

CODIFICATION OF ORDINANCE

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G.1. TRANSFER STATION AREA

There shall be a Town Sanitary Transfer Station area (the Transfer Station) for the convenience and sole use of Marlborough residents on a parcel of land on Quinn Road. No person shall bring garbage, rubbish, or Recyclable Materials (as defined in Ordinance G.4.) to the Transfer Station from any other town. As set forth in Ordinances G.2., G.3., and G.4., residents may bring certain materials to the Transfer Station, but under no circumstances shall residents dump garbage or rubbish in any other section of the Town. Residents and businesses may contract with private haulers for the purpose of transporting garbage, rubbish, and Recyclable Materials (as defined in Ordinance G.4.) to other licensed facilities. All such material shall be secured in transit in such a manner so as to prevent it from being scattered on roads and highways. Any person violating Ordinance G.1. shall be subject to a \$100 fine for each violation.

G.2. DISPOSAL OF UNAUTHORIZED MATERIALS AT THE TRANSFER STATION

Only Authorized Materials (as defined and limited by Ordinances G.3.and G.4.) shall be disposed of at the Transfer Station. Any person violating Ordinance G.2. shall be subject to a \$100 fine for each violation.

G.3. REGULATION CONCERNING THE DISPOSAL OF AUTHORIZED MATERIALS

Section 1 – Only the following materials (collectively the Authorized Materials) shall be disposed of at the Transfer Station pursuant to Ordinances G.1. through G.4., inclusive:

1. Household Waste – as defined in Ordinance G.4., Recycling, Section I.
2. Recyclable Materials – as defined in and limited by Ordinance G.4., Recycling, Sections I and II.A.
3. Household furniture and items, including sofas, stuffed chairs, recliners, sofa beds, mattresses, and box springs.
4. White Goods – as defined in Ordinance G.4., Recycling, Section I.
5. Stumps (up to 24” diameter), wooden furniture pallets, and logs.
6. Construction and Demolition Waste – as defined in Ordinance G.4., Recycling, Section I.
7. Brush – as defined in Ordinance G.4., Recycling, Section I.
8. Scrap Tires – as defined in Ordinance G-4, Recycling, Section I
9. Other items as approved by the Board of Selectmen.

Section 2 – Each vehicle entering the Transfer Station shall have an up to date permit sticker attached to the vehicle’s windshield or a temporary permit issued by the Town Clerk of the First Selectman.

Section 3 – The Board of Selectmen shall set the hours of operation of the Transfer Station.

Section 4 – The Board of Selectmen may prescribe and from time to time amend fees for the acceptance of Authorized Materials at the Transfer Station.

G. OPERATION OF TOWN SANITARY TRANSFER STATION

Section 5 – All Recyclable Materials (as defined and limited by Ordinance G.4., Sections I and II) delivered to the Transfer Station must conform to Ordinance G.4., concerning recycling.

Section 6 – Any item not listed in the definition of Authorized Materials contained in Section 1 of Ordinance G.3. shall not be disposed of at the Transfer Station, including but not limited to the following items:

- a. Waste oil, waste antifreeze, and waste oil filters produced by or in the possession of commercial enterprises, liquid waste mixed trash, stumps exceeding 24” in diameter, animal carcasses, or animal by-products.

- b. Hazardous Waste (as defined in Ordinance G.4., Section I), including but not limited to pesticides, herbicides, asbestos, lead or oil based paints, drain cleaners, solvents, brake fluid, wood preservatives, rat poison, oven cleaners, swimming pool chemicals, acids, photo chemicals, epoxy, or furniture stripper. These items must be brought to a licensed household hazardous waste disposal facility.

- c. Biomedical Waste (as defined in Ordinance G.4. Section I).

- d. Grass clippings

- e. Special Waste (as defined in Ordinance G.4. Section I). Section 7 – No person shall deposit at the Transfer Station any ice box, refrigerator, or other container that has an air-tight door or lid, snap, or other locking device that may not be released from the inside without first removing the door or lid, snap lock, or other locking device from the ice box, refrigerator, or container.

Section 8 – A temporary permit shall be required for anyone who is hired by a resident of the Town to transport demolition material or debris to the Transfer Station. Temporary permits are issued by the Town Clerk or the First Selectman.

Section 9 – Any person violating Ordinance G.3. shall be subject to a \$100 fine for each violation.

G.4 RECYCLING

I. Definitions

Aseptic Packaging – means gable top, plastic-coated containers up to (1) one gallon in size, empty with straws and caps removed.

Battery (dry cell storage type) – means a device used for generating electric current through a chemical reaction, including but not limited to, nickel-cadmium, carbon, and/or alkaline batteries. The term Battery does not include mercuric oxide batteries, which will not be accepted at the Transfer Station. The term Battery also does not refer to lead acid batteries or motor vehicle batteries, which are encompassed within the term Storage Battery, as defined below.

Biomedical Waste – means infectious waste, pathological waste, and chemotherapy waste generated during the administration of medical care or the performance of medical research involving humans or animals and as further defined in Connecticut General Statutes section 22a-207(19), as amended. Syringes, sharps, and needles stored in #2HDPE container, with lid taped shut, are acceptable for disposal into Household Waste.

Brush – means bushes, shrubs, and/or tree limbs less than 3” in diameter.

Cardboard – means corrugated boxes and similar corrugated and kraft paper materials that have a minimum of contamination by food or other material. No wax or plastic coatings allowed. All items must be free of debris and flattened prior to disposal. Materials cannot be larger than 3' x 3'.

Commingled Recyclable Material – means the assortment or combination of Metal Food Containers, Plastic Containers, Glass Food Containers, aluminum foil, and/or Aseptic Packaging. All items must be free of debris and cleaned.

Construction and Demolition Waste – means waste building materials and packaging resulting from construction, remodeling, repair, and demolition operations on houses, commercial buildings, and other structures as further defined and limited by Connecticut General Statutes' 22a-208x, as amended.

DEP – means the State of Connecticut Department of Environmental Protection.

Glass Food Containers – means any unbroken glass bottle or jar of any shape or color up to (1) one gallon in size used to package food or beverage products suitable for human or animal consumption. All Glass Food Containers must be clean and have caps, lids, and corks removed.

Hazardous Waste – means any waste material that may pose a present or potential hazard to human health or the environment when improperly disposed of, treated, stored, transported, or otherwise managed and as further defined by Connecticut General Statutes' 22a-115(1), as amended and 22a-209-1 of the Regulations of the DEP, as amended.

Household Waste – means ordinary household waste that does not contain any Recyclable Materials, Hazardous Waste, Construction and Demolition Waste, Biomedical Waste, Batteries, Storage Batteries, Special Waste or oil base paints. Dry latex paint is acceptable.

Leaves – means the foliage of trees.

Magazines – means catalogs, magazines, or other similar printed matter.

Metal Food Container – means any aluminum, bi-metal, steel, tin-plated steel, or other metallic can, plate, or tray of any shape up to (1) one gallon in size used to package food or beverage products suitable for human or animal consumption. Clean aluminum foil is also acceptable. Number 10 cans are also acceptable.

Newspaper – means any used or discarded newsprint that has a minimum of contamination by food or other material. Newspaper must be no more than two months old, clean, dry and placed in brown Kraft paper grocery bags.

Office Paper – means any 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 photo-copying, which is suitable for recycling and which has a minimum of contamination, excluding office paper generated by households.

Plastic Containers – means #1 PET (polyethylene terephthalate) up to (3) three liters in size with Number 1 on the container and #2 HDPE (high density polyethylene) up to (1) one gallon in size with Number 2 on the container.

Reasonable Opportunity to Recycle – Exists when for a given Recyclable Material there exists a separate container, handling, transport, and/or processing at the Transfer Station or other designated location in the Town.

Recyclable Materials – means any materials that have been designated as recyclable under the Connecticut General Statutes and the Regulations of the DEP, as amended, and that have

been identified as recyclable pursuant to Section II below.

Recycling - means the process of sorting, cleansing, treating, and reconstitution waste or other discarded material for the purpose of using the altered form.

Recycling Container – means a specifically marked container used to collect Recyclable Materials separately from other solid waste.

Resident – means individuals who reside in the Town. The term Resident does not include businesses or other organizations.

Scrap Metal – means used or discarded items that consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel, or alloys thereof including but not limited to White Goods. All non-metal items must be removed. No Batteries or closed containers allowed.

Scrap Tires – means any discarded rubber or synthetic rubber tires used by or manufactured for vehicles, including but not limited to automobiles, trucks, buses, and trailers. No rims larger than 17" will be accepted.

Special Waste – means any waste that is not Recyclable Materials, Household Waste, Hazardous Waste, or Biomedical Waste, and that requires special handling for disposal.

Storage Battery – means lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, and tractors.

Waste Antifreeze – means a substance of low freezing point added to a liquid, especially to the water in a radiator of vehicles, e.g., ethylene glycol.

Waste Oil – Crankcase oil that has utilized in internal combustion engines.

White Goods – means common household appliances such as washers, dryers, air conditioners, television, refrigerators, freezers, and stoves.

II. Recyclable Materials

A. The list of Recyclable Materials is as follows:

- (a) Cardboard;
- (b) Glass Food Containers;
- (c) Leaves;
- (d) Metal Food Containers;
- (e) Newspaper;
- (f) Office Paper;
- (g) Scrap Metal;
- (h) Storage Batteries;
- (i) Waste Oil
- (j) Waste Antifreeze;
- (k) Plastic Containers;
- (l) Magazines; and
- (m) Scrap Tires

B. The Board of Selectmen may revise this list from time to time.

III. Household Recycling

A. Prior to collection or disposal, Residents shall pre-sort the following items from Household Waste and shall place the separated items into an appropriate Recycling Container: Glass Food Containers, Metal Food Containers, Plastic Containers, Aluminum Foil, Aseptic Packaging, Magazines, and Newspaper. Glass Food Containers, Metal Food Containers, Aseptic Packaging, and Plastic Containers shall be rinsed. Newspapers shall be string-tied in bundles or place in brown paper grocery bags.

B. The Board of Selectmen may revise, from time to time, the materials required to be pre-sorted from Household Waste prior to collection or disposal.

IV. Recycling By Private Businesses

A. The use of the terms Private Business and Private Businesses in this Section refer to commercial, industrial, and private business enterprises located in the Town.

B. All Private businesses and/or owners of Private Business property are responsible for the proper disposal of garbage, rubbish, and Recyclable Materials that are generated or brought onto their property. They must also adhere to all applicable local state, and federal laws relating to recycling and waste disposal.

C. The materials that must be recycled by Private Businesses are as follows: Plastic Containers, Glass Food Containers, Metal Food Containers, Newspaper, Magazines, Cardboard, Waste Oil, Storage Batteries, Scrap Metal, and Office Paper. The Board of Selectmen may revise this list from time to time.

D. All Private Businesses and owners of Private Business property are required to provide their own means of collection, transportation, and disposal of Recyclable Materials and non-recyclable waste from their property to a proper receiving center.

E. Private Businesses and owners of Private Business properties must make themselves aware of the proper means by which to dispose of Recyclable Materials and non-recyclable waste generated or brought onto their property.

F. The Transfer Station may accept or receive Recyclable Materials or non-recyclable waste that is generated by Private Businesses or that is brought onto Private Business property only as directed by the Board of Selectmen or as required by subparagraph H below.

F. Upon request, the town will provide assistance to Private Businesses interested in learning proper recycling procedures.

H. All private haulers shall obtain a permit and/or a license while working in the Town. All private haulers shall also provide monthly tonnage reports to the Town.

V. Waste Oil

A. The Town will maintain a storage container at the Transfer Station to receive Waste Oil from Residents only. The Town also will provide for the removal of collected Waste Oil from the Transfer Station, as necessary.

B. The Town will provide a separate disposal container at the Transfer Station to receive used Waste Oil filters from Residents only.

C. The Town will provide a separate disposal container at the Transfer Station to receive Waste Antifreeze from Residents only.

D. Private businesses and other organizations, including but not limited to garages and dealerships, shall make their own provisions for storage and removal of Waste Oil, Waste Oil filters, and Waste Antifreeze.

VI Leaves

A. The Town will accept Leaves at the Transfer Station.

VII. Scrap Metal

A. The Town will accept Scrap Metal at the Transfer Station.

VIII. Storage Batteries

A. The Town will maintain a drop-off point at the Transfer Station for Storage Batteries from Residents only.

B. Private Businesses and other organizations, including but not limited to garages and dealerships, will be responsible for properly disposing of Storage Batteries. The Town will not accept Storage Batteries from Private Businesses and other organizations at the Transfer Station.

IX. Freon Recovery

A. Chlorofluorocarbons (CFC's) and hydro chlorofluorocarbons (HFC's) shall not be removed from any item containing such materials prior to disposal of such item at the Transfer Station. The Town shall arrange for such removal by a licensed or certified company.

X. Household Furniture and Mattresses

A. The Town will accept household furniture and mattresses at the Transfer Station from Residents only. Private Businesses and other organizations shall make their own provisions for the disposal of furniture and mattresses.

XI Enforcement

A. Those generators of waste found to be in violation of requirements for pre-sorting Recyclable Materials will be notified in one or more of the following ways:

1. Verbally;
2. In writing; or
3. In person by a representative of the Town.

B. The Town will not accept any Recyclable Materials in the municipal solid waste container at the Transfer Station from any waste generator for whom there exists a Reasonable Opportunity to Recycle.

1. Contracted waste and materials haulers shall not collect waste from waste generators that violate the pre-sorting requirements set forth in Ordinance G.4. Any person that dumps one or more loads at the Transfer Station not complying with the pre-sorting requirements set forth in Ordinance G. 4. will be subject to the fines prescribed herein for each violation:

- First Offense \$15.00
- Second Offense \$100.00 fine
- Third Offense Review and determination by the Board of Selectmen of penalty, which may include fines up to the maximum amount by law.

Any Police Officer, Constable, Resident State Trooper, or other Person authorized by the First Selectman may issue a citation to any person who commits a violation of this Section. Appeals may be made to the Board of Selectmen.

2. Contracted Waste and materials haulers who have reason to believe that a person from whom they collect solid waste has discarded Recyclable Materials with such solid waste in violation of the pre-sorting requirements contained in this Ordinance shall not collect such solid waste and shall promptly notify the First Selectman or his designated agent for action by the Town against the violator. The person whose waste was not collected will be subject to the fines prescribed herein for each violation:

First Offense \$15.00 fine

Subsequent Offense \$100.00 fine and subject to order that material be removed.

3. Residents and Private Businesses delivering their own waste to the Transfer Station will place Recyclable Materials in containers provided for such items at the Transfer Station before disposing of non-recyclable waste. Failure to do so will constitute a violation of this Ordinance and subject the violator to the fines set forth in subparagraph XI.B.1 of this Ordinance for each violation.

4. Private haulers of waste from Residents and Private Businesses must report any violation of this Ordinance to the Town pursuant to Connecticut General Statutes' 22a-220c.

XII. Prohibition of Unauthorized Collection of Recyclable Materials

Except as specifically authorized by the Town, no person(s) engaged in the business of

G. OPERATION OF TOWN SANITARY TRANSFER STATION

separation, recovery, collection, removal, storage, or disposition of materials and waste within the Town shall pick up pre-sorted Recyclable Materials. This restriction shall also apply to any citizen, resident, taxpayer, or person who might engage in such a practice for personal gain.

Effective Date: MARCH 23, 2001