

## ORDINANCE

### TOWN OF MOULTONBOROUGH, NEW HAMPSHIRE

#### **An Ordinance Relative to the Operation of the Moultonborough Resource Recovery Park Waste Management Facility**

Be it ordained by the Town of Moultonborough, New Hampshire as follows:

Section 7.1 The purpose of this ordinance is to enhance the orderly, safe, and efficient use of the town transfer and recycling facility by the residents and taxpayers, by requiring that certain materials, because of their size or their nature, be separated and discarded separately. That certain materials suitable for recycling be separated and placed in designated containers or areas and that appropriate fees may be established by the Board of Selectmen for items requiring special handling and disposal. This ordinance expressly revokes any and all prior ordinances relative to the operation of the Moultonborough Landfill.

Section 7.2 All terms in this ordinance shall have their ordinary meaning, unless altered by the following definitions:

- a. "household waste" shall mean food, food containers, papers incidental to food consumption, wrapping paper, small quantities of crumpled or unfolded newspaper if used to transport or contain other household waste, plastic items of reasonable size, including trash bags or garbage bags. It shall not include cardboard unless it is incidental to food consumption or of less than six square inches in size. "Household waste" shall not include cans, glass, plastic bottles or other items as defined below. For the purposes of this Ordinance, "household waste" shall refer to the aforementioned articles generated in the Town of Moultonborough and shall exclude like items generated outside the Town.
- b. "furniture " shall include, but not limited to, household furniture, including tables, chairs, mattresses, shelves (wooden), window dressings, shower curtains, dressers, bureaus, rugs, carpets, and floor coverings.
- c. "cardboard" shall include, any stiff thick paper, or poster paper, used for signs, boxes, shipping, etc.
- d. "brush or wood" shall include, lumber, branches or pieces of wood under five inches in diameter, and no longer than ten feet in length. It shall not include pressure or otherwise treated wood or wood products.
- e. "tires" shall include, a hoop of rubber, or a rubber tube filled with air, fixed around the wheel of a vehicle to form a tread, and be unmounted from metal rims.

- f. "appliances" shall include, any household appliances, such as, ranges, bathtubs, refrigerators/freezers, dishwashers, water heaters, shower stalls, etc.
- g. "metal" shall include any pieces of scrap or waste metal.
- h. "gas tanks" shall include, any gas tank removed from any motor vehicle, or any container which was used to contain any type of petroleum product. Any tank brought to the facility must be split open, and may not exceed two hundred and seventy five gallon capacity.
- i. "batteries" shall include, any battery that is removed from any type of motor vehicle. Lead acid batteries must be whole and intact to be accepted.
- j. "building materials" shall include, but not limited to, insulation, sheet rock, small plastic pipes, tar paper, shingles and other roofing materials, and other plastic parts, cement, bricks, and concrete blocks, pressure or otherwise treated wood products, not to exceed 4' x 4' in size.
- k. "newsprint" shall include newspapers only.
- l. "mixed paper" shall include cereal boxes, non-corrugated cardboard, all glossy paper printed materials( including magazines, bound or otherwise). For the purposes of this Ordinance, hard cover and paperback books are mixed paper. Hard cover books must have the covers removed.
- m. "electronics" shall include, radios, televisions, stereos, or microwave ovens.
- n. "paint products" shall include, but not limited to, paint containers, and paint brushes.
- o. "glass" shall include green, brown and clear glass bottles.
- p. "cans", shall include empty aluminum, tin, steel, and aerosol containers.
- q. "plastic containers" shall include HDPE bottles such as milk and water jugs, orange juice, automobile products, dish soap, laundry products and shampoo bottles; PET bottles are primarily carbonated beverage containers.
- r. "hazardous infectious medical waste" shall include, but not limited to, strict and wound and skin isolation wastes, pathology wastes, laboratory wastes such as serum, blood, urine, feces, other body secretions, such as petri dishes and other micro-biological wastes, micro-biologically infected research laboratory animal carcasses, materials contaminated with any of the above items. (Ref: NH code of Administrative Rules He-P 1901.08).
- s. "hazardous waste" shall include solid, semisolid, 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 or irreversible or incapacitating reversible illness or

pose a present or potential threat to human health or the environment when improperly treated, stored, disposed of, or otherwise mismanaged or which has been identified as a hazardous waste by the N.H. Waste Management Division using criteria established under Revised Statutes Annotated 147:-A:2, VII) and/or listed under Revised Statutes Annotated 147:50 I (e). Such wastes include but are not limited to those which are toxic, corrosive, ignitable, reactive, irritants, strong sensitizers, or which generate pressure through decomposition, heat or other means.

- t. "compost materials" shall include leaves, lawn and garden clippings (except those treated with pesticides) , pine needles, but may not include containers (e.g. plastic bags, boxes, etc.).
- u. "used oil" shall include uncontaminated motor oil, kerosene, #2 fuel oil or diesel fuel.

Section 7.3 Any person, company or corporation who uses the facility shall, prior to doing so, obtain a permit from the Office of the Selectmen, which shall be subject to the following criteria:

- a. Only vehicles displaying a Town Beach/Transfer Facility Permit or a temporary permit issued by the Selectmen for good cause shall be allowed to use the transfer and recycling facility.
- b. The Office of the Selectmen shall issue a facilities permit to all persons who request such permit as follows:
  - 1.) apply in person at the Office of the Selectmen;
  - 2.) present evidence of status as resident or temporary resident (including renter or seasonal renter);
  - 3.) present registration card for each vehicle for which a permit is requested;
  - 4.) tender application fee as set from time to time by the Selectmen for each permit requested.
- c. Permits and stickers shall be valid for only the vehicle for which they are issued, and only while such vehicle is owned by a resident or temporary resident (including renter or seasonal renter) of the Town of Moultonborough. Permits are not transferable.
  - 1.) All Town Beach/Transfer Facility permits shall be affixed to a left side window, plainly visible, for each vehicle entering the Moultonborough Transfer and Recycling Facility valid for the calendar year (Jan 1 - Dec 31).
  - 2.) Exceptions: Town Beach/Transfer Facility stickers purchased for

dealer or repair license plates may be transferred from vehicle to vehicle as long as they remain with the license plate number for which they were purchased.

3.) Part-time residents who use rental cars may by special exception authorized by the Board of Selectmen carry a decal unattached. They must display the decal in the rental vehicles where it is readily visible at all times while on Town property.

d. Any person, company or corporation who wishes to dispose of the following items at the transfer and recycling facility must prior to disposal, pay additional fees as established by the Board of Selectmen. Fees may be paid at the facility. Receipts shall be issued in duplicate, with one copy turned into the Town Hall..

1.) White goods/appliances (air conditioners, washing machines and dryers, dishwashers, freezers, hot water heaters, refrigerators, trash compactors).

2.) Tires (automobile, truck, heavy equipment). Note: All tires must be unmounted from the rims.

3.) Demolition materials (shingles, plaster, sheetrock, window glass, ceramics, porcelain and other household demolition material.) Not including scrap wood suitable for burning. Demolition material shall not exceed 4' x 4' in size. NOTE: a Building Permit is required in order to dispose of Demolition materials. Proof of possession of a building permit must be shown by anyone wishing to dispose of demolition materials.

4.) Furniture, including mattresses and other stuffed items.

5.) any other items deemed necessary by the Board of Selectmen due to restrictions in disposal.

Section 7.4 Any items, other than household waste, shall be separated prior to being discarded, also, separated items shall be deposited in areas designated for that certain item, or shall be deposited in an area designated by the Transfer Station Attendant or the Selectmen.

Section 7.5 Any items brought to the facility from any jurisdiction other than the Town of Moultonborough, without written permission from the Board of Selectmen shall be in violation of this ordinance.

Section 7.6 Authority is hereby delegated by the Board of Selectmen to Transfer Station Attendants or designees to supervise the separation of materials under this ordinance, as indicated in 7.2 above, and to enforce the ordinance as required.

Section 7.7 There shall be no target shooting, shooting of rats, or hunting in the facility area, also

known as the Town Transfer Facility, off Route 109 or otherwise known as 253 Holland Street, in the Town of Moultonborough, and there shall be no trespassing in that area during the days or hours that the facility is closed, except that Town Officials, and persons specifically authorized to do so, may enter the area for a specific purpose. In addition to the above, no “dump picking” shall be permitted at said facility.

Section 7.8 A violation of this ordinance shall be punishable by a loss of discard privileges for thirty (30) consecutive days. A second violation occurring within one year from the first shall result in lost privileges for ninety consecutive days. If any further violation occurs within one year from the first, violators will lose their privileges for one year and/or be punishable by a fine not to exceed fifty dollars (\$50) for the first offense, and for any other violation within one year from the first, a fine of not less than one-hundred dollars (\$100.00) and not more than five-hundred dollars (\$500.00). If a third violation occurs within one year from the first, violators may be fined not less than two-hundred and fifty dollars (\$250.00) and not more than five-hundred dollars (\$500.00) and shall have their landfill privileges revoked for a period not to exceed one year.

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This ordinance shall be in effect upon its passage. Passed and approved this 22nd day of March, 1990.

Ernest E. Davis, Jr., Chairman  
Norman C. Gruner  
Allen R. Wiggin

BOARD OF SELECTMEN

This Ordinance received review, revision and update. The Ordinance, as revised, received acceptance and enactment on September 21, 2006.

Karel A. Crawford, Chairman  
Edward J. Charest  
Ernest E. Davis, Jr.  
James F. Gray  
Joel R. Mudgett  
BOARD OF SELECTMEN