

# Town of Effingham

68 School Street  
Effingham, New Hampshire 03882  
(603) 539-7770 (603) 539-7799 fax



## **TRANSFER STATION SOLID WASTE FACILITY and MANDATORY RECYCLING ORDINANCE**

## I. TITLE AND AUTHORITY

This ordinance shall be referred to as "Transfer Station Solid Waste Facility and Mandatory Recycling Ordinance" ("Ordinance"). It is adopted pursuant to the authority conferred upon the Town by RSA 149-M:17, II and RSA 31:39 (F).

## II. SCOPE AND LOCATION

These rules and regulations cover the collection, separation and disposal of all solid waste generated in the Town of Effingham ("Town") and establishes a revised fee system for the disposal of selected solid wastes at the Transfer Station (hereinafter "Facility") located at 53 Snow Road, Effingham, New Hampshire. The Town website should also be referred to for the current copy of the Town of Effingham Transfer Station Ordinance and general periodic information updates.

## III. PURPOSE

The purpose of this Ordinance is to:

- A. Ensure efficient and economical disposal of solid waste.
- B. Ensure compliance with all environmental laws.
- C. Minimize solid waste that must be transferred or disposed of at an approved facility by maximizing recycling.

## IV. POLICIES

A. **Hours of Operation:** The Facility shall be open during such other times as the Effingham Board of Selectmen shall determine. The current standing schedule for both winter and summer hours are set forth below:

Days	Hours
Monday	Closed
Tuesday	Closed
Wednesday	10:00 a.m. to 4:30 p. m.
Thursday	Closed
Friday	Closed
Saturday	8:00 a.m. to 4:30 p.m.
Sunday	8:00 a.m. to 4:30 p.m.

**Note:** Please speak to the Transfer Station Attendants for any questions regarding proper disposal of trash and recyclables.

B. **Burnable Materials:** Items appropriate for the burn pile, as stated in the attached Schedule A; shall be

disposed of during normal hours of operation.

C. **Holidays:** The Facility shall be closed on all federal holidays and some other holidays including: New Year's Day, Easter, Fourth of July, Veteran's Day and Christmas Day.

D. **Safety:** Disposing of solid waste can be a dangerous job. Splinters from wood, broken glass, rusting scrap metal, sharp objects, etc. are potentially dangerous and shall be handled with care. No person shall loiter in the vicinity of the auger compactor while in operation. State law requires that no one shall use the area unless an attendant is present. All persons using the Facility shall follow the directions of the attendant and adhere to the following safety procedures:

1. All persons shall wear appropriate footwear while on site. Bare feet are absolutely prohibited.
2. All children (under the age of 10) shall be accompanied by an adult and remain in their vehicle.
3. No person is allowed to enter any prohibited, restricted or closed area, or climb onto any drop off container or wall.
4. Vehicles within the Facility shall obey the posted speed limit.
5. All vehicles will proceed forward only in the driveway area; do not back up a vehicle.
6. Removing items from the Facility - "dump picking" is prohibited, except from authorized areas.
7. Persons entering the Facility do so at their own risk.

E. **Transfer Station Permits:** All vehicles entering the Facility are required to display a current transfer station permit following the below guidelines. Permits may be purchased at either of two locations depending upon certain conditions described below upon payment of **\$1.00**. No fee will be required for replacement permits provided the old permit is returned prior to issuance of a replacement permit.

1. *Permits are for one (1) year beginning on June 1<sup>st</sup> and expiring on the following May 31<sup>st</sup>. Beginning June 1<sup>st</sup> each year, any vehicle arriving without a current sticker applied to the window may be asked by the Attendant to leave without depositing their waste.*
2. Permits (\$1.00 each) may be purchased at the Transfer Station with the following conditions:
  - a. Vehicle operator must produce a valid vehicle registration showing the name and corresponding Effingham physical legal residential address.

**Please Note:** ALL other permits in this Section E item 3 next below will ONLY be issued at the Effingham Board of Selectmen's Office.

3. Permits (\$1.00 each) may be purchased at the Board of Selectmen's Office or the Town can arrange to send you one in the mail.
  - a. Residents or Taxpayers upon presentation of a current vehicle registration. This may include a registration from a leased vehicle or a vehicle in the name of a trust. **Note:**

sticker color changes annually.

- b. Year-round Tenants renting in Effingham who provide a copy of a current lease agreement or a letter from the landlord verifying residency, presentation of a current vehicle registration and the required fee in accord with Schedule "A." Note: Sticker color changes annually. Example is a one-year lease to rent a home or apartment.
- c. Memorial Day through Columbus Day - Seasonal/Short-term related family renting/staying in Effingham who provide a copy of a current lease agreement or a letter from the homeowner/taxpayer verifying residency, presentation of a current vehicle registration, and for each taxpayer relative the required fee in accord with Schedule "A." Note: Sticker color is Red and only valid Memorial Day through Columbus Day. Example: Family and extended related family using a seasonal building throughout the summer season months.
- d. Vacant land owner (no building): 1-day pass to dispose of brush in Transfer Station compost area – FREE. Attendant will collect the Town issued one day permit when presented on the day of use.

**The Town will work with you:** The Town understands that *special circumstances* occasionally come up that do not fit these permit issue guidelines. Please contact the Board of Selectmen's Office. Our staff will be happy to assist you in finding a workable solution.

4. The permit **MUST** be permanently affixed to the driver's side windshield or the driver's door window and shall be visible at all times. Stickers display the vehicle license plate number as a means of enforcement. Please Note: Town of Effingham's Legal Counsel has provided legal guidance regarding this matter. Also, the Transfer Station Attendants have a tool to help you with sticker removal from the window.
5. If a vehicle to which a permit was affixed is traded or sold, or if the owner wishes to affix a permit to a different vehicle, a new permit will be issued to the vehicle's owner provided the owner continues to be a resident and/or taxpayer of the Town and the old permit is turned in. A permit issued to one vehicle may NOT be used on another vehicle.
6. Effingham residents with commercial vehicles cannot be issued permits without specific approval by the Town. If you have been approved to obtain a permit for a commercial vehicle, it is to be used for the disposal of your household trash only. Disposal of any commercial trash related to your employment is prohibited.

**Please note:** Transfer Station permit holders and their passengers are requested to and will conduct themselves in a civil manner. Obscene, slanderous, defamatory, disruptive, profane language, disorderly or violent statements will not be tolerated. People displaying these types of actions will be asked to leave the Transfer Station without depositing their trash and waste.

## V. ACCEPTABLE MATERIALS AND SEPARATION PRACTICES

The items set forth under Schedule "A," Categories I & II must be separated (this is mandatory) and placed in designated containers or locations after payment of any required fee. *Unseparated materials will not be accepted.* Station Attendants should be consulted if there are any questions about where to dispose of items and waste.

Disposal of any items at the Facility except during hours of operation is prohibited. Any person leaving items at the gate or when the Facility is closed shall be prosecuted in accord with Section X "VIOLATION AND PENALTIES", pages 7-8.

## VI. UNACCEPTABLE MATERIALS

The following materials will not be accepted at the Facility:

- A. Tree trunks, large limbs or logs over the size noted in Schedule "A".
- B. Industrial waste including bricks & concrete, asbestos, oil tanks, arts & craft supplies, drain opener, dry-cleaning fluids, epoxies & resins, floor cleaner & polish, oven cleaner, roofing tar, spot remover, unbroken incandescent and florescent bulbs including CFLs, thermometers, coal tar driveway sealer, pesticides, herbicides & weed killers, pool chemicals, rust preventative, radiator cleaners, car waxes & polish, carburetor cleaners & degreasers, oil, automotive grease, antifreeze, paint stripper, paint thinner, oil-based paint, spray paint, stains & varnishes, wood preservative, sealants, except as listed on Schedule "A".
- C. The Town provides for disposal through a contract with Lakes Region Household Hazardous Waste Day at the Ossipee Town Garage, 55 Main Street. Residents are encouraged to safely store their waste and dispose of it during this event.
  1. Disposal day is normally the 1<sup>st</sup> Saturday in August each year.
  2. For more information go to: [www.lakesrpc.org/serviceshhrw.asp](http://www.lakesrpc.org/serviceshhrw.asp) or call LRPC at 279-5334 or 279-5341
- D. Industries generating solid waste are responsible for legally disposing of these wastes on their own.
- E. All Smoke Detectors: Smoke Detectors may NOT be disposed of in any Town trash or demo waste container. Please see a Transfer Station Attendant who will manage the disposal of the detector.
- F. Dead animals, pathological waste, medical waste or radioactive waste. NOTE: please see Appendix A regarding disposal of hypodermic needles, syringes lancets and infusion.
  1. Sludge, human or animal waste
  2. Diapers and cat litter in bags is allowed in household trash
- G. Batteries: car, and other power equipment. NOTE: NiCad/rechargeable batteries are recycled as hazardous waste.

- H. Stumps, logs, rail road ties
- I. Junk cars, engines, chassis, transmissions, axles, etc.
- J. Acetylene, oxygen and liquid propane gas (LPG) tanks (examples: gas bottles or gas cylinders, etc.)
- K. Boats or parts thereof
- L. Explosives such as dynamite, ammunition or flammable liquids like gasoline or gases like propane.
- M. Unseparated trash (commingled household trash and recyclables)
- N. All waste and demo materials not generated in the Town of Effingham are considered prohibited and unacceptable (RSA 31:39, RSA 149 M).
- O. Any material which in the opinion of the Solid Waste Attendant constitutes a serious hazard to other users, to the property of the Town or to the operation of the property of the Town, or to the operation of the Facility.

## **VII. OTHER RECYCLING OPTIONS**

- A. Cell phones: Companies like ecoATM or Best Buy or your phone carrier can help you with recycling and disposal.
- B. Unbroken CFL bulbs and rechargeable batteries may be recycled at Lowe's or Home Depot for free.
- C. Hypodermic needles, syringes lancets and infusion sets – See Appendix A for disposal information.

## **VIII. PAYMENT OF FEES**

A. **Permits:** Fees for permits are payable to the Town of Effingham by Cash Only. See Schedule "A" for applicable disposal fees, pages 9-11.

B. **Disposal and Payment Procedures:**

For those items that require the payment of an additional fee as set forth on Schedule "A", the following procedures shall be followed:

1. The Attendant shall inspect items to be disposed.
2. The item(s) shall be disposed of in the designated area(s).
3. The required fee is to be paid at time of and prior to disposal.
4. The Attendant shall give a validated, numbered receipt upon presentation of payment. The receipt may be requested and inspected by other on-site Attendants prior to any disposal.

## **IX. CONFLICT and SEVERABILITY**

The invalidity of any provision of this regulation shall neither affect the validity of any other provision hereof, nor the validity of the regulation as a whole.

## **X. VIOLATION, PENALTIES and ENFORCEMENT**

Use of the Effingham Transfer Station is a taxpayer privilege not a right. The Transfer Station Attendants, Effingham Police Officers or other law enforcement personnel, when needed, and the Board of Selectmen are empowered to enforce these rules and regulations. Violation of these rules and regulations may result in a levy of a fine(s) up to and including revocation of Transfer Station privileges,

Attendants may open any and all bags of trash and/or demo for inspection of the contents to ensure conformity with these policy standards and practices. They are empowered to refuse the dumping of any waste which they deem is in violation of State Laws or Town Policies & Regulations.

**Breaches of the Peace:** Any person who purposely causes a breach of the peace, public inconvenience, annoyance or alarm, or recklessly creates a risk thereof may be subject to RSA 644:2 Disorderly Conduct. Conduct is a misdemeanor if the offense continues after a request by any person to desist; otherwise, it is a violation.

**Criminal Trespass:** Any person apprehended inside the facility when it is deemed closed may be charged with criminal trespass, a misdemeanor, carrying a fine of up to \$1000 and may be placed in the State House of Corrections for up to one year (RSA 635:2).

**Criminal Mischief:** Any person vandalizing the area may be charged with criminal mischief, a class B felony and may be fined up to \$1000 and may be placed in the State House of Corrections for up to one year (RSA 635:2).

**Littering:** Any person leaving trash outside the gate of the facility or depositing along roads or other public or private property within the Town may be fined at a rate established by State Law. (RSA 265:102, RSA 147:1-58, RSA 163-B).

**Penalties:** Pursuant to the authority of RSA 149-M:17, II, any person convicted of violating any provision of this Ordinance, shall be subject to a civil penalty not to exceed \$3,000.00 for each such violation. Any alleged violator may avoid the issuance of a summons and complaint by the voluntary payment of a fine in an amount determined by the Board of Selectmen. The following is a list of authoritative penalties:

First violation of the Ordinance shall result in a Written Warning;

Second violation of the Ordinance shall result in a fine of \$50.00;

Third violation of the Ordinance shall result in a fine of \$250.00;

Fourth violation of the Ordinance shall result in a fine of \$500.00

Fifth violation of the Ordinance shall result in the maximum fine of \$1,000.00

In addition to any other penalty, any person violating any provisions of the Ordinance, may have their right to use the facility suspended or revoked after a notice and hearing before the Board of Selectmen.

All fines and penalties collected shall be payable to the "Town of Effingham" and deposited in the general fund. A permit will not be renewed until all fines and fees have been paid to the Town.

## XI. AMENDMENT

This Ordinance may be amended in the same manner as any other Ordinance of the Town, by a majority vote of the Board of Selectmen at a properly posted and noticed meeting of the Board for that purpose.

## XII. APPEAL

Any person aggrieved by application of this Ordinance shall apply to the Effingham Board of Selectmen in writing within seven (7) days of the occurrence giving rise to the complaint. Otherwise the complaint shall be deemed waived. The Selectmen may take whatever action, or no action, the Effingham Board in its sole discretion deems appropriate.

## XIII. EFFECTIVE DATE

Approved by Effingham Board of Selectmen: August 20, 2019

Effective Date to Begin Enforcement: October 1, 2019

Effingham Board of Selectmen

John Meisner

Michael Cahalane

Chuck Fuller

Adoption Date: 8/20/2019



## SCHEDULE "A"

### **I. ACCEPTABLE MATERIALS/RECYCLING & SEPARATION/SCHEDULE OF FEES**

Transfer Station permits will be issued pursuant to this document Section IV: Policies, subsection E: Transfer Station Permits, upon payment of **\$1.00**.

Recycling is **Mandatory** for all persons using the facility. The following items shall be accepted only if separated and placed in the appropriate containers and/or areas in accord with the procedures set forth below:

#### **A. CATEGORY I – RECYCLING - NO FEE**

##### **1. Scrap Metal:**

All scrap metal should be free of plastic, rubber, wood or other contaminants. Empty dry latex paint cans with lids removed.

##### **2. Glass:**

**Note:** Bottles and jars – Must be empty (all contents removed), rinsed out and clean; metal caps & corks removed prior to placing in designated container. **NOTE:** Food left in containers will contaminate the entire load.

- a. All color and clear bottles
- b. Window glass
- c. Porcelain sinks, toilets – non-porcelain parts removed
- d. Pyrex dishes
- e. Mirrors
- f. Ceramics – coffee mugs, plates, beer steins, tile, etc.

Not recyclable: vehicle windshields, vehicle headlights, CFL light bulbs, plexiglass, etc.

Please help the Town to keep Transfer Station expenses down – If any items other than glass are mixed into the glass container, the Town will get billed extra for our contamination of the entire dumpster.

- ##### **3. Aluminum, Tin and Steel Cans:** Must be empty (all contents removed), rinsed out and clean. **NOTE:** Food left in containers will contaminate the entire load.

**Note:** Crushing cans would be helpful by reducing storage volume.

- ##### **4. Cardboard:** All corrugated cardboard which is clean, dry and not waxed; includes cardboard dairy and juice containers.

**NOTE:** no pizza boxes (likely contains food and food stains that contaminates entire load)

- ##### **5. Grocery Bags:** Brown paper bags.

- ##### **6. Newspaper:** Can be loose or in a brown paper grocery bag, and must be clean. Other paper goods including office paper, softcover (not hard cover) books and magazines are acceptable.

7. **Plastics:** Must be empty (all contents removed), rinsed and cleaned; all caps removed. Only recycle numbers #1, #2, #5. All other plastic containers go in regular Trash. No plastic bags. NOTE: Food left in containers will contaminate the entire load.
8. **All Smoke Detectors:** Smoke Detectors may NOT be disposed of in any Town trash or demo waste container. Please see a Transfer Station Attendant who will manage the disposal of the detector.

**B. CATEGORY I – NON-RECYCLING - NO FEE**

1. **Household waste** shall be deposited in the trash compactor. Along with kitchen and household waste, these additional items should be deposited only in the trash compactor: alkaline batteries, regular light bulbs, gift wrap, carbon paper, waxed or tin foil drink cartons, saran wrap, Tyvek shipping envelopes, blue print paper, dirty paper goods, etc.
2. **Textiles:** Usable clothing should be placed in the Planet Aid yellow containers or given to local charity.
3. **Clean Wood, Brush, Slash, Clippings and Leaves:** Lawn clippings, garden waste, leaves, twigs, non-pressure treated lumber and tree limbs less than five (5) inches in diameter and five (5) feet long.
4. **Certain medical waste:** See Appendix A – NH Department of Environmental Services\_Disposal Tips for Household Generated Sharps (WMD-SW-31 2016). Please see attendant for disposal assistance.
5. **Hard Cover Books:** Hardcover book disposal is in the demo waste dumpsters.

**C. CATEGORY II - FEES REQUIRED –**

**Acceptable payment: CASH ONLY**

**Coupons may also be purchased for these items at the Selectmen’s Office.**

1. **White Goods:** A \$20 disposal fee will apply to any white goods that contain Freon like air conditioners, freezers and refrigerators, etc. Refrigerators and freezers must have their doors removed prior to acceptance at the Transfer Station. For all other white goods like stoves, microwaves, clothes dryers, dish & clothes washers, etc., the disposal fee is \$10.

2. **Bulky Waste:** placed in the large roll-off containers

a. Stuffed chairs	\$ 10.00
b. Stuffed recliners	\$ 10.00
c. Couches	\$ 10.00
d. Couches with built-in recliners	\$ 10.00
e. Sofa beds (sofa + mattress)	\$ 20.00
f. Mattresses	\$ 10.00
g. Box springs	\$ 10.00
h. Rugs (8 feet x 10 feet or larger)	\$ 10.00

3. **Tires: passenger, wheelbarrow, boat, etc.**

Up to 20” (inches) in diameter \$3.00 each

**Note:** No commercial truck tires, no tractor tires. Tire rims disposed of free if removed from the tire. **6 tire limit per visit.**

4. **Asphalt Shingles and Construction Debris/Demolition:**

- a. Acceptable items are building materials, including but not limited to painted, stained or pressure treated wood and asphalt shingles. Unacceptable items are specified in Article VI.A.5. No commercial trailers.
- b. Demo up to level ½ bed pickup (tire well top or 1 foot) \$40.00
- c. Demo ½ to full bed pickup (top of bed sides or 2 feet) \$80.00
- d. Trailer – 6 ft. wide x 8 ft. long demo up to 1 foot high \$40.00
- e. Trailer – 6 ft. wide x 8 ft. long demo up to 2 feet high \$80.00
- f. Demo in contractor bags, 2<sup>nd</sup> bag or more \$ 5.00 per bag
- g. Demo less than a contractor bag full (small amounts) FREE

5. **Computers and Televisions:**

- a. Computer Monitors \$ 10.00
- b. Televisions & Flat Screen TV’s \$ 10.00

**NOTE:** Permit holders with loads in excess of one pickup truck bed are required to haul materials in items 4 and 5 above, directly to a commercial landfill such as Turnkey in Rochester. A convenient alternative would be to purchase a Waste Management Bagster® Bag and have the demo/waste picked up at your location. For more information, please visit <https://www.wm.com/us/en/services/on-demand-pickup/bagster>

**D. CATEGORY III - BURN PILE MATERIALS**

The Town shall accept the following materials for open air burning in accordance with state and local regulations: ‘metal free’ untreated wood and untreated dimensional lumber.

During such times as the State Forest Fire Warden or the Effingham Forest Fire Warden may declare open burning to be unsafe, the Town will not accept any materials described above, until such time as the fire hazard has been lifted.

**E. CATEGORY IV- BRUSH PILE**

The Town shall accept the following materials for the brush pile: brush, and slash five (5) inches or less in diameter and five (5) feet or less in length.

## **F. CATEGORY V- COMPOST PILE**

The Town shall accept the following materials for the compost pile: cut grass, leaves and yard waste. Residential material only, no commercial contractor compost.

Note: Compost is available to permit holders for FREE.

## **G. CATEGORY VI - UNUSED MEDICINES**

There are several options for safe disposal in the Lakes Region area:

1. Local Drop Boxes - <https://www.dhhs.nh.gov/dcbcs/bdas/documents/drop-box-locations.pdf>
2. LRHHPF Collections - <https://www.wolfeboronh.us/lakes-region-household-hazardous-product-facility>
3. National Drug Takebag Day (usually spring/fall) - <https://takebackday.dea.gov/>
4. Contact your local drug store or pharmacy for possible disposal locations.

## **CATEGORY VII - WASTE TO BE TRANSFERRED**

Residual solid waste: solid waste and household trash/garbage which is not listed above for recycling/separation is prohibited. The Board of Selectmen may alter the hours of operation at any time. The Board of Selectmen may alter the schedule of fees and penalties only after holding a public hearing with proper notice to be in accordance with the requirements of RSA 41:9-a, IV (i.e. newspaper advertisement, posting in two public places).

This Schedule "A" shall be effective after a duly scheduled Effingham Board of Selectmen Public Hearing.

**Approved: August 20, 2019**

## Appendix A

# ENVIRONMENTAL Fact Sheet



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • [www.des.nh.gov](http://www.des.nh.gov)

WMD-SW-31

2016

### Disposal Tips for Household Generated Sharps

Household generated “sharps” include hypodermic needles and syringes, lancets and infusion sets. They are typically used in the home for insulin injection or for administering other medications.

Household generated sharps should be disposed of appropriately to help prevent injury and illness to family members and waste handlers and to reduce pollution to the environment.



#### Environmental Management of Sharps

NHDES regulates the disposal of household generated sharps (see New Hampshire Solid Waste Administrative Rule Env-Sw 904.01(b)(3)). Household generated sharps may be disposed of with household trash, provided:

1. Sharps are enclosed inside a rigid, puncture-resistant container, such as a plastic bleach or laundry detergent bottle.
2. The screw-top of the container is securely taped closed with heavy-duty tape such as duct tape.
3. The container is labeled “Medical Sharps Container – Not for Recycling.” Printable labels are available on the NHDES website. Go to [www.des.nh.gov](http://www.des.nh.gov), click on “A to Z List” and scroll down to “Sharps Disposal.”
4. The container is disposed of at a facility that is authorized to accept it.

Although placing household generated sharps in the regular trash is not prohibited when disposed of using the above provisions, some solid waste disposal facilities do not accept sharps. Therefore, before putting your sharps in the trash, check with your disposal facility or trash hauler.

An alternative is to use a **Container Exchange or Mail Back Program** that supplies empty containers for clients to fill and return for safe disposal. There may be a charge for such services. Patients using certain drugs are eligible for safe needle disposal directly from pharmaceutical manufacturers. Other alternatives include using a specially designed needle cutter or incineration device purchased from your pharmacy. Go to [www.safeneedledisposal.org](http://www.safeneedledisposal.org) for more information.

**REMEMBER!**

**NEVER** throw loose sharps into the trash or toilet!

**NEVER** leave sharps anywhere they could injure someone!

**NEVER** store used sharps in glass bottles, soda bottles, milk jugs, aluminum cans, coffee cans or plastic bags!

**NEVER** put containers with used sharps in a recycling bin.

For more information about proper sharps disposal, contact the NHDES Solid Waste Management Bureau at (603) 271-2925 or via email at [solidwasteinfo@des.nh.gov](mailto:solidwasteinfo@des.nh.gov), and talk to your pharmacist and health care provider.