

Sorrento  
Solid Waste and Recycling Ordinance

Section 101 TITLE

This Ordinance shall be known and may be cited as the Solid Waste and Recycling Ordinance of the Town of Sorrento.

Section 102 PURPOSE

- 102.1 To protect the health, safety and general well-being of the citizens of Sorrento.
- 102.2 To enhance and maintain the quality of the environment, conserve natural resources, and prevent water and air pollution by providing a comprehensive, rational and effective means of regulating the collection, transportation and disposal of solid waste in the Town of Sorrento.
- 102.3 To provide for fines for violations of the provisions of this Ordinance.
- 102.4 To have the costs of trash disposal borne by those who generate the trash, since the costs will increase significantly.
- 102.5 To encourage solid waste recycling.
- 102.6 To encourage home composting.

Section 103 APPLICABILITY

This Ordinance applies to all residential and commercial generators of solid waste in the Town of Sorrento.

Section 104 DEFINITIONS

- 104.1 Residential Solid Waste - Is ordinary, domestic, household trash generated by occupants of single or multi-family residences.
- 104.2 Commercial Solid Waste - Is trash generated by businesses. Is not residential waste.
- 104.3 Acceptable Waste - Is that residential solid waste generated by households in the Town of Sorrento, including non-recyclable household trash, recyclable materials, food garbage, yard waste.
- 104.4 Unacceptable Waste - Is that portion of solid waste which is not defined as acceptable waste and includes, but is not limited to: commercial waste, white goods, brown goods, tires, construction/demolition debris, furniture, mattresses, sewage and its derivations, junk vehicles and parts therefrom, wet cell batteries, dead animals or portions thereof, appliances containing CFC gases, hazardous waste, infectious waste, special waste such as asbestos, industrial process waste, or contaminated soil.
- 104.5 Brown Goods - Are radios, televisions and other electronic equipment.
- 104.6 Commercial Hauler - Is any person who carries solid waste for compensation.
- 104.7 Construction and Demolition Debris - Is lumber, bricks, shingles, sheetrock, insulation and other similar building materials.

- 104.8 Food Garbage - Is all waste from the preparation, cooking and consumption of food, market refuse, waste from the handling, storage and sale of produce. Most food garbage can be composted.
- 104.9 Recyclables - Are those materials which Coastal Recycling accepts including but not limited to: newspaper, phone books, white paper, corrugated cardboard, glass jars, metal cans, aluminum, certain plastics. Materials must be clean and uncontaminated; and meet Coastal Recycling printed guidelines.
- 104.10 Resident - Is any person who lives within the Town, including those who may own, rent, or lease a dwelling seasonally.
- 104.11 Solid Waste - Is unwanted or discarded solid material with insufficient liquid content to be free flowing, including but not limited to: rubbish, garbage, trash, junk, refuse. It does not include septage or agricultural waste.
- 104.12 Town - The Town of Sorrento.
- 104.13 White Goods - Includes large, predominantly metal household appliances such as: refrigerators, stoves, freezers, washing machines, clothes dryers, air conditioners and others.
- 104.14 Yard Waste = Includes leaves, grass clippings, brush. Most yard waste can be composted.

#### Section 105 ADMINISTRATION

This Ordinance shall be administered by the Selectmen. Their powers and duties are as follows:

- 105.1 Review any alleged violation of this Ordinance, and impose appropriate penalties there for after notice and hearing as required.
- 105.2 Institute all necessary procedures, either legal or equitable, to enforce this Ordinance.
- 105.3 Provide the necessary education, on a continuing basis, to inform the population on the methods of solid waste disposal.
- 105.4 Provide the necessary pickup and disposal contracts, consistent with the lowest cost and the service provided.
- 105.5 To set fees, consistent with the cost of disposal, for the sale of APPROVED Stickers for the roadside pickup of residential, acceptable solid waste. Availability of these stickers will be the responsibility of the Selectmen. All fees collected shall be used to cover the cost of operating the disposal system.

#### Section 106 HOME STORAGE AND DISPOSAL REQUIREMENTS

It is the responsibility of each resident to provide proper disposal of all solid waste generated on his or her premises in accordance with the requirements of this Ordinance. This responsibility includes the voluntary separation of solid waste for recycling or composting, proper home storage of solid waste, and proper methods of disposal. Storage shall be in closed containers or by similar method to preclude odors, animals, rodents, insects, or other public nuisances. Home composting of kitchen (food) waste, yard and garden wastes, and other organic materials is encouraged.

## Section 107 COLLECTION AND TRANSPORT

- 107.1 Household Trash: Roadside collection is the approved means of disposing of acceptable, residential solid waste.
- 107.2 Roadside Collection: Materials to be placed at roadside for collection and disposal must be placed in a bag in a trash can or barrel, with the lid firmly affixed. No free-standing trash bags. An APPROVED Sticker must be attached to the trash bag inside the can or barrel. Trash bags shall contain no unacceptable waste. Trash cans or barrels shall be placed at roadside not more than 12 hours before the scheduled pickup. Any empty container ( or unacceptable waste not picked up) shall be removed within 12 hours after the scheduled pickup. Roadside collection will be weekly.
- 107.3 Litter: No person operating a vehicle shall permit or cause any solid waste to leave such vehicle. No person shall transport any solid waste over any public way or street within the limits of the Town except when the material is covered in such a manner that the trash shall not be strewn along public ways. Proof that solid waste has blown from or fallen from any truck or vehicle shall be prima facie evidence that said truck or vehicle was not sufficiently enclosed or covered.
- 107.4 Illegal Dumping: No person shall throw or deposit, or cause to be thrown or deposited any solid waste within the Town, or in any street, gutter, sidewalk, parking area, park, wooded area, any public place, or into any body of water within or adjacent to the Town. Evidence of such dumping will be determined by examining the said litter for such documents that indicate the owner.
- 107.5 Outdoor Incineration: With roadside pickup of household trash, outdoor incineration is illegal under state law.

## Section 108 VIOLATIONS, ENFORCEMENT AND PENALTIES

- 108.1 General: Violations of this Ordinance shall be enforced under the provisions of 30-A MRSA, 4452 as amended as land use violations. The penalties set forth in the aforementioned statute shall apply to violations of this Ordinance.
- 108.2 Violations: The Selectmen shall review any alleged violation of this Ordinance and take appropriate action as required.
- 108.3 Enforcement: Enforcement of this Ordinance is the responsibility of the Selectmen.
- 108.4 Penalties: Any person found in violation of any provision of this Ordinance shall be subject to a civil penalty in the amount of not less than \$100., nor more than \$500. for each offense. Each act of violation and every day upon which any violation shall occur shall constitute a separate offense. All civil penalties shall accrue to the Town and be used to pay for trash disposal.

## Section 109 VALIDITY

If any of the provisions of this Ordinance or the application thereof is held invalid by any court of law, such invalidity shall not effect other provisions or applications of this Ordinance which can be given effect without the invalid provisions of applications, and to this end, the provisions of this Ordinance are declared to be severable.

4.

Section 110 REPEAL

All Ordinances and parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 111 ORDINANCE IN FORCE

This Ordinance shall be in full force and effect from and after its passage, recording, and publication as provided by law, until such time as Sorrento (the Town) has constructed its own transfer station, at which time this whole Ordinance will be reviewed.

This Ordinance passed by a majority of registered voters at a Special Town Meeting on June 14th, 1993.