

ARTICLE 5 SOLID WASTE

Sec. 3-501 Definitions

1. Garbage shall mean all animal and vegetable waste and all decayable matter including waste resulting from the handling, sale, storage, preparation, cooking and consumption of food and food products. For the purpose of this Article, garbage shall not mean or include organic matter contained in properly maintained compost piles or covered subsurface packaged garbage decomposing units so long as no health hazard or other nuisance is created, shall not include leaves, pine needles, grass clippings, tree trimmings or similar plant materials used for fill or mulching purposes, and shall not include agricultural wastes produced by a farm or farm operation conforming with best management practices as defined in 17 M.R.S.A. § 2805.
2. Junk shall mean all rubbish and trash, including discarded, worn out or junked household appliances, furniture, plumbing and heating supplies; discarded scrap and junked lumber and wood products; old or scrap metal of any kind, paper products, bedding, glass, plastic, rags, rope, batteries and other scrapped or junked manufactured items or materials, but excluding garbage.
3. Solid Waste Landfill shall mean a waste disposal facility for the disposal of garbage, junk, or other solid waste, on or in land, except as provided by statute. Terms used in this definition, not defined herein, shall have the same definitions as provided in 38 M.R.S.A. § 1303-C.

Sec. 3-502 Prohibition

1. Storage. It shall be unlawful to store any garbage or junk outside of a closed structure within 300 feet of any dwelling, retail or service establishment, or public road within the Town, unless such garbage or junk is stored in closed rigid containers that provide protection against animals, insects, wind and precipitation, except that:
 - A. Garbage may be stored in sealed plastic bags outside a closed structure or container for a period not to exceed ten (10) days, provided that such garbage will be removed from the premises within said period.
 - B. Any item of junk that does not fit within a standard container may be stored outside a closed structure or container for a period not to exceed thirty (30) days;
 - C. Junk stored within a licensed junkyard or salvage facility may be stored within 300 feet of any structure used solely for the purpose of storing, processing, salvaging, or selling such junk, to the extent permitted by law.
 - D. Junk which is to be salvaged or repaired may be stored for a period not to exceed 60 days within 300 feet of a repair establishment.
2. Disposal. It shall be unlawful to operate or maintain a solid waste landfill within 300 feet of any dwelling, commercial or institutional structure, public road or water body within the Town.

Sec. 3-503 Enforcement: Remedies

1. Enforcement. The Code Enforcement Officer shall enforce the provisions of this Article as provided in 30-A M.R.S.A. § 4452.
2. Penalties and Other Remedies. Any person, including but not limited to a landowner, the landowner's agent, or a contractor who violates the provisions of this Article is liable for the civil penalties and remedies set forth in 30-A M.R.S.A. § 4452. The minimum penalty for a specific violation is One Hundred Dollars (\$100) and the maximum

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penalty is Twenty Five Hundred Dollars (\$2500). A specific violation occurs on each day a violation continues to exist after written notice of violation has been sent to the landowner. Civil penalties may be assessed on a per day basis.

Sec. 3-504 Authority: Provisions Supplementary to Statute

This Article is enacted pursuant to 30-A M.R.S.A. § 3001, § 3755(5) and §4452(5) and pursuant to 38 M.R.S.A. § 1310-U. The provisions contained herein are intended to be supplementary to provisions of the Maine Revised Statutes relating to public nuisances (Title 17), health hazards (Title 22), fire hazards (Title 25), junkyards (Title 30-A) and solid waste (Title 38).