

Solid Waste Management Ordinance Town of Newbury, New Hampshire Revised, September 2022

Adopted – The Solid Waste Management Ordinance was adopted on June 25, 1990. The current revision was adopted by the Selectboard on September 19, 2022 and is effective immediately. This ordinance amends and replaces all prior and existing versions of the Solid Waste Management Ordinance.

Authority – This Ordinance is adopted by the Town of Newbury pursuant to the authority in NH RSA 149-M:17, II,149-M and 31:39.

Definitions

Designated Hauler – the person with whom the Town has contracted to remove all acceptable waste.

Facility – the Transfer Station and disposal area designated by the Selectboard for the deposit of solid waste originating within the borders of the town of Newbury.

Hazardous Waste – waste containing explosive, toxic or pathological substances; waste defined or classified as hazardous waste under federal, state, or local law.

Household Hazardous Waste – hazardous waste generated from non-commercial usage by persons in their living abodes, examples are degreasers, waxes and cleaners, paints, and insecticides.

Solid Waste Disposal Manager – an individual appointed by the Selectboard to oversee and manage the Facility daily or in their absence a replacement designated by the manager with the approval of the Selectboard.

Recyclable Materials – all aluminum cans, glass bottles and containers, corrugated cardboard, metal, tires without rims, papers, tin cans, and plastics.

Solid Waste – any matter consisting of putrescible material, refuse, and other discarded or abandoned material. It includes solid, liquid, or semisolid material resulting from industrial, commercial, agricultural operations, and from community activities.

Acceptable Waste – waste that is predominantly composed of combustible materials, excluding recyclable materials, that may be deposited in the compactor.

Unacceptable Waste – materials listed in this section shall be considered unacceptable and shall not be deposited at the Transfer Station.

- Radioactive, hazardous, explosive, or toxic substances.
- Fuel tanks or parts thereof and catalytic converters.
- Motorized boats (whether they have motor attached or not);
- Dead animals, animal carcasses, pelts, offal, human tissue or fluids.
- Motorized vehicles of any type.
- Any material that in the opinion of the Facility attendant constitutes a serious hazard to other users, to the property of the Town, or to the operation of the Facility, as per definition listed on page 1.

The following materials (containers with contents) are considered hazardous waste and shall not be deposited at the Transfer Station. These materials (containers) should be set aside and disposed of during a Hazardous Waste Collection Day on a date and location to be determined.

Pesticides

Fungicides
House Plant Insecticide
Arsenicals
Botanicals
Carbamates
Chlorinated Hydrocarbons
Organo-phosphates
Flea Collars and Sprays
Roach and Ant Killers
Rat and Mouse Poisons
Herbicides

House

Oven Cleaners
Toilet Cleaners
Photographic Chemicals
Disinfectants
Drain Cleaners
Rug/Upholstery Cleaners
Bleach Cleaners
Mothballs
Pool Chemicals
Ammonia Based Cleaners
Abrasive Cleaners/Powders

Paints

Rust Paints
Thinners and Turpentine
Furniture Strippers
Wood Preservatives
Stains/Finishes
Oil-based paints

Auto Products

Brake Fluids
Antifreeze

Facility Regulations

I. Permits

- Use of Facility is restricted to permissible waste originating within the boundaries of the Town. A permit shall be required for the disposal of waste at the Transfer Station Facility. Each vehicle requires a permit. Permits are available at the Town Offices.
- Residential Permits are issued to the property owners or long-term renters (1 year lease or more) with proof of residency in the town of Newbury. Proof of residence and/or personal residential property ownership shall be required for the issuance of a permit.

- Visitor Permits are issued to persons renting seasonal property. It is the responsibility of the property owner to obtain the temporary visitor permit for their renters.

II. Violations

- It is a violation to dispose of solid waste from any another town other than Newbury.
- It is also a violation to allow someone who is not a resident of the Town of Newbury to use your permit.
- It is a violation for any person to place or cause to be placed any waste without the proper permit matching the vehicle plate number, or to place waste at the Facility when it is not open for business is a violation.

Violators will be subject to a \$100 fine for a first offense and a \$250 fine for a second offense.

Any person who does not abide by terms of this Ordinance shall be subject to revocation of the right to use the Facility. The manager is empowered to invoke an immediate one-week revocation.

III. Operating Hours

The Transfer Station operating hours will be set by the Selectboard.

IV. Waste to be deposited subject to the following conditions

- Aluminum cans deposited in the designated location
- Empty glass bottles placed in the designated location
- Aluminum other than cans in its designated location
- Metal shall be separated according to the following categories without any wood, rubber, plastic, etc. attached.
- White goods, such as appliances - **Fees Apply** - Refrigerators, freezers, ice chests or any container originally used for refrigeration, must have the doors or lids removed before discarding it. Any person failing to comply with this section shall be guilty of a misdemeanor under RSA 147:21-a.
- Motor vehicle batteries are to be placed as directed by the staff members.
- Tires off the rims - **Fees Apply** - to be placed in a designated area as directed by the staff members.
- Latex paint will be accepted if dried and can be disposed of in the designated area as directed by the staff members.

V. Construction and Demolition Debris (C&D)

Fees Apply – See Attendant – Acceptable items are building materials, including but not limited to painted, stained or pressure treated wood, asphalt shingles, sheet rock and insulation.

No box springs, mattress or upholstered furniture is accepted.

VI. Brush and Leaves

Tree trunks, limbs, and brush less than 5” inches in diameter can be deposited in the brush pile once an attendant has inspected it.

Leaves can be disposed of in the designated area, please see attendant.

VII. Electronics

Electronics which include, TVs, monitors, computers, printers, etc. – **Fees Apply** – please see attendant.

VIII. Administration

This ordinance shall be administered by the Selectboard whose powers and duties are as follows:

- To adopt reasonable rules, regulations, fees, and penalties as needed to enforce this Ordinance including without limitation, rules and regulations governing the delivery of Acceptable Waste and Permissible Waste to the Facility.
- To review any alleged violations of this Ordinance, and to impose appropriate penalties therefore after notice and hearing.
- To institute necessary proceeding either legal or equitable to enforce this Ordinance.

IX. Conflict and Severability

The provisions of the Ordinance shall supersede all other local solid waste laws, ordinances, resolutions, rules, or regulations contrary hereto or in conflict herewith.

The provisions of this Ordinance shall be severable and if any phrase, clause or sentence or provision or the application thereof to any person or circumstance shall be held invalid, the remainder of this person or circumstance shall be held invalid, the remainder of this Ordinance and the application thereof shall not be affected thereby.

X. Amendment

This Ordinance may be amended by the Selectboard after a Public Hearing.

Newbury Selectboard

Scott Wheeler, Chair

Ed Thorson, Member

Joanne Lord, Member

Approved: September 19, 2022