

Mandatory Recycling By-law

Section 1. Purpose.

There is hereby established a program for the mandatory separation of certain recyclable material from solid waste by the residents and commercial haulers of the Town of Williamsburg. This by-law will significantly reduce the amount of municipal solid waste that will need to be land-filled at the Town of Williamsburg Dump thus reusing natural resources and preserving landfill space for non-reusable goods.

Section 2. Applicability.

The following by-law shall apply to all owners and tenants of all residential, multi-family and institutional structures and all commercial haulers in the Town of Williamsburg.

Section 3. Definitions.

A. COMMERCIAL HAULER shall mean any person licensed by the Board of Health who, for a fee, collects and/or hauls solid waste that is generated within the Town of Williamsburg to the Town Dump.

B. SOLID WASTE shall mean any household, residential, or commercial solid waste not defined in this section as recyclable material.

C. COMPOSTING shall mean a process of accelerated biodegradation and stabilization of organic material under controlled condition yielding a product which can be safely used.

D. RECYCLABLE MATERIAL shall mean the following recyclable goods:

Recyclable Containers:

1. Aluminum cans and foil.
2. Tin/Steel cans and lids.
3. Glass – green, brown and clear (less than 2 gallons in size).
4. Plastics tubs, jars and bottles #1-7 (less than 2 gallons in size).
5. Gable-top and aseptic containers.

Recyclable Paper:

1. Newsprint – all the newsprint plus insert that come with daily papers.
2. Mixed paper – magazines, junk mail, catalogs, used writing paper, brown paper bags, boxboard (cereal boxes), and office paper.
3. Corrugated Cardboard.

The Board of Health may from time to time, by regulation, re-designate the types of materials defined as Recyclable material under this by-law.

E. DISPOSAL shall mean the dumping, landfilling or placement of solid waste into or on any land or water or the incineration of solid waste for energy recovery or otherwise.

F. PERSON shall mean any individual, association, firm, company, corporations, department, agency, group or public body generating solid waste.

G. RECYCLE shall be construed to mean the diversion of material, product, or by-product from disposal to:

(a) reuse, or

(b) employ as an ingredient or feedstock in an industrial or manufacturing process to make a marketable end product, or

(c) employ in a particular function or application as an effective substitute for a commercial product priority, recycle does not mean to recover energy from the combustion of recyclable materials.

H. SOURCE SEPARATE shall be construed to mean the separation of recyclable material or compostable material from solid waste at the place where the materials or waste are generated through the use or consumption of goods.

Section 4. Recycling of Recyclable Materials.

(A) All recyclable material must be separated from all other solid waste delivered to the Transfer Station for disposal and must be clean. The following are acceptable standards for preparing recyclable materials for pick-up.

Recyclable Containers:

1. Containers must be empty, clean and kept separate from paper.
2. Glass beverage containers must be intact, excessive broken glass is not acceptable.
3. Must only include the containers listed in Section 3 D of this by-law. Ceramics, Pyrex, light bulbs, laundry baskets, containers greater than 2 gallons, planting pots, Styrofoam, window and auto glass, broken glass, and motor oil jugs are not acceptable.

Recyclable Paper:

4. All paper must be clean and dry.
5. Paper should not be placed in plastic bags.
6. No soda or beer holders/cartons.
7. No pizza boxes, egg cartons, or wrapping paper.
8. No waxed paper or waxed cardboard.
9. No paper or cardboard should be bundled in string.
10. Cardboard must be flattened and strings must be removed.
11. Paper must be free of solid waste and commingled containers.

(B) Incoming recyclable material that contains an unacceptable level of contamination which includes but is not limited to, the following: dirt, sand, food waste, toys, appliances, household and commercial trash, asphalt, wood, concrete, snow, water, hazardous waste, and any other non-recyclables may be rejected.

(C) All separated recyclable materials shall be placed in the appropriate containers provided at the Town Transfer Station and shall become the sole property of the Town of Williamsburg.

Section 5. Disposal.

No person who collects, transports, disposes or otherwise manages solid waste or recyclable materials shall mix, commingle, or otherwise contaminate source separated recyclable materials with solid waste or other contaminants.

Section 6. Enforcement and Penalties.

No person shall dispose of any recyclable materials other than as set forth in this by-law. Persons in violation of this by-law shall be notified of such violation in writing by the Board of Health, which writing shall include the date of such violation; the nature of such violation, the penalty imposed thereby, and shall inform the violator of the right to request a hearing as set forth below. Anyone violating this by-law shall be fined \$25.00 for the first violation and \$25.00 for the second violation, and \$25.00 for any further violations. All such fines shall be paid within ten (10) days of receipt of said written notice.

Any person in receipt of a notice of violation may, within ten (10) days of receipt of the notice, request a hearing before the Board of Health. Such request shall be made in writing and shall state any reasons why the penalty set forth in the notice of violation should not be issued. Within fourteen (14) days of receipt of such request for hearing, the Board of Health shall schedule such hearing and notify the person requesting the hearing of the date and time thereof. The Board of Health shall have the authority to waive or reduce the penalty stated in the notice of violation if it finds good cause following such hearing. The Board of Health shall make its decision within fourteen (14) days of such hearing and shall notify the person requesting such hearing of its decision, in writing, within fourteen (14) days thereof. The Board of Health's decision shall be final.

This by-law may also be enforced through the non-criminal disposition procedures set forth in G.L. c. 40, §21D. The enforcing officer for non-criminal disposition shall be the Board of Health or its designee.