

9-5 Stafford Recycling

An ordinance establishing a mandatory program for recyclable materials, promulgating rules and regulations for the separation, recovery, collection, storage and disposition of said material and prescribing penalties for the violation thereof:

WHEREAS, the growing shortage of acceptable solid waste landfill sites and the conservation of recyclable material is an important public concern; and

WHEREAS, the promotion of the public good is best served by establishing rules and regulations for the separation, recovery, collection, storing and disposal of said recyclable material; and

WHEREAS, the Connecticut State Legislature has made recycling mandatory under P.A. No. 90-220, effective January 1, 1991;

NOW, THEREFORE, BE IT ORDAINED by the Town of Stafford, in the County of Tolland and the State of Connecticut as follows:

Section 1 - Definitions

"Apartment." The term "apartment" refers to a building or set of buildings which contain three or more apartment units in which residents live and which is owned by a single owner (partnership or corporation).

"Cardboard." The term "cardboard" as used herein shall mean corrugated boxes and similar corrugated and kraft paper materials which have a minimum of contamination by food, liquid or other material.

"Commingled." The term "commingled" used herein shall mean source-separated, uncontaminated recyclable materials that have been mixed at the source of generation (i.e. placed in the same container).

"Designated Recyclable Materials." The term "designated recyclable materials" used herein shall mean those recyclable materials designated by the Town of Stafford to be source separated. The term includes, but is not limited to, newspaper, glass and metal food containers, plastic food and laundry containers, car batteries, cardboard, office paper, scrap metal, waste oil, scrap tires and leaves.

"Glass Food Container." The term "glass food container" as used herein shall mean a white, green or brown glass bottle or jar of any size or shape used to package food or liquid products suitable for human or animal consumption.

"Hazardous Waste." The term "hazardous waste" as used herein shall mean all solvents, acids, pesticides, herbicides, oils, chemicals and other toxic or hazardous materials.

"Intermediate Processing Center." The term "intermediate processing center" used herein shall mean a facility which can recycle an item and market or deliver for reuse the resulting material product or products.

"Metal Food Container." The term "metal food container used herein shall mean an aluminum, bimetal, steel, tinplated steel, or other metallic can, plate or tray of any size or shape used to package food or liquid products for human or animal consumption.

"Newspaper." The term "newspaper" used herein shall mean used or discarded newsprint of the type distributed daily or weekly which has a minimum contamination by food or other material.

"Office Paper." The term "office paper" used herein shall mean used or discarded high-grade white paper and manila paper including, but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing, and photocopying, which is suitable for recycling and which has a minimum of contamination. Office paper generated by households is excluded.

"Plastic Food and Laundry Container." The term "plastic food and laundry container" used herein shall mean any plastic food or beverage container, milk jug, or laundry detergent container made of PETE or HDPE recyclable plastic.

"Recyclable Material." The term "recyclable material" used herein shall mean materials which would otherwise become solid waste, which can be separated, collected and processed, and returned to economic use in the form of raw materials or products; and shall include the items listed in Section 4, paragraph A,B and C thereof.

"Recycling." The term "recycling" used herein shall mean any process by which materials, which would otherwise become solid waste, are separated, collected and processed, and returned to economic use in the form of raw materials or products.

"Recycling Container." The term "recycling container" used herein shall mean specifically marked plastic containers which may be provided by the Contractor or the Town to dwelling units in the Town.

"Resident." The term "resident" used herein shall mean any human being residing within the Town of Stafford on a temporary or permanent basis.

"Residential Property." The term "residential property" used herein shall mean property used as a place of residence by any resident.

"Scrap Tires." The term "scrap tire" used herein shall mean discarded motor vehicle tires without rims.

"Scrap Metal." The term "scrap metal" used herein shall mean used or discarded items made of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof including, but not limited to, white goods and metal food containers.

"Solid Waste." The term "solid waste" used herein shall mean all refuse generated by occupants of residential, commercial, and industrial property within the Town.

"Source Separate." The term "source separate" used herein shall mean to separate recyclable materials from the solid waste stream at the point of waste generation.

"Stafford Recycling Center." The term "Stafford Recycling Center" used herein shall mean the Town drop-off facility located at the Upper Road landfill site.

"Storage Battery." The term "storage battery" used herein shall mean lead acid batteries or other batteries used in motor vehicles such as, but not limited to, automobiles, airplanes, boats, recreational vehicles and tractors.

"Waste Oil." The term "waste oil" used herein shall mean crankcase oil that has been utilized in internal combustion engines.

Section 2 - Effective Date

This ordinance shall become effective in accordance with Connecticut General Statutes after adoption at a town meeting.

Section 3 - Recycling Program Established

1. Commencing on the effective date set fourth above it shall be mandatory for all residents of residential property (including condominiums and apartments), occupants of business and industrial property and of private, public and governmental institutions and buildings to engage in recycling as provided hereafter.

Materials designated as recyclable for this program in accordance with this action shall consist of the following materials:

1. Newspaper
2. Glass food containers
3. Metal food containers
4. Plastic food and laundry containers
5. Cardboard
6. Scrap Metal
7. Car batteries
8. Waste motor oil
9. Scrap tires
10. Leaves
11. Office paper
12. Other recyclable materials as designated by the Board of Selectmen of the Town of Stafford thirty (30) days after designation and publication in a newspaper of general circulation in the area.

Section 4 - Separation of Recyclable Material

Residential Property:

On or after the effective date of this ordinance, it shall be mandatory for all persons who are occupants of residential property (including condominiums) to separate cardboard, glass food containers, metal food containers, newspaper, scrap metal, storage batteries, plastic food and laundry containers, tires, and leaves as hereinafter defined, from all other solid waste generated by such residence for collection and ultimate recycling of said materials.

Business and Industry:

On or after the effective date of this ordinance, it shall be mandatory for all occupants of business and industrial property and of private, public and governmental institutions and buildings (where the number of occupants exceeds one, the chief executive officer of the entity occupying said property, institution or building), to separate cardboard, glass food containers, metal food containers, newspaper, office paper, scrap metal, plastic food and laundry containers, tires, storage batteries, and leaves from all other solid waste generated by said nonresidential establishments for collection and ultimate recycling of said material.

Apartments and Residential Units:

On or after the effective date of this ordinance, it shall be mandatory for all apartment owners or managers and condominium associations, to separate cardboard, glass food containers, metal food containers, newspaper, office paper, scrap metal, plastic food and laundry containers, tires, storage batteries, and leaves from all other said waste generated by the tenants of said apartments for collection and ultimate recycling of said materials.

Additional Recyclable Materials:

There shall be added to the list of recyclable materials described in paragraphs A,B and C above, those items which are hereafter added to the list of recyclable materials contained in Chapter 446d of the Connecticut General Statutes and the regulations of the State of Connecticut Department of Environmental Protection in accordance therewith and/or as designated by the Board of Selectmen as specified in Section 3 B (12).

Section 5 - Curbside Residential Collection

1. Collection Options

Residents may choose to contract for curbside collection of designated recyclables by a private waste hauler registered to do business with the Town of Stafford.

1. Containers and Fees

The Town will provide each residential unit a recycling container at Town expense. If the container is lost, stolen or misplaced, then the replacement container shall be furnished at the expense of the resident. Replacement or additional containers shall be obtained from the Town at a price established

by the Board of Selectmen.

1. Designated Items for Curbside Collection
2. Newspapers
3. Corrugated cardboard
4. Metal food containers and aluminum foil
5. Glass food containers
6. Plastic food and laundry containers

1. Curbside Collection Schedule
2. Curbside collection of designated recyclables in recycling containers shall be on the regular trash collection day unless otherwise authorized by the Director of Public Works.
3. Curbside customers shall make provisions for the disposal of the other designated recyclable items, described in Section 7 of this ordinance, at the Stafford Recycling Center.

1. Preparation of Recyclables for Curbside Collection
2. Items designated for curbside collection shall be separated and placed into the recycling container provided by the Town.
3. The recyclable items shall be prepared as described in Section 7 of this ordinance.

Section 6 - Nonresidential Disposal

It shall be the responsibility of each nonresidential establishment or their agent to have said recyclable material source separated and collected; and to enter into a private agreement with a contractor to have the recyclable material properly transported to the recycling facilities as established by the Town, unless otherwise authorized by the First Selectman.

Section 7 - Preparation of Recyclables

1. Residents shall separate and prepare designated recyclable items in the following manner:
2. Newspaper - Uncontaminated newspapers and inserts shall be tied with string or placed in paper bags.
3. Glass Food Containers - Clear, brown and green glass food containers, for human and animal consumption, shall be washed clean, and nonmetal lids and caps are to be removed and discarded.

4. Metal Food Containers - Tin, aluminum and other metal food containers, for human and animal consumption, shall be washed clean, and nonmetal lids are to be removed and discarded.
5. Plastic Food and Laundry Containers - Plastic food and beverage containers, milk jugs and laundry detergent bottles made of PETE or HPDE recyclable plastic shall be washed clean, and lids and caps are to be removed and discarded.
6. Corrugated Cardboard - Uncontaminated cardboard shall be broken down flat.
7. Scrap Metal - Scrap metal shall be separated into light, heavy and aluminum metal and all nonmetal parts shall be removed.
8. Motor Vehicle Batteries - Scrap motor vehicle batteries shall be whole and unbroken.
9. Waste Motor Oil - Waste crankcase oil shall be transported in closed containers and shall be free of any other substance.
10. Scrap Tires - Scrap motor vehicle tires shall be free of rims or other contaminants.
11. Leaves - Leaves shall be composted in the backyard or garden by the individual property owners or may be deposited at a Town approved composting site.
12. Office Paper - White office paper shall be prepared for separation by commercial and governmental offices and buildings in accordance with Section 1.

1. All occupants of business and industrial property and private, public and governmental institutions and buildings and apartments shall prepare recyclables for collection as follows:
2. The owner or occupant of business and industrial property and of private, public and governmental institutions and buildings shall separate the recyclable materials from all other solid waste and contract with an approved waste collector for the proper transporting of the recyclable material, unless otherwise authorized by the First Selectman.
3. Where the building, institution or property contains two or more entities, then the chief executive officer or manager of said building, institution or property shall establish a recycling program with all occupants and contract with an approved waste collector for the collection and proper transporting of the recyclable material, unless otherwise authorized by the First Selectman.
4. The owner or manager of an apartment complex shall establish with all tenants a procedure for the separation and storage of all recyclable material and shall contract with an approved waste collector for the collection and proper transportation of the recyclable materials, unless otherwise authorized by the First Selectman.

Section 8 - Waste Haulers

1. All waste haulers and collectors shall register with the Department of Public Works, and gain Town approval for hauling recyclable material prior to any transporting or collecting of any recyclable materials.
2. The Director of Public Works shall adopt and implement application forms to identify the waste hauler, his address, name of the responsible person, mailing address, telephone number, emergency telephone number, and evidence of insurance for general liability for

operation of a motor vehicle and contamination resulting from improper handling of waste material in the Town.

3. All waste haulers or collectors operating within the Town of Stafford shall
4. notify the Town's Director of Public Works of those persons, partnerships or corporations that have discarded recyclable material as defined in Section 3 B of this Ordinance with other solid waste.
5. No waste hauler or collector shall knowingly mix recyclable material with other solid waste.
6. Any waste hauler or collector who violates this Ordinance shall be subject to the penalties provided herein as well as those penalties provided by the Connecticut General Statutes.

Section 9 - Authorization

1. The Selectmen are hereby granted the authority to adopt regulations, policies or procedures to implement the following:
2. The method and time of residential pickup of recyclable material.
3. Amendments to the list of items subject to recycling.
4. Changes in the location of any collection centers.
5. Regulations to identify, qualify and assure financial and general compliance of waste haulers with this Ordinance.

Section 10 - Unlawful Acts, Violations and Penalties

1. It shall be unlawful to combine recyclable materials or hazardous wastes with refuse. Refuse which has recyclable material commingled with it shall not be collected, and recyclable material that has refuse commingled with it shall not be collected.
2. It shall be the responsibility of the resident to properly segregate the uncollected waste and either store or dispose of it at their own expense.
3. Allowing refuse to accumulate shall subject a resident to a citation for violation of the Town Sanitary Code.
4. Failure to recycle is a violation of the Ordinance.
5. The recycling container shall be kept clean and stored in such a location as not to constitute a nuisance or otherwise be objectionable.
6. No person having custody or control of residential premises from which recyclables are collected for disposal by the Town of Stafford shall permit or cause any recyclables within his custody or become a nuisance of any sort.
7. No person or corporation shall separate, recover, collect, remove, store, or dispose of recyclable material within the Town of Stafford, except as specifically authorized by the Town of Stafford or the provisions of this Ordinance.
8. No person, partnership, firm, or corporation other than the authorized agents of the Town or employees of the Town acting in the course of their employment shall collect or pickup or cause to be collected or picked up such recyclable material. Each and every such collection or pickup in violation of this section shall constitute a separate and distinct offense.
9. Any person, firm or corporation found guilty of a violation of any provision of this Ordinance or any of the Rules and Regulations promulgated pursuant hereto shall be

guilty of an infraction as provided by the Connecticut General Statutes as amended and the fines established pursuant thereto. This Ordinance and the Regulations pursuant thereto may be enforced by police officers of the Town and State of Connecticut.

10. In addition to any other penalty provided herein, occupants of business and industrial property

That are considered a commercial establishment under the provisions of Public Acts 90-249, and 90-220 shall, for violations of this Ordinance, be subject to the following penalties:

1. For the first offense, a written warning will be issued.
2. For the second offense, or any subsequent offense, a fine not to exceed \$500.00, for each violation as provided in said Public Acts.

Any person who illegally disposes solid waste at a landfill located in the Town shall be subject to the following penalties:

1. For the first offense, a written warning will be issued.
2. For the second offense, a fine of \$50.00.
3. For the third offense, or any subsequent offense, a fine of \$100.00.

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1. Any commercial hauler who illegally disposes of solid waste at a landfill located in the Town shall be subject to the following penalties:
 2. For the first offense, a written warning will be issued.
 3. For a second offense, a fine of \$1,000.00.
 4. For the third, or any subsequent offense, a fine of \$2,000.00.

Section 11 - Severability

The provisions of this Ordinance are severable. If any provision of this Ordinance or its application to any person or circumstances is held invalid, said invalidity shall not offset any other provision or application of this Ordinance which can be given effect without the invalid provision or application of the Ordinance.

Section 12 - Repealer

All provisions of any other Ordinance which are inconsistent with the provisions of this ordinance are hereby repealed.

Date: March 28, 1991

Effective Date: April 19, 1991