

TOWN OF ALEXICO

MANDATORY RECYCLING  
ORDINANCE

DRAFT JULY 26, 1993

**TOWN OF MEXICO**

**MANDATORY RECYCLING ORDINANCE**

1. **Title and Purpose:** This ordinance shall be known as the **TOWN OF MEXICO MAINE SOLID WASTE AND RECYCLING ORDINANCE.**

This ordinance has several purposes:  
to preserve and protect environmental resources,  
to protect the health, safety and welfare of the public,  
to provide for efficient and cost effective operation of  
the waste management facility, and to recover and reuse  
valuable resources currently being wasted.

2. **Scope:** This ordinance applies to all residential, institutional, commercial and industrial producers of solid waste in the Town of Mexico.
3. **Authority:** This ordinance is adopted to the Home Rule powers granted in the Maine Constitution, 30-A, M.R.S.A. Section 3001 et seq. and 30 M.R.S.A. Section 1301 et seq.
4. **Definitions:** The definitions set forth in 38 M.R.S.A. Section 1303 apply to this ordinance and are incorporated herein. Any word not otherwise defined shall have it ordinary meaning.
5. **Recycling Requirements:** All solid waste shall have the following materials separated out in a readily manageable form when delivered to the designated waste management facility/facilities.

**A. Recyclables**

- corrugated cardboard
- newsprint
- HDPE #2 plastic
- tin and steel cans
- glass (clear)
- aluminum

(continued)

- high grade paper
- white goods
- steel, copper, brass
- magazines

B. Other waste requiring separation

- tires
- wood

C. Collection and separation priorities reflect the current needs of the facility. The materials may be changed, either by addition or deletion by a majority vote of the Board of Selectmen after public hearing on the changes.

6. *Municipal Solid Waste (MSW)*: This waste must not include any of the items listed in #5 above. General refuse or waste shall be in appropriate containers whenever placed at curbside or delivered to the transfer station or other designated waste disposal area.

7. *Recycling Facility*: The Town shall provide a facility for collection and storage of recyclable materials, located at a place or places to be designated by the Board of Selectmen.

8. *Administration and Enforcement*:

- a. The Board of Selectmen, or their duly-appointed agents, shall administer and enforce this ordinance.
- b. The Board of Selectmen shall adopt written regulations governing the solid waste management, which comply with the Northern Oxford Solid Waste Board.
- c. The Board of Selectmen have the further authority to negotiate and contract with any person, corporation, agency, partnership or other entity for the disposal of solid waste or recyclable materials. They may appoint one or more persons to assist them in determining how best to dispose of recyclable materials.

9. *Unacceptable Waste:*

A. The following wastes will not be accepted at the Solid Waste Management Facility:

1. Hazardous waste of any kind including but not limited to, pathological wastes, chemicals, explosives, radioactive materials, other special wasters, toxic wastes, and other wastes as defined by the Department Environmental Protection.
2. Special waste so designated by the Department of Environmental Protection.
3. Septic tank residues.
4. Animal and agricultural wastes such as manure and crop residue.
5. Dead animals or portions thereof.
6. Asbestos.
7. Gasoline tanks, pesticides, hazardous material containers.
8. Large pressurized containers (Over 1 qt.)
9. Liquid or viscous waste other than mentioned in this document.

B. If any such waste is deposited at the solid waste management facility, clean up costs associated with proper disposal shall be borne by the person responsible for the deposition.

C. The Board of Selectmen may approve the acceptance of special wastes upon approval of the DEP to do so.

10. *Scavenging:*

No person shall scavenge or pick from the facility, unless a designated "reusable materials" area has been established.

11. *Violations:*

- a. Dumping of solid waste at locations or sites within the Municipality which have not been designated as an acceptable facility or site by the Town, is a violation of this ordinance and may be penalized as stated in Section 12 of this ordinance.
- b. Any person, firm, partnership, corporation or other entity who fails to sperate the materials listed in Section 5 above, from their solid waste shall be denied entry into the Solid Waste Management Facility.

12. *Penalties:*

- a. Violations of this ordinance shall be enforced with the provisions of 30-A M.R.S.A., Section 4452 as land use violations. The penalties set forth in 30-A M.R.S.A., Section 4452 shall apply to violations of this ordinance.
- b. Any person, partnership, charitable organization or corporation who violates this Chapter shall be subject to a civil penalty, payable to the Municipality, of not more than \$100.00 for each violation. Each day of a violation shall be considered a separate violation. Such person, partnership, charitable organization or corporation shall also be liable for court costs and reasonable attorney fees incurred by the Town of Mexico.

13. *Incentive:*

- a. No charge will be levied to dispose of properly separated recyclables at the facility.
- b. Note: Because of the rising cost of solid waste management and in an effort to keep down property taxes incurred with disposal of solid waste it is felt that those who chose not to recycle and reduce waste, thereby adding cost of waste management, may be assessed a fee for non-compliance as an incentive to recycle.

14. *Storage of Residential Waste:* Storage shall be the responsibility of the resident. Storage shall be in closed containers or by other similar methods to preclude odors, rodents, insects, and shall keep recyclables clean and dry.

15. *Amendments:* This ordinance may be amended as provided in 30-A M.R.S.A., Section 3004 (4). (Home Rule Municipal Ordinances).
  
16. *Validity/Separability:* If any provision of this ordinance is found by a court of competent jurisdiction to be unenforceable, the remaining provisions shall continue in full force and effect.
  
17. *Effective Date:* This ordinance shall become effective when adopted by a majority of the voters at any regular or special town meeting.