

CHAPTER 11 - SANITARY LANDFILL, LITTERING, DUMPING AND OLLECTION OF WASTE AND RUBBISH

1100 Scope of Chapter

This Chapter is intended to govern the use of the transfer station provided by the Town of Exeter, and littering on Town properties or public ways or private property, and the disposal of waste materials of any kind. This Chapter is designed to interact with Revised Statutes Annotated 147 relative to sanitation and all other Revised Statutes Annotated governing disposal sites.

1100.1 Definitions:

Compost Bin: The semi-enclosed bin, located at the Public Works Complex and/or transfer station as designed.

Disposal Ticket: A non-transferable sticker issued by the Town Office Receptionist authorizing the disposal of otherwise prohibited materials for a fee. Said sticker will be permanently attached to the item being disposed of. The Public Works Director will establish the fee for said ticket, based on the cost of disposal.

Hazardous: A solid, semi-solid, liquid or contained gaseous waste, or any combination of these wastes which, because of either quantity, concentration or physical, chemical or infectious characteristics, may cause or contribute to an increase in mortality or an increase in irreversible or incapacitating reversible illness, or pose a present or potential threat to human health or the environment when improperly treated, stored, transported, disposed of or otherwise mismanaged.

Hours of Operation: The approved time during which the transfer station will be opened to the general public.

Litter: Waste materials, shreds, fragments, items or clutter scattered about, thrown or spread about carelessly.

Monitor: The Town employee or representative placed in charge of the transfer station.

Permit: The document issued by the Town Office Receptionist allowing applicant to use the transfer station

Public Trash Receptacle: Any waste product, solid or having the character of solid rather than liquid, in that it will not flow readily without additional liquid, which is composed wholly or partly of such materials as garbage, swill, sweepings, cleanings, trash, rubbish, litter, industrial solid wastes or domestic

solid wastes; organic wastes or residue of animals sold as meat; fruit or other vegetables or animal matter from kitchens, dining rooms, markets, food establishments or any places dealing in or handling meat, fowl, fruits, grain or vegetables; offal, animal excretion or the carcasses of animals; tree or shrub trimmings, grass clippings, brick, plaster or other waste matter resulting from the demolition, alteration or construction of buildings or structures, accumulated waste material, cans, containers, tires, junk or other such substances which may become a nuisance.

Trash: Worthless refuse, rubbish.

Trash Hauler: Any person, firm or corporation engaged in the business of hauling garbage, manure, putrescible materials or refuse of any nature for hire.

1100.2 Exeter Refuse Only

Only persons, firms, corporation or business facilities inside the geographical limits of the Town of Exeter may use the Exeter Transfer Station.

1100.3 Permitted Materials, with vehicle permit:

Unlimited number of blue bags containing non-hazardous waste, vehicle batteries, water heaters, washers, dryers, dishwashers, microwave ovens, stoves, aluminum, metals, iron, bicycle frames, mufflers, aluminum/metal door & window frames with glass and/or wood removed.

Brush, stumps, unpainted/untreated wood - no longer than 5 feet in length.

Recycled oil from car, boat or lawnmower must be in clear or semi-clear container with tight fitting cover. Label the container "used oil".

Items containing capacitors, such as refrigerators, freezers, air conditioners, ice makers, humidifiers and dehumidifiers, and like appliances using CFC's, are accepted at the Facility only with the approved appliance sticker attached to same, purchased at the Town Office. A vehicle sticker is also necessary.

No permit is required to present the following:

Disposal of leaves and grass clippings in designated compost bin. No permit is needed to obtain compost or woodchips when available.

1101 Permits Required

No person may utilize the Transfer Station without a valid Town of Exeter permit, unless disposing of grass and/or leaves, or oil.

1101.1 Transfer Station Permit

Persons who reside in the geographical limits of the Town of Exeter may buy transfer station permits that entitle the resident to dispose of refuse at the

facility. The permit for the resident's vehicle is non-transferable, valid for a calendar year and shall expire upon termination of residency.

- a. **Issuance:** Transfer Station permits shall be issued by the Town on an annual basis for disposal of allowable refuse, upon display of current registration of vehicle to be used. Refuse to be disposed of with the use of a resident permit shall have been generated at property within the Town of Exeter by residents of the property.
- b. **Display:** The permit shall be permanently affixed to the windshield, on the inside lower left corner, on each resident's vehicle utilizing the transfer station.
- c. **Proof of Residence:** Permits shall be issued to those persons showing proof of residence by documentation, such as NH Division of Motor Vehicle registration certificate and/or an Exeter tax form, if property owner does not reside in Exeter.
- d. **Fee Applicable:** The fee for the permit shall be ten (\$10.00) per calendar year.
- e. **Replacement Permit:** Residents who replace a vehicle and/or windshield may apply for a replacement sticker at no cost provided they present to the Town a substantial portion of the prior sticker and the registration of the new vehicle.
- f. **New Residents:** Persons establishing residence in the Town shall show reasonable proof of their residence, such as utility contract, housing sale agreement, water service notification, etc. Upon display of such identification and motor vehicle registration, a permit shall be issued.
- g. **Temporary Permit:** Residents may apply for a temporary permit to allow persons "not for hire" to remove items from their property to the Transfer Station, or for the resident's use of another's vehicle. The permit shall be for a specific person, vehicle and date(s), no more than 5 days the facility is open from date of issue. The fee for such temporary permit shall be \$2.50.
- h. **Exeter Businesses:** Resident permits may be issued to property owners in the Town of Exeter who are not residents but who own and operate a business in the Town. Such permit is valid only for conforming rubbish that comes from businesses located in Exeter. Vehicle registration is required. Proof of ownership of property shall be a paid property tax bill. Violations of this Section shall result in revocation of the permit and prosecution under the conditions of this Chapter.
- i. **Refuse Disposal Limitations:**

1. Grass and leaves (compost bin); bush, stumps (stump dump)
2. Wet cell batteries
3. Heavy and light iron and appliances
4. Refuse placed in approved, tied, blue bags

1102 Transfer Station

The rules and regulations pertaining to the Transfer Station shall be available at the Monitor's office, Town Office building and Public Works Complex. Any person, firm or corporation using the Station shall obey the rules and regulations and shall follow the directives of the monitor on duty with regard to the enforcement of those rules and regulations. The Highway Superintendent and his agents, including the monitor on duty, are authorized to order any person, firm or corporation to leave the facility if there is a violation of any rule or regulation. Failure to leave the facility, if so ordered, may be deemed trespassing and can result in court action. No person, firm or corporation shall dispose of refuse of any nature at the Transfer Station except in a manner and location as directed by the Highway Superintendent and/or his agents, including the Monitor.

1103 Compost Bin Facility

No person shall dispose of any materials or refuse in the compost bin other than grass clippings, leaves or compostable bags from their residence, in the compost bin located at either the Transfer Station or, during posted dates, at the Public Works Complex. Grass and leaves from commercial Exeter properties are also accepted without a permit.

1104 Littering

The word litter means all rubbish, refuse, garbage, trash, debris, dead animals or other discarded materials of every kind and description, as per RSA 163-B:2. It shall be unlawful for any person or persons to dump, deposit, throw or leave or cause or permit the dumping, depositing, throwing or leaving of litter on any public or private property, or in or on ice in any waters unless:

- a. Such property is designated for the disposal of such litter, and such person is authorized to use the property;
- b. Such litter is placed into a litter receptacle or container installed on such property;
- c. Such person is the owner or tenant in lawful possession of such property, or has first obtained consent of the owner or tenant in lawful possession or tenant in lawful possession, or unless the act is done under the personal direction of said owner or tenant, all in a manner consistent with the public welfare, as per RSA 163-B: 3.

1104.1 Public Trash Receptacles:

No person, firm or corporation shall dispose of household, business or

industrial refuse in any public trash receptacle. Take out food and beverage containers and wrappings are exempt from this section.

1105 Discarded Refrigerators

No person, firm or corporation who owns controls or has in his custody, a container originally used for refrigeration purposes shall discard same before the lid, or door or doors, have been removed.

1106 Regulations Relative to Collection of Waste and Rubbish

The purpose of this section is to establish reasonable and prudent regulations pertaining to the collection of waste in the Town of Exeter.

1106.1 No person shall deposit or cause to be deposited any refuse or waste, upon the rights-of-way of the Town of Exeter, except that refuse or waste that shall be deposited for collection within the Town right-of-way and confined with a tied official blue plastic bag, in accordance with the following provisions:

- a. Refuse or waste for the purpose of this ordinance shall mean household rubbish, free from hazardous materials (see accepted materials 1100.3);
- b. No blue plastic bag shall have a gross weight of more than forty-five (45) pounds. All bags must be closed and tied, and have "Town of Exeter" imprinted on the side.
- c. Tied official blue plastic bags shall be placed on the outside of the sidewalk as near as practicable to the street edge, no later than 7:00AM of the collection day and no more than 24 hours prior to collection day. Persons placing bags at the curbside more than 24 hours prior to collection day may be issued a summons for littering (Section 1104).
- d. Collections start at 7:00 AM each day, in each collection zone.
- e. There will be no return trips for pickup service.
- f. Upon placement at the street edge of official blue recycling bins, all materials placed and contained in such bins shall become Town property and shall not be removed except by persons authorized by the Town or the individual(s) responsible for placing the recyclable in the bin.

1107 Suspension

Any person, firm or corporation found to be in violation of any section of this Chapter may have their permit suspended for a period not to exceed thirty (30) days.

1107.1 Revocation

Any person, firm or corporation who habitually violates one or more sections of this Chapter may have their permit revoked for such continued violations.

1107.2 Hearing:

Any person, firm or corporation who has been cited under the provisions of Section 1107 or 1107.1 may, within five (5) days, appeal such action to the Board of Selectmen. Upon receipt of any appeal, the Board of shall conduct a hearing on the merits of the incident and uphold or overrule the action.

1110 Penalty

Any person(s), firm or corporation violating any provision of this Chapter or any requirements, rules, regulations or procedures that may from time to time be promulgated by the Board of Selectmen of Exeter shall be guilty of a violation and fined not in excess of one thousand (\$1000) dollars. A separate offense shall be deemed committed upon each day, or part thereof, during or in which a violation occurs or continues.