential homes located on municipally accepted roads or roads that have been conditionally accepted.
- D. Trash carts must be left upright, with the handle facing the house, and out of the paved road right of way so that they are not in the way of cars, trucks, or plows. All collection sites shall be left clear of trash.
- E. Collections start at 7:00 a.m. each day, in each collection zone.
- F. There will be no return trips for pick-up service unless a service area has been missed by the Town's contracted hauler.
- G. All residential household waste picked up shall be only those materials generated within the geographic boundaries of the Town of Bow.

§ 75-5. Recyclables pickup.

- A. The Town will supply each residential household with one recycling cart to be used for the placement of recyclables within the public right-of-way. All recyclables may be placed in the recycling cart at curbside next to the trash cart on the day of collection. There is no limit to the volume of recyclables as long as individual carts weigh less than 50 pounds.
- B. For those residents with greater recyclable disposal needs, the Town's contract service provider will provide an additional cart for recyclable disposal for a one-time fee. This fee is for the purchase of the cart, not an annual subscription.
- C. Curbside collection shall be restricted to residential homes located on municipally accepted roads or roads that have been conditionally accepted.

- D. Recycling carts must be left upright, with the handle facing the house, and out of the paved road right of way so that they are not in the way of cars, trucks, or plows. All collection sites shall be left clear of trash.
- E. Collections start at 7:00 a.m. each day, in each collection zone.
- F. There will be no return trips for pick-up service unless a service area has been missed by the Town's contracted hauler.
- G. Upon placement at the curbside, all materials placed and contained in such bins shall not be removed, except by persons authorized by the Town or the person(s) responsible for placing the recyclables in the bin.

§ 75-6. Commercial waste and recyclables pickup.

- A. Multi-family dwellings of three units or more, manufactured housing parks and commercial properties or structures or complexes containing a mixed use of residential dwellings, homes on private roads and premises utilized for commercial purposes shall be responsible for arranging for the disposal and removal of waste and recyclables.
- B. Contractors hired to remove commercial waste must be licensed by the Town.

§ 75-7. Commercial waste hauler licensing.

- A. No person, firm, business or corporation shall haul, carry or collect commercial waste unless issued a permit in accordance with this Section.
- B. The Town Manager shall establish a process for the issuance of commercial waste disposal permit to eligible contractors who haul solid waste generated and collected within the geographic boundaries of the Town of Bow.
- C. The Board of Selectmen shall establish a fee for the administration of the permitting process.
- D. The Town Manager shall require that haulers permitted to haul waste from multi-family developments also provide for the collection of recyclables, if applicable.

§ 75-8. Illegal disposal.

No person shall deposit or cause to be deposited any refuse or waste, upon the right-of-way of accepted roadways within the Town of Bow, except that refuse or waste which may be deposited for collection under the provisions of this Chapter.

§ 75-9. Penalties.

- A. The Town of Bow or its agent, reserve the right to refuse to collect garbage, rubbish, recyclables or other refuse which does not comply with the requirements of this Chapter.
- B. Any person who violates any provision of this Section shall be guilty of a violation and, upon conviction, shall be subject to a fine of not more than \$1,000. Each day that a violation of this Chapter exists shall be considered to be a separate violation.
- C. The Chief of Police and/or the Director of Public Works, or their designee, are hereby authorized to order the removal of any materials deposited in violation of this Chapter and any person who shall fail to comply with such order shall be responsible for reimbursing the Town of Bow for any and all costs associated with said removal and subject to a fine as specified herein.