



TOWN OF WHITEFIELD

Solid Waste Commercial Hauling Ordinance

Article 1: Purpose

The purpose of this ordinance is to obtain the data necessary to meet the Town's solid waste and recycling reporting obligations to the State of Maine.

Note: This data also is necessary to receive reimbursement from the State for recycling of packaging.

Article 2: Authority

This ordinance is adopted pursuant to the authority in 30-A MRS §3001 and 38 MRS §1304-B (2).

Article 3: Definitions

As used in the ordinance, the following terms have the meanings indicated.

A. Commercial waste hauler. "Commercial waste hauler" (or "hauler") means any person engaged in the collection and transportation of municipal solid waste for compensation.

B. Municipal solid waste. "Municipal solid waste" means solid waste emanating from household and normal commercial sources.

C. Person. "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, governmental subdivision, agency, instrumentality or any other legal or commercial entity.

D. Solid waste. "Solid waste" means useless, unwanted or discarded solid material with insufficient liquid content to be free-flowing, including, but not limited to, rubbish, garbage, junk, and refuse, but does not include hazardous waste, biomedical waste, septage or agricultural wastes. The fact that a solid waste or constituent of the waste may have value or other use or may be sold or exchanged does not exclude it from this definition.

Article 4: Requirements

A. All commercial waste haulers collecting municipal solid waste within the Town of Whitefield shall, after July 1, 2026, be registered with the Town to do so.

B. Each commercial waste hauler shall report to the Town the types and disposition of all municipal solid waste collected in town.

Article 5: Registration

A. By June 1, 2026 or prior to commencing operation, and annually thereafter by February 1, all commercial waste haulers shall register on a form provided by the Town that includes the following information.

1. The name, address, email, telephone number and contact person for the company
2. A description of the area(s) of town that will be served;
3. For an existing hauler, the number of current customers in Whitefield; and
4. Any other information the Select Board may reasonably require to meet the Town's solid waste and recycling reporting requirements to the State of Maine.

B. The Town Select Board shall review each registration and, upon finding it to be complete, issue a letter of authorization for the commercial waste hauler to operate in Whitefield for the time period from January 1 of the current year until January 31 of the following year.

C. When there are changes to the information submitted pursuant to A above, the hauler shall notify the Town as soon as having knowledge of such changes.

Article 6: Annual Reporting

A. Each registered hauler shall submit an annual report to the Town on a form provided by the Town that includes the following information.

1. The average number of municipal solid waste customers in Whitefield during the calendar year;
2. The tonnage of municipal solid waste collected in Whitefield in the calendar year;
3. The location(s) where municipal solid wastes were disposed and/or recycled;
4. For materials not delivered to the Town's recycling facility on Balltown Road, the amounts of recyclable materials managed separately from municipal solid waste by type collected in the calendar year; and
5. Any other information the Select Board may reasonably require to meet the Town's solid waste and recycling reporting requirements to the State of Maine.

NOTE: The Town of Whitefield maintains a recycling facility on Balltown Lane that is available for haulers to utilize at no cost. Materials must be properly sorted. Certain materials may be left at any time while others must be left when the facility is open. Please contact the Town Office for details.

B. Reports must be filed with the Town prior to February 1 each year for the previous calendar year.

Article 7: Enforcement

A. Violations of this ordinance shall be enforced under the provisions of 30-A MRS §4452.

B. Any person violating a provision of this ordinance shall be liable to reimburse the Town for costs of enforcement including reasonable attorney and court fees. This provision shall not preclude the Town from seeking and obtaining equitable relief.

C. In addition to the foregoing subsections, any commercial waste hauler who violates a provision of this ordinance may be denied the ability to register to operate in Whitefield. The Select Board may take such actions after providing notice and opportunity for hearing.

Article 8: Severability

If any portion of this ordinance or the application thereof is held to be invalid by a court of law, such action shall not affect other provisions or applications of this ordinance.

Article 9: Effective Date

This ordinance shall become effective on the date of its adoption by a Town Meeting.

Date of adoption: _____

Proposed