ORDINANCE #26
TOWN OF HANOVER
ORDINANCE OF THE BOARD OF SELECTMEN

The Board of Selectmen of Hanover, New Hampshire, ordain as follows:

SOLID WASTE COLLECTION ORDINANCE

1. Declaration of Purpose: The purpose of this Ordinance is to encourage waste reduction and the sorting out of Recyclable Material from Solid Waste collected in the Town of Hanover to promote the public health and welfare; and the requirements and objectives set forth in RSA Chapter 149-M, including but not limited to RSA 149-M:22 "Refuse Recycling or Reduction".

2. Title: This Ordinance shall be known and may be cited as the “Solid Waste Collection Ordinance of the Town of Hanover.”

3. Authority: RSA 47:17.

4. Solid Waste Collector's Tariff:

A. Any Solid Waste Collector operating in the Town of Hanover shall be obligated to amend its tariff filed with the Bureau of Common Carriers of the New Hampshire Department of Safety to provide a rate schedule based on volume of waste collected, measured by a container or other receptacle such as a 30 gallon bag, or based on weight. Such rates shall be for the periodic collection of Solid Waste in the Town. The tariff may show other rates charged for special pickups, such as construction waste, leaves, brush, etcetera.*

Amended 12/19/94.

B. The Town Manager shall certify in writing to each Solid Waste Collector that the proposed amended tariff complies with this Ordinance. No Solid Waste Collector shall operate in the Town without such certification from the Manager.

C. The amended tariff of a Solid Waste Collector shall be filed with the Town Manager not later than December 1, 1990, and shall be effective not later than January 1, 1991.
4. Solid Waste Collector’s Tariff (continued)

D. Any change in the tariff certified by the Town Manager shall be submitted to the Town Manager who shall then certify in writing that the amendment complies with this Ordinance.

5. Definition of Terms: As used in this Ordinance the following terms shall have the meanings set forth below:

A. "Solid Waste Collector" shall mean any person, partnership, corporation, association, or other legal entity holding a certificate authorized by the New Hampshire Department of Safety, Bureau for Common Carriers for the transportation of Solid Waste, including either a common carrier certificate or a contract carrier certificate and any other person who transports refuse for hire.

B. The term "solid waste" shall mean refuse (as defined in RSA 149 - M:1, XVII - but excluding waste material resulting from the demolition, alteration or construction of buildings or structures), including solid, liquid, semisolid, contained gaseous material resulting from commercial and from community activities. "Solid waste" shall not include solid, liquid, semisolid or contained gaseous material resulting from industrial, mining and agricultural operations, nor septage. "Solid waste" shall not include hazardous waste as defined in RSA 147-A:2.

6. Penalty: Any person who violates this Ordinance shall be subject to a penalty not to exceed $500 for each violation as provided in RSA 47:17.

7. Separability: This Ordinance and the various parts, sections, subsections and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the Ordinance shall not be affected thereby.

Adopted 10/29/90.
Amended 07/11/94

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