

TOWN OF HOLDEN RECYCLING ORDINANCE

1. **Title and Purpose:** This ordinance shall be known as the Holden Recycling Ordinance. This ordinance has several purposes: to preserve and protect environmental resources, to protect the health, safety, and welfare of the public, to enhance the quality and character of life in the Town, and to improve efforts to recover and reuse valuable resources currently being wasted.
2. **Scope:** This ordinance applies to all domestic, commercial, and industrial producers of solid waste in the Town of Holden.
3. **Authority:** This ordinance is adopted pursuant to the Home Rule powers granted in the Maine Constitution, 30-A M.R.S.A. Section 3001 et. Seq., and 38 M.R.S.A., Section 1301 et. Seq.
4. **Definitions:** The definitions set forth in 38 M.R.S.A. Section 1303 apply to this ordinance and are incorporated herein. Any word not otherwise defined shall have its ordinary meaning.
5. **Recycling Requirement:** All solid waste shall have the recyclable materials separated out in a manner determined by the Municipal Officers.
6. **Recycling Program:** The Municipal Officers shall establish a program for the collection, processing and disposition of recyclable materials.
7. **Administration and Enforcement:** The Municipal Officers or their duly-appointed agents shall administer and enforce this ordinance. The Municipal Officers shall adopt written regulations governing all elements of the recycling program, including hours, fees, inspection of materials, and other matters pertaining to the recycling program.

The Municipal Officers further have the authority to negotiate and contract with any person, corporation, agency, partnership, or other entity for the collection, processing and disposition of recyclable materials. The Municipal Officers may appoint one or more persons to assist them in determining how to best administer the recycling program.

8. **Violations and Penalties:** Violations of this ordinance shall be enforced in accordance with the provisions of 30-A M.R.S.A. Section 4452 as land use violations. The penalties set forth in 30-A M.R.S.A. Section 4452 shall apply to violations of this ordinance.

In addition to the foregoing penalty provision, any person, firm, partnership, corporation, or other entity that fails to separate recyclable materials as specified in Section 5 above, from their solid waste may be denied access to the Town's solid waste program.

9. **Amendments:** This ordinance may be amended as provided in 30-A, M.R.S.A., Section 3004 (4).
10. **Severability and Effective Date:** If any provision of this ordinance is found by a court of competent jurisdiction to be unenforceable, the remaining provisions shall continue in full force and effect. This ordinance shall become effective when adopted by a majority of the voters at any regular or Special Town Meeting.

Adopted by Town Meeting
June 16, 1993

Approved by Selectmen
May 17, 1993

s/ R. Larry Varisco

s/ Michael J. Legasse
s/ George A. McDonald, Sr.
s/ Eddie Campbell
s/ Joel Dearborn
s/ Earle C. Young