

ORDINANCE #26 TOWN OF HANOVER

ORDINANCE OF THE SELECTBOARD

The Selectboard of Hanover, New Hampshire, ordain as follows:

SOLID WASTE MANAGEMENT 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, to reduce wildlife access to garbage and waste, to enhance and maintain the quality of the environment, to conserve natural resources and to prevent water and air pollution.

2. Title: This Ordinance shall be known and may be cited as the "Solid Waste Management Ordinance of the Town of Hanover."
3. Authority: RSA 149-M:2, RSA 147:2, RSA 147:13, and RSA 31:39
4. Solid Waste Management:

- A. As authorized by RSA 147:13, no owner, tenant or person having control of a property shall place, leave, or cause to be placed or left, in or near a highway, street, alley, public place, or on private property any refuse or deposit garbage or waste (including but not limited to recyclable, non-recyclable waste, and non-recyclable bulky waste) in containers or on the premises not designated for recyclable or non-recyclable waste disposal.
- B. No owner, tenant, or person having control of the property shall place solid waste or recyclables out for curbside pickup before 5:00 AM on the scheduled pickup day or leave solid waste or recyclables containers out at the curb after 10:00 PM on the day of pickup.

5. Penalty

Pursuant to RSA 31:39, III, any person guilty of violating this ordinance shall be fined as follows:

First offense	\$150
Second offense	\$300
Third offense	\$1000 and for each subsequent offense.

- A. For the purpose of this ordinance, each day that a violation continues following notice of the violation shall constitute a separate and new offense subject to an increased fine.

- B. The Town Manager may waive imposition of any fine for good cause shown.
- C. Any owner of property who is notified of a violation on the property and who does not take reasonable steps to immediately correct the violation shall be guilty of violating this ordinance and shall be subject to fines as set forth above.

6. Definition of Terms

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

- A. "Refuse" means and includes any waste product, solid or having the character of a solid rather than a liquid in that it will not flow readily without additional liquid, and which is composed wholly or partly of such materials as garbage, swill, sweepings, cleanings, trash, rubbish, litter, industrial or domestic solid wastes; organic wastes or residue of animals sold as meat; fruit, vegetable or animal matter from kitchens, dining rooms, markets, food establishments or any places dealing in or handling meat, fowl, fruits, grain or vegetables; offal, animal excreta, or the carcasses of animals; construction and demolition debris; or accumulated waste material, cans, containers, tires, junk, or other such substances which may become a nuisance.
- B. "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 forhire.
- C. "Solid waste" shall mean refuse, 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.

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 and 08/31/2020

IN WITNESS WHEREOF, a Majority of the Selectboard have hereunder set their hands.

TOWN OF HANOVER SELECTBOARD

Peter L. Christie, Chair

Athos Rassias, Vice Chair

Nancy A. Carter

William V. Geraghty

Joanna Whitcomb