TOWN OF HANCOCK

MANDATORY RECYCLING AND TRANSFER STATION ORDINANCE

The Town hereby adopts the following Ordinance for the operation of its public solid waste/recycling facility.

ARTICLE I: INTRODUCTION

SECTION 1: Authority

The Town of Hancock is authorized by RSA-M and permitted (Permit # DES-SW-90-021) to operate according to Env-Sw 405 a collection, storage and transfer facility as defined in Env-Sw 102.35, specifically as a Transfer Station/Recycling Center.

Pursuant to RSA 31:39, I(f) and RSA 149-M:17, and the authority vested in the Hancock Selectboard by the 1989 Annual Town Meeting, whereby the Mandatory Recycling Ordinance 1989 was approved for the operation of its transfer station and a mandatory recycling center facility. This Ordinance was subsequently amended in 1990, 2010 and 2012.

Pursuant to RSA 31:39 the Selectboard is hereby authorized, without holding hearing, to adjust the operating hours, separation procedures and recycling requirements as well as the disposal and permit fees to reflect the costs of operation and the ever changing market for recovered resources. As new opportunities for recycling are discovered, they will be added by action of the Selectboard.

SECTION 2: Purpose and Intent

The purpose of this ordinance is to:

1. Provide for the disposal of municipal solid waste in a safe, environmentally sound and economic manner.
2. Provide adequate facilities for the transfer of wastes to proper disposal sites.
3. Provide facilities for the reception of recyclable materials to be processed and sold to offset the cost of solid waste disposal.
4. Establish mandatory recycling for all users of the Hancock Transfer Station/Recycling Center Facility.
5. Recycling of designated materials is mandatory and applicable to all users of the Transfer Station Recycling Center Facility.

The intent of this Ordinance is to protect the health and safety of the residents and employees of the Town of Hancock, to enhance the protection of our groundwater and natural resources and to encourage residents in reducing and reusing household materials.
ARTICLE II: RULES OF OPERATION

SECTION 1: Facility Use

The facility shall be available for use by residents and non-resident landowners of the Town of Hancock for the proper disposal of acceptable solid wastes generated within the Town of Hancock. Commercial haulers of waste will not be permitted to use the Transfer Station/Recycling Center.

1. Users of the facility shall be deemed to agree to the provisions of this Article which shall be prominently posted at the facility and on the Town website.
2. Users of the facility shall be held liable for all damages they may cause to the facility and/or personnel.
3. Any person, whose violation of the Ordinance, or a regulation adopted by the Selectboard under this Ordinance, results in costs to the Town of any kind shall reimburse the Town for the costs so incurred, pursuant to RSA 149-M:7.
4. The facility operator shall have the authority to refuse admittance to anyone who does not qualify for a permit under this Ordinance, or who intentionally misuses the facility.
5. The operator and attendants of the Transfer Station/Recycling Center will be certified by the NH DES; and, the facility, employees and volunteers will be managed by the Director of Public Works.
6. Facility equipment will only be operated by authorized personnel.

SECTION 2: Waste Disposal

1. Municipal solid waste, commonly known as trash, garbage, refuse or rubbish consisting of everyday items that are discarded by the public. Bulky waste items and debris associated with residential demolition and construction for waste disposal at the Transfer Station are subject to fees.
2. Acceptable solid waste shall be placed in appropriate containers or areas as directed by the facility operator, attendants or by signs at the facility.
3. Only municipal solid waste not designated for the recycling center or other specific disposal areas will be deposited in the compactor.
4. Hazardous wastes, except used motor oil, are not accepted at the Transfer Station/Recycling Center.
   a. Household Hazardous Waste collections are scheduled periodically throughout the year at the Keene Recycling Center at no cost to the Hancock residents.
   b. Oil-based paint is considered a hazardous waste.
   c. Used motor oil shall be deposited in designated containers and will be used by the Town as furnace fuel. The term used motor oil includes;
      1. Gear oil up to 90 weight (including synthetic)
      2. Crank case oils
      3. Automatic transmission fluid
      4. #2 fuel oil
      5. Diesel fuel
   d. Used motor oil contaminated with gasoline, antifreeze etc. is not accepted.
5. Liquid or paste wastes are not accepted.
6. Items containing mercury are not accepted.
7. Yard waste is accepted and disposed of in a separate designated area.
8. Only material collected within the limits of the Town of Hancock shall be disposed of at the Transfer Station/Recycling Center.

SECTION 3: Recycling

1. Specific requirements for the separation of recyclables at the Recycling Center are included in the appendix to this Ordinance, which may be revised according to market conditions and will be posted at the facility and on the Town website.
2. All items submitted for recycling must be rinsed clean and dry.
3. Any item deposited at the Recycling Center, including swap shop/library becomes the property of the Town of Hancock.
4. No removal of any items from the Recycling Center will be permitted without the facility operator or attendant permission. This includes all electronics, metals, wood, swap shop items or other commodities. For the users safety no picking is allowed.

SECTION 4: Burn Pile

1. The operations of a brush and waste wood storage and burn site is authorized by RSA 125-C:10-c, II© and regulated under Env-A 1000 (Permit # DES-SW-TP-94-034) for the disposal of brush with a diameter less than 5 inches, and incidental untreated wood.
2. Manufactured wood products, such as plywood, chipboard, pressed board, wafer board or fiberboard are not accepted for deposit in the burn pile area and must be deposited in the roll-off container designated for construction and demolition debris.
3. Untreated wood is defined as any timber, board or sawn dimensional lumber, which has not been treated, coated or preserved; and requires prior permission from the facility operator before depositing in the burn pile area.
4. The burn pile is open during normal Transfer Station/Recycling Center operating hours.
5. Unauthorized dumping at the burn pile may result in fines.

SECTION 5: Swap Shop/Library

1. The Swap Shop provides an exchange point for clean, useable items.
2. The Library area within the Swap Shop is for the exchange of clean, useable books. Magazines, encyclopedias, or outdated books are not acceptable.
3. The Swap Shop/Library is staffed by volunteers appointed and authorized by the Selectboard.
4. Donors to the Swap Shop/Library shall check with a Swap Shop Volunteer or the facility operator before leaving any items. Swap Shop volunteers are authorized to accept or reject any item.
5. Accepted items become the property of the Town of Hancock until taken for the personal benefit of a resident. Residents are limited to taking 5 items per permit holder (person) per day.
SECTION 6: Hours of Operation

1. Solid waste and recyclables shall only be accepted during designated hours of operations as determined by the Selectboard.
2. Hours of operation shall be posted at the entrance of the facility and on the Town website.
3. The facility is open to the public only during published operating hours. Any unauthorized person entering the Transfer Station/Recycling Center outside of published open hours is guilty of trespass and shall be charged with violating the terms of this Ordinance.

ARTICLE III: PERMITS AND FEES

SECTION 1: Permit

1. A current Transfer Station/Recycling Center vehicle permit (sticker/card) is required, use of the facility will not be permitted without one properly affixed to the vehicle. Permits will be issued by the Town Clerk.
2. Transfer Station/Recycling Center permit will only be issued to residents and non-resident landowners of Hancock.
3. Permits will be issued to residents at the time of motor vehicle registration by the Town Clerk.
4. Requests for permits from non-resident landowners and residents without vehicles are to be directed to Town Hall.
5. Permit stickers shall be affixed to a window on the driver side of the vehicle, where it will be clearly visible to the Transfer Station/Recycling Center operator and attendants. Permit cards shall be displayed in a location clearly visible to the operator and attendants.
6. Commercial haulers are not permitted to use the facility.

SECTION 2: User Fees

User fees shall be established by the Selectboard. Fees shall be paid by check to the facility operator or attendant. User may pay cash at the Town Hall for a voucher to be submitted at the Transfer Station/Recycling Center. A written receipt shall be issued for all fees collected.

1. Unique items such as tires, Freon-containing appliances and construction and demolition dumpster material will require payment of a fee prior to depositing them at the appropriate location within the Transfer Station/Recycling Center.
2. The Selectboard is authorized to set appropriate fees for disposal of unique items.
3. The fees will be posted at the facility and on the Town website and subject to revision according to market conditions.
4. In special circumstances the Selectboard reserves the right to waive user fees.
5. All fees and disposal costs will be credited toward the recycling income account in the General Fund.
ARTICLE IV: OTHER

SECTION 1: Use of Facility for Public Interest Purposes

1. Anyone who would like to use the facility for conducting polls, presenting a petition, campaigning, or for any other purpose that is within the public’s best interest, shall coordinate activity with facility supervisor.

2. Anyone who qualifies for facility use shall introduce themselves to the facility supervisor upon arrival.

3. The facility operator shall show the campaigners, petitioners or other users the area designated for these types of activities.

4. Campaigners, petitioner or other users under this section shall not interfere with the normal operations of the Transfer Station/Recycling Center or with the flow of traffic throughout the facility; and shall do so in a place and manner that protects the public safety and the safety of the employees.

5. Any signs must be removed when the campaigners, petitioners or other users leave the Transfer Station/Recycling Center facility.

6. Anyone refusing to comply with this Ordinance will be asked to leave the facility immediately; and if necessary, the police will be notified.

SECTION 2: Transfer Station/Recycling Center Committee

The Selectboard shall appoint an advisory committee (aka The Dump Committee) to:

1. Oversee the operation of the Transfer Station/Recycling Center facility in an advisory capacity to the Director of Public Works and the Selectboard;

2. Make periodic inspections and submit reports as requested by the Selectboard;

3. Prepare a budget in conjunction with the Director of Public Works for review by the Selectboard in preparation for the annual Town Meeting.

4. Work with the Director of Public Works to develop and recommend specific Transfer and Recycling procedures for approval and publication by the Selectboard; and

5. Recommend Ordinance amendments, as directed by the Selectboard.

SECTION 3: Penalties

Any person who violates any portion of this Ordinance shall be subject to the following fines and penalties;

- 1st Offense: $50 plus any disposal costs
- 2nd Offense: $150 plus any disposal costs
- 3rd Offense: $250 plus any disposal costs and loss of facility privileges

The Selectboard, as enforcing officials, may utilize summons and notice of fine procedures as authorized by RSA 149-M:13 and RSA 502-A:19-b.
SECTION 4: Amendment

Upon adoption by the Selectboard, this Ordinance shall supersede and rescind all other Mandatory Recycling and Transfer Station Ordinances.

This Ordinance may be amended or rescinded by a majority vote of the Selectboard following a public hearing, notice of which shall be posted in two public places and on the Town website. At the time of posting for the public hearing, the draft copy of the amended Ordinance will be available for public review at Town Hall and on the Town website.

SECTION 5: Separability

If any provision of this Ordinance shall be held to be invalid or unconstitutional by any court or competent authority, such holding shall not affect, impair or invalidate any other provision of this Ordinance.

SECTION 6: Effective Date

This Ordinance shall take effect upon the adoption by the Selectboard.

Town of Hancock Selectboard,

John Jordan, Chair

Laurie Bryan

Kurt Grassett

Adopted March 13, 2019 by Town Meeting Vote
APPENDIX

RECYCLED MATERIALS

Plastics:
Must have caps removed and discarded and items recycled rinsed clean.

#1 PETE plastic:
Including soda bottles, beer bottles, mouthwash, salad dressing bottles, vegetable oil bottles, etc.

#2 Colored HDPE plastic:
Including detergent bottles, milk jugs, juice bottles, shampoo bottles, butter and yogurt tubs, etc.

#3 - #7 plastics:
Not currently being accepted due to market conditions.

OCC (Old Corrugated Cardboard):
Must be separated from other paper, clean, dry and flattened. No waxed coated cardboard, no pizza boxes.

Mixed Paper:
Newspaper and inserts, magazines, mail, envelopes, computer paper, shredded paper, catalogs, paperboard (cereal boxes), paper shopping bags and other household paper. Plain paper only, no waxed paper or paper towels, no bulk containers of paper.

Aluminum Cans:
Aluminum cans (except pet food cans) are acceptable and must be rinsed clean. No aerosol cans, no aluminum foil or plates.

Tin Cans:
All other metal containers, such as pet food cans, empty latex paint cans, food cans are acceptable and must be clean and dry.

Electronics:
Small electronic appliances, computer related components, radios and T.V.'s.

Glass:
Glass bottles and jars only. All metal and plastic lids must be removed and discarded.

Fluorescent Bulbs:
Must be deposited in designated location as directed by facility operator.

Batteries:
Rechargeable and automotive batteries in designated location as directed by the facility operator. Alkaline batteries can be disposed of as municipal solid waste.

Scrap Metal:
Scrap metal, including non-Freon containing appliances may be placed in the metal dumpster. All engines must be empty of fuel and oil.
**Used Motor Oil:**
Used motor oil generated by residents must be deposited in a designated location as directed by the facility operator. Used motor oil contaminated with gasoline, antifreeze, etc. cannot be accepted. Used oil from commercial operations cannot be accepted.

**LP Gas Cylinders:**
Must be deposited in a designated location as directed by the facility operator.

**CHARGEABLE ITEMS**

The Chargeable Item fees will be posted at the facility and on the Town website and are subject to revision by the Selectboard according to market conditions.

**Tires:**
No tires on rims.

**Freon-Containing Appliances:**
Refrigerators, freezers, AC units and dehumidifiers.

**Demolition and Construction Debris and Bulky Items:**
Furniture, mattresses, box springs, carpeting, shingles, sheetrock, pressure treated, stained glued, painted wood and other bulky items or demolition and construction materials as determined by the facility operator.