

Electronic Waste – Solar Panels		\$25/panel		New item for recycling requested by customers
Electronic Devices	\$5.00/item	\$5.00/item	No Change	
Cover Materials	\$10/ton	\$10/ton	No Change	This is a market-based rate.
Food Waste	\$50/ton	\$50/ton	No Change	
Pressurized Cylinders - Fire Extinguishers and Propane Tanks	\$10/tank	\$10/tank	No Change	
<i>Total Potential Increased Revenue</i>			\$750,000	<i>These increased revenues will aid in budgeting for future expenditures such as the Phase III expansion, PFAS regulations, LF gas collection expansion, equipment replacements and pay for contracted services.</i>

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Chapter 143

Solid Waste

[**HISTORY:** Adopted by the City Council of the City of Lebanon 2-17-1993 by Ord. No. 66; effective 2-26-1993. Amendments noted where applicable.]

GENERAL REFERENCES

Junk — See Ch. 93.

Landfill regulations — See Ch. 97.

Article I

Recycling

§ 143-1 Title.

This chapter shall be known and may be cited as the "Solid Waste Collection Ordinance of the City of Lebanon."

§ 143-2 Purpose.

The purpose of this chapter is to control the flow and disposal of recyclable solid waste within the City of Lebanon.

§ 143-3 Applicability.

This chapter shall apply to any person, firm, proprietorship, partnership, corporation, association, government, governmental division or quasi-governmental corporation who resides in the City of Lebanon. For the purposes of this chapter, a nonnatural person shall reside in the City of Lebanon if it has offices or business in the City of Lebanon.

§ 143-4 Amendment.

The City of Lebanon, upon its own motion, or upon application and for good cause shown, may modify, suspend, repeal or amend the provisions of any section herein contained.


§ 143-5 Definitions.

As used in this chapter, the following terms shall have the meanings set forth below:

COMMERCIAL USERS

Any person or entity who is not a residential user.

RECYCLABLE

Includes all separated clear and colored glass, aluminum, ferrous and nonferrous metals, plastic, corrugated cardboard, motor vehicle batteries, tires from motor vehicles and all paper. See RSA 149-M:4, XIX. 

RESIDENTIAL USERS

Any individual delivering recyclables generated by his/her personal residence.

§ 143-6 Residential and commercial users.

Residential and commercial users of recycling facilities having recyclables not in excess of 2.5 cubic yards per day may deliver their recyclables at either the Lebanon Landfill in Lebanon, New Hampshire, or the Hartford Recycling Center in Hartford, Vermont. There shall be no charge for such deliveries.

§ 143-7 **Residential users.**

Residential users with recyclables in excess of 2.5 cubic yards per day must deliver their recyclables to the Hartford, Vermont facility. There shall be no charge for such deliveries.

§ 143-8 **Commercial users.**

- A. Commercial users may only deliver up to 2.5 cubic yards of recyclables per day to either the Lebanon or Hartford facilities. There shall be no charge for such deliveries.
- B. Commercial users or haulers may deliver more than 2.5 cubic yards of commercially produced recyclables to the Hartford facility for a charge proportionate to the cost of processing the materials.

Chapter 97

Landfill Regulations

[**HISTORY: Adopted by the City Council of the City of Lebanon 12-19-1991 as Ord. No. 34; effective 3-1-1992. Amendments noted where applicable.**]

GENERAL REFERENCES

Recycling — See Ch. 143, Art. I.

§ 97-1 Purpose.

In the interest of operating a safe and efficient Landfill, the City of Lebanon hereby establishes these regulations.

§ 97-2 Hours.

The hours of operation and holidays on which the Landfill shall be closed shall be as determined by the City Manager and shall be posted at the Landfill entrance. Changes may be made after such proposed changes have been posted at the Landfill and published in a newspaper of general circulation at least two weeks prior to the effective date thereof.

§ 97-3 General regulations.

- A. All vehicles must have valid permits or tickets to gain entrance into the Landfill. The form of such permits or tickets shall be subject to the approval of the City Manager.
- B. All vehicles entering the Landfill, whether or not subject to weighing, shall check in with the attendant, present a valid permit or ticket and notify the attendant of the source of the material being deposited.
- C. Refuse will be deposited only in areas designated by the attendant.
- D. Traffic within the Landfill shall be restricted to established roads only.
- E. Removal of materials from the Landfill is prohibited.
- F. Children under 12 years of age must remain in vehicles on Landfill property.
- G. Bare feet are not allowed on Landfill property.
- H. The speed limit on Landfill roads is 20 miles per hour.

§ 97-4 Large metal objects; general rubbish; hazardous wastes.

- A. Large metal objects (auto parts, appliances, etc.), wood and tires shall be deposited in areas designated for same.
- B. No general rubbish, papers, etc., shall be deposited in the wood, metal or tire areas.
- C. Hazardous wastes as defined by RSA 147-C:1 (VI), and other materials designated in the City Manager's administrative regulations as unacceptable shall not be deposited at the Landfill. The attendant shall make all determinations necessary to enforce this provision.
- D. After June 1, 2000, waste deposited at the Landfill site shall only be waste which was generated within a municipality which has a valid executed municipal solid waste agreement with the City of Lebanon. If any waste in a load is found by the City of Lebanon to have been generated in a municipality which does not have a valid executed municipal solid waste agreement with the City of

Lebanon, the certified waste hauler shall remove the waste load from the site for disposal elsewhere at the expense of the certified waste hauler. **[Added 2-2-2000]**

E. Unacceptable waste and hazardous waste, as defined below, shall not be deposited at the landfill. **[Added 2-2-2000]**

(1) Definitions. As used in this chapter, the following terms shall have the meanings indicated:

UNACCEPTABLE WASTE

[Added 2-2-2000]

- (a) Pathological and biological waste, oil and other petroleum products, oil sludge, cesspool or other human waste, human remains, street sweepings, large machinery and equipment, such as automobile and vehicular parts, trailers, agricultural equipment, marine vessels, farm and other large machinery, wire and cable from industrial sources, foundry sands, tree stumps, liquid washing and slurries, explosives (including ammunition and firearms), radioactive materials.
- (b) Any item of waste exceeding six feet six inches in any one of its dimensions.
- (c) Animal remains, dirt, concrete and other inorganic construction material and demolition debris, and chemicals from commercial or industrial sources, such as cleaning fluids, petroleum products, paints, acids, caustics, pesticides, insecticides, poisons, drugs or other materials the landfilling of which the city reasonably believes would pose a threat to health, safety or the environment.
- (d) Any waste which would violate or cause the violation of any rule, regulation, judicial decision, order or action of any federal, state or local government having jurisdiction over the Landfill.
- (e) Vehicular tires.
- (f) Yard waste.
- (g) Hazardous waste.

HAZARDOUS WASTE

[Added 2-2-2000]

- (a) Waste containing explosive, toxic or pathological substances.
- (b) Waste defined or classified as hazardous waste at any time under the Resource Conservation and Recovery Act, as amended, RSA 147A, as amended, or any other applicable federal, state or local law, or regulation thereunder, or waste defined by any applicable federal, state or local law or any regulation thereunder as low-level or high-level radioactive waste.
- (c) Waste prohibited from landfilling in a landfill such as the Lebanon Landfill due to its toxic nature.
- (d) Containers which hold or which have previously held waste described in (a), (b) and (c) above.

If any governmental entity having jurisdiction shall determine that any substances which are not, as of the date of the agreement, considered harmful or of a toxic nature or dangerous, are harmful, toxic or dangerous, such substances shall thereafter be deemed "hazardous waste."

- (2) If any unacceptable waste or hazardous waste is found by the City of Lebanon to have been deposited by a certified waste hauler, the certified waste hauler shall remove such unacceptable waste or hazardous waste from the site for disposal elsewhere at the expense of the certified waste hauler.

§ 97-5 Scale weighing.

- A. Loads estimated to be in excess of 500 pounds must be weighed.
- B. Procedures for weighing shall be issued to all users of the Landfill. Users of the Landfill shall be liable to the city for damage to scales resulting from their neglect to follow these procedures.

**§ 97-6 Payment of fees and suspension for nonpayment.
[Amended 8-22-1990]**

- A. The fees to authorized users of the Lebanon Landfill are as follows: **[Amended 12-20-1989; 12-19-1991; 12-22-1992; 12-16-1998; 12-15-1999]**
 - (1) \$53 per ton solid waste tipping fee. The Manager is authorized to adjust by an amount not to exceed 10% (\$47.70 to \$58.30) with notification to, but not further approval of, the City Council.
 - (2) \$1 per ticket for up to 40 pounds of waste or \$0.50 per ticket for up to 20 pounds of waste.
 - (3) \$2 per auto, light truck or motorcycle tire.
 - (4) \$6 per commercial truck.
 - (5) \$200 per ton construction or farm tires.
- B. The city may bill certified waste haulers for solid waste delivered to the Landfill in such a manner and at such times as the city deems appropriate in its discretion.
- C. The billing statement sent by the city to waste haulers shall be paid in full within 30 days from the date of the billing statement. **[Amended 11-5-1997]**
 - (1) Failure to pay the billing statement in full by the 30th day from the date of the billing statement shall result in the suspension of the waste hauler's permit to use the Landfill, and the Landfill attendant shall be so notified. After 30 days, interest shall be paid on the amount due at the rate of 12% annually.
 - (2) The waste hauler shall not be granted access by the Landfill attendant until all amounts due have been paid, including interest.
 - (3) In the event that the city incurs legal fees to collect any amount due hereunder, including but not limited to litigation, the city shall be entitled to be reimbursed by the waste hauler for reasonable attorneys' fee in addition to interest.
 - (4) Any extension of time for payment or terms for installment payment granted by the City Manager shall be in writing and signed by the City Manager.
 - (5) In addition, the City Manager may also suspend the waste hauler's permit as follows:
 - (a) If the City Manager has reasonable grounds for insecurity that the waste hauler will not be able to pay for solid waste delivered to the Landfill but not billed.
 - (b) The City Manager may, in writing, demand adequate assurance of payment from the waste hauler. The permit may be suspended until adequate assurance of payment has been received.
 - (c) The City Manager may require, in the discretion of the City Manager, to assure payment, reasonable security, such as a letter of credit or escrow account or prepayment, in such reasonable sums as the City Manager deems appropriate.

- (6) The City Manager may require security as described in Subsection C(5) above as to any waste hauler as a condition of initial access or continuing access to the Landfill.
- D. These fees shall be reviewed annually during the budget process and revised as deemed necessary by the City Council after giving reasonable public notice and opportunity to comment regarding such revisions.

§ 97-7 Administrative policy.

- A. An administrative policy shall be established by the City Manager for payment of the fees noted in § 97-6 above and for other administrative rules deemed necessary by the City Manager. Said policy shall be submitted to the City Council.
- B. The City Manager or his/her designated representative shall appoint a Landfill attendant or attendants whose responsibilities shall include administering the portions of this chapter, and the City Manager's administrative rules, which pertain to the operation of the Landfill, and to direct all waste disposal at the Landfill.

§ 97-8 Enforcement and penalties.

- A. No person shall enter, dispose of refuse in, or cause refuse to be disposed in the Landfill except in accordance with this chapter, the City Manager's administrative rules, and the directions of the attendant. The attendant, or other representative of the City of Lebanon, may take any action to ensure enforcement of these regulations, including but not limited to the inspection of loads, requiring segregation of refuse and requiring users to remove unauthorized items.
- B. Any person or firm violating this chapter, or the Manager's administrative rules, shall be subject to any or all of the following penalties based upon severity of the infraction:
 - (1) Removal of unacceptable material.
 - (2) Suspension of the permit to use the Landfill for a duration determined by the City Manager.
 - (3) Imposition of a fine up to \$1,000 pursuant to RSA 47:17.
 - (4) Forfeit of permit fee.