

ORDINANCE NO. 10-021
GARBAGE, RUBBISH, REFUSE AND RECYCLING ORDINANCE

August 24, 1970 Vol. 8, Page 145

May 26, 1988 Vol. 10, Page 140

October 29, 2002 Vol. 11, Page 358

January 27, 2010 Vol. 12, Page 400

BE IT ORDAINED, BY THE Town Meeting of the Town of Thompson that the ordinances that the Town of Thompson adopted August 24, 1970, May 26, 1988, and October 29, 2002, regarding the Thompson Transfer Station, is hereby repealed in its entirety and the following is substituted in lieu thereof.

SECTION 1 – DEFINITIONS

Bulky Waste: Material accepted at the Thompson Transfer Station includes items defined by the Connecticut DEP as Bulky Waste, and Oversized Municipal Solid Waste. Thompson's Transfer Station accepts the following Bulky Waste items: construction and demolition debris including roofing shingles, sheetrock, old carpet, pallets, insulation, wood scraps, paneling, old bathroom fixtures. Oversized Municipal Solid Waste including furniture, sofas, mattresses, carpets and rugs, oversized toys, stuffed chairs, painted and clean wood. No asbestos or other hazardous waste shall be disposed of as Bulky Waste.

Commercial Collector: means any person, firm, or corporation charging a fee for the collection, transportation, and/or dumping of garbage, and includes those who collect and dispose of refuse as a secondary aspect of other commercial services, such as contractors and construction companies.

Compost: The Thompson Transfer Station accepts clean, organic materials for composting at the Transfer Station. Natural, organic items accepted at the Thompson Transfer Station for composting are: leaves, small quantities of grass clippings, hay and straw, stalks and stems from vegetable gardens, horse manure, fruit and vegetable scraps, coffee grounds, bark in small quantities.

Disposal Area: means the area designated by the Town of Thompson for the dumping of garbage and rubbish and recyclables.

Dumping: Depositing, discharging, placing, and disposing of garbage.

Hazardous Refuse: means materials that are identified by the Resource Conservation and Recovery Act (RCRA) as hazardous materials. For example, household cleaning fluids, oil-based paints, explosives, acids, caustics, poisons, drugs, radioactive materials and refuse of a similar nature.

MSW (Municipal Solid Waste): which includes garbage, rubbish, refuse, trash, waste; unwanted or discarded materials, including solids, liquids, and semi-solid or contained gaseous materials. No asbestos or other hazardous waste shall be disposed of as MSW.

Recyclable: means any items, commonly regarded as wastes, which are designated by the Board of Selectmen and the Director of Public Works to be presorted for separate handling.

Resident: means individuals who reside in or own real property containing a residence or operate a home occupation business in the Town of Thompson.

SECTION 2 – RESTRICTIONS ON USE OF DISPOSAL AREA

Only persons, firms, or corporations whose residences or places of doing business are within the Town limits, shall be eligible for a permit to use the facilities of the Town Disposal Area for depositing of garbage, rubbish, and other refuse originating in the Town. Commercial refuse collection services operating in the Town are **not** eligible. No person, firm, or corporation, other than those herein designated shall, without written permission from the Director of Public Works and the Selectmen, enter into or upon the Disposal Area. The depositing at the Disposal Area of any garbage, rubbish, or any other refuse not originating **from a permitted household within** Thompson shall constitute a violation of this ordinance and result in a fine and/or revocation of the permit for the balance of the current year.

Failure to pay charges incurred at the Transfer Station within sixty (60) days will result in suspension of Transfer Station permit until fees are paid.

SECTION 3 – PERMIT ISSUANCE AND REVOCATION

Applications for **yearly** permits shall be obtained from the **Tax Collector's Office**, which shall issue all permits authorizing the use of the Disposal Area, subject to the provisions of this ordinance and other appertaining regulations. **Temporary permits** may be issued to Thompson Residents borrowing vehicles. Temporary permits shall be issued solely to residents holding valid yearly permits. A temporary permit shall be valid for not more than

one (1) day and said permit shall be in the form of a letter from the Selectmen's Office. There shall be no charge to residents who already hold a valid yearly permit. **The Director of Public Works is responsible for regulation, enforcement, and revocation of permits for failure to follow regulations.** Appeals of denial or revocation of permits shall be made to the full Board of Selectmen. All permit stickers shall be affixed and displayed in the lower right interior corner of the motor vehicle windshield. **A separate permit is required for each household in a multiple family dwelling.**

SECTION 4 – ENACTMENT OF REGULATIONS

The Selectmen are hereby authorized to enact from time to time on other regulations supplemental to this ordinance, deemed in the public interest regarding the separation, recovery, collection, removal, storage, and disposition of garbage, rubbish, and other refuse including recyclables, and specially designated materials, in accordance with Connecticut General Statutes and other applicable state regulations.

SECTION 5 – CONTRACTURAL AUTHORITY AND RECYCLING

The Selectmen are authorized to employ and/or negotiate and enter into contracts within available appropriations with individual persons, corporations, or governmental agencies for the separation, recovery, collection, removal, storage, or disposition of garbage, rubbish, or other refuse, including recyclables.

SECTION 6 – FEES & FINES

An annual permit fee for the use of the Disposal Area by residents and other eligible parties may be established by the Selectmen. Other fees for disposal, deposit of specially designated materials and tipping fees and fines may be instituted by the Board of Selectmen. The fee for yearly permits issued after May 1 will be one-half the yearly fee. See the Ordinance Fee and/or Fine Schedule for current fees.

SECTION 7 – COMMERCIAL COLLECTIONS

No person engaged in the business of collection or disposal of garbage shall deposit garbage in the Disposal Area.

SECTION 8 – FINES AND PENALTIES

Except where otherwise specified in this ordinance, any person or permittee violating any provision of this ordinance, or regulations enacted hereunder, shall be subject to a fine, see Ordinance Fee and/or Fine Schedule, and/or revocation of permit for use of the Disposal Area. In addition, the Town, or its agent reserves the right to refuse access to the Disposal Area where the provisions of this ordinance or regulations enacted hereunder are violated.

SECTION 9 – COLLECTION AND TRANSPORT

All garbage, rubbish, or other refuse collected and transported within the Town of Thompson shall be covered **or** secured in such a manner as to prevent scattering of these materials upon the streets and highways. All vehicles entering or leaving the Transfer Station shall be subject to inspection by the Director of Public Works or his designee. Any vehicle containing inappropriate or unacceptable materials or unsecured loads shall be refused entry to the Transfer Station.

SECTION 10 – LITTERING

It shall be unlawful for any person to throw, deposit, or leave any litter or rubbish in any public park, public playground, or recreation area, public street or on any private property of another in the Town. Such litter or rubbish shall be placed in the proper receptacles where these are provided; and when receptacles are not so provided, such litter or rubbish shall be carried away by the person responsible for its presents and properly disposed of elsewhere. Violations of this section shall be punishable by a fine, see Ordinance Fee and/or Fine Schedule, for each occurrence.

SECTION 11 – UNLAWFUL DEPOSITING OF MATERIALS

Except as specifically permitted by the Town, it shall be unlawful for any person to throw upon the streets, or any private property of another, or any other property under the control of the Town, or in any catch basin, fire hole, drain, river, or other waterway in the Town, any garbage, rubbish, hazardous waste or other refuse. Violation of this section shall be punishable by a fine, see Ordinance Fee and/or Fine Schedule plus the cost of cleanup for each occurrence.

SECTION 12 – PROHIBITING IMPROPER STORAGE

No person having custody or control of residential, industrial, or business premises from which garbage, rubbish, or other refuse, including recyclables, is collected for disposal in the Disposal Area, shall permit or cause any garbage,

rubbish, or other refuse, including recyclables, within his/her control to become a hazard to public travel, health, or safety, or to become a nuisance of any sort as determined by the Board of Selectmen.

SECTION 13 – PROHIBITING UNAUTHORIZED COLLECTION OF RECYCLABLES

No person(s) engaged in the business of separation, recovery, collection, removal, storage, or disposition of garbage, rubbish, recyclables, or other refuse within the Town of Thompson, except as are specifically authorized by the Selectmen, shall pick up or procure from the Transfer Station any garbage, rubbish, or other refuse deemed recyclable under this ordinance or a valid regulation. This restriction shall also apply to any citizen, resident, taxpayer or person who might engage in such practice for personal gain except so far as such persons may be collecting roadside litter. Violations of this section shall be punishable by a fine, see Ordinance Fee and/or Fine Schedule, and/or loss of transfer station permit.

SECTION 14 – DEMOLITION MATERIALS

There will be a flat fee to dispose of all Bulky Waste for loads under 100 lbs. to be determined by the Board of Selectmen, see Ordinance Fee and/or Fine Schedule. All demolition materials, and Bulky Waste over 100 lbs. are subject to being weighed in over the Transfer Station scale and will be billed accordingly on tonnage, at the rate set by the Board of Selectmen.

SECTION 15 – HAZARDOUS SUBSTANCES

It shall be unlawful to dispose of, within the Town of Thompson, materials which are identified by the Resource Conservation and Recovery Act (RCRA) as hazardous materials. Household hazardous wastes should be held at home until the Town announces a household hazardous waste collection day. Refer to the annual "Town of Thompson Transfer & Recycling Information" packet for permitted and prohibited materials.

SECTION 16- REPEALING OF INCONSISTENCIES

All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provision of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 17 – SEVERABILITY

This ordinance and the various parts, sentences, sections, clauses thereof, are hereby declared to be severable. If any part, sentence, section, or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

SECTION 18 – ENFORCEMENT

The law enforcement agency of the Town of Thompson shall be charged with enforcement of the provisions of this ordinance, and any legal recourse, civil or criminal, available to the Selectmen.