

AN ORDINANCE PERTAINING TO SOLID WASTE

THE CITY OF LEWISTON HEREBY ORDAINS:

Chapters 62 of the Code of Ordinances of the City of Lewiston, Maine are hereby amended as follows:

CHAPTER 62

SOLID WASTE

ARTICLE I. IN GENERAL

Sec. 62-11. Definitions.

The following words and terms as used in sections 62-12 through 62-24 of this article will have the meanings ascribed thereto, unless the context otherwise indicates:

~~*Abbreviated ePass:* An ePass (as defined) issued to a tenant of a residential property (as defined) or multiple unit apartment building (as defined).~~

~~*Asphalt shingles:* Asphalt roofing shingles and tar paper and shall be devoid of any other solid waste.~~

Construction and demolition debris: Solid waste generated through construction, remodeling, repair or demolition of structures. This includes but is not limited to: building materials such as plaster and lath, plumbing fixtures, insulation, asphalt, wall board, pipes, treated wood (wood products, which have been treated with copper, chromium, arsenic and/or creosote), asphalt shingles, roofing felt, sheetrock and metal conduits. It excludes: partially filled containers of any kind, friable asbestos and other special waste.

ePass: A voucher, distributed by the city annually, for the purpose of disposing of ~~specific types of solid~~ one thousand (1,000) pounds of waste material at the facility. The ePass is nontransferable and is invalid if used by anyone other than the authorized user.

~~*Sheetrock:* Clean and dry sheetrock, which is devoid of paint, wall paper and other solid waste.~~

Tires: Tires (with and without rims) from all commercial and residential vehicles ~~(refer to fee schedule provided for under section 62-14 to determine charges).~~

Yard debris: Brush (low trees, bushes & shrubs) and tree limbs less than twelve (12) inches in diameter. Yard debris does not include stumps from trees, bushes and/or shrubs.

Sec. 62-12. Reserved. Waste disposal permits.

~~Any vehicle engaged in a commercial activity, which requests the services of the facility shall have a permit issued by the city. There will be a charge for each permit issued in accordance with the city's policy manual as approved by the city council.~~

~~(1) *Commercial permit.* Issued to any Lewiston business that generates commercial~~

~~waste (excluding recyclable material and scrap metal) and does not have waste collected by a waste hauler and brings their waste to the facility for disposal. Any and all solid waste brought to the facility in a vehicle which has been issued a commercial permit will be charged for the disposal of that waste in accordance with the current fee schedule. Commercial permits are renewable each October.~~

- ~~(2) — Contractor permit. Issued to any contractor hauling construction or demolition debris from a job site located within Lewiston. Evidence of job location shall be presented prior to entry into the facility. A contractor can be issued either an annual permit or a permit for an individual project. Any and all solid waste brought to the facility by a vehicle which has been issued a contractor permit will be charged for the disposal of that waste in accordance with the current fee schedule. Contractor permits (annual) are renewable each October.~~
- ~~(3) — Waste hauler permit. Issued to all authorized collectors engaged in solid waste collection. All applicants for a waste hauler permit shall provide the superintendent with an updated list of customers they are servicing with an estimated annual tonnage for each customer. In addition, haulers will provide an annual estimated tonnage of recyclable material diverted for each customer. Waste hauler permits are renewable each October.~~

Sec. 62-22. Reserved Recycling agreement.

~~Any municipality or quasi-municipal organization requesting disposal and/or transfer services of recyclable material shall be required to enter into a formal agreement for use of the facility which is approved by the Lewiston City Council.~~

Sec. 62-23. Spring clean-up assistance event.

The Solid Waste Policy (ref. Spring Cleanup Assistance Event) describes a limited service to residential property owners, by the City, for the collection of woody yard debris ~~solid waste materials~~, which is are not typically collected curbside and for which the City charges a fee for disposal. This policy and any modifications to this policy shall be filed with the city clerk.

Sec. 62-24. ePass program.

~~The city issues an ePass and an abbreviated ePass through the treasurer's office and the Scale House at the Solid Waste Facility for a fee, as described in the solid waste fee schedule (section 62-14). ePasses are sold at these locations, only, and cannot be obtained at any other location. ePasses will be sold to:~~

- ~~(1) — Owners of residential properties, as defined in section 62-11 of this chapter. Limit, two ePasses, per property owner, per year.~~
- ~~(2) — Owners of multi-unit apartment buildings, as defined, who are eligible and have paid for trash collection services provided by the city will be eligible to receive ePasses based on the following — One ePass per three dwelling units (i.e. a five unit building will be eligible for two ePasses), per year. The ePass will only be valid for the fiscal year in which it was issued. The City's fiscal year is from July~~

~~1 through June 30.~~

- ~~(3) Tenants of residential properties and multiple unit apartment buildings are eligible to purchase abbreviated ePasses.~~

~~The ePass is good for one year from the day of issue. If a second ePass is purchased by the owner of a residential property, as defined, it will expire on the expiration date listed on the first pass. The abbreviated ePass is good for 30 days from date of issue. Only one abbreviated ePass shall be issued per tenant, per year, from date of issue.~~

~~The ePass will allow the holder to dispose of waste material at the facility at no charge. Types and quantities of materials, which can be disposed at no charge for each ePass shall be:~~

- ~~(1) Six items of bulky waste (includes one universal waste item and one freon-containing appliance);~~
- ~~(2) Three tons (6,000 pounds) of solid waste (may include construction and demolition debris); and~~
- ~~(3) Two tires (16 inches or less) without rims.~~

~~The ePass will allow Lewiston residents free disposal of items listed above at the facility. The city will not be responsible for hauling these waste items. Waste hauling is the responsibility of the ePass holder. Only items listed in sec. 62-24 will be accepted at no charge. The ePass holder will present the pass(their driver's license) at the time he/she enters the facility in order to receive this service and the items to be disposed of will be recorded on the city's computer system at that time. Once the item is recorded, that item will be excluded from further disposal at no charge. Expired ePasses will not be accepted at the solid waste facility.~~

~~The abbreviated ePass will allow the holder to dispose of waste material at the facility at no charge. Types and quantities of materials, which can be disposed at no charge for each abbreviated ePass shall be:~~

- ~~(1) Six items of bulky waste (includes one universal waste item and one Freon-containing appliance);~~
- ~~(2) 800 pounds of solid waste (shall not include construction and demolition debris); and~~
- ~~(3) Two tires (16 inches or less) without rims.~~

~~The ePass service is not transferrable. Individuals eligible to receive this service included:~~

- ~~(1) The purchaser of the ePass.~~
- ~~(2) A member of the purchaser's household (as determined by reviewing the address on the driver's license of the individual wishing to use this service) is eligible to use the service described in Sec. 62-24 ePass Program.~~

- ~~(3) Individuals wishing to use this service will be asked to present their driver's license to the Scale House attendant when entering the solid waste facility, to determine their eligibility to receive this service. Failure to present a driver's license or meet the eligibility requirements listed in this ordinance may disqualify the individual from receiving the services listed in this ordinance.~~

The city issues one (1) ePass, at no cost, annually to the following:

- (1) Owners of residential properties as defined in Sec. 62-11 of this chapter) who live in one of the dwelling units of that property, year round. The ePass will be issued to property owners who are current on all outstanding debts to the City.
- (2) Owners of multiple unit apartment building (as defined in Sec. 62-11 of this chapter) who live in one of the dwelling units of that property, year round. The ePass is issued for the dwelling unit in which they reside. The ePass will be issued to property owners who are current on all outstanding debts to the City and who have paid the City for curbside trash collection services in accordance with Sec. 62-13 of this chapter.

The following individuals are eligible to purchase an ePass from the City –

- (1) Owners of multiple unit apartment buildings (as defined in Sec. 62-11 of this chapter) and who have paid the City for curbside trash collection services in accordance with Sec. 62-13 of this chapter may purchase one (1) ePass per year for every three (3) dwelling units, which they own (i.e. a five (5) unit building would be eligible for two (2) ePasses). The owner will be eligible to purchase the ePass(es) if they are current on all outstanding debts to the City.
- (2) Tenants (as defined in Sec. 62-11 of this chapter) who reside in the City of Lewiston.

The ePass is issued through the Treasurer's office when the property owner pays their property tax bill in full for the given year or when the tenant purchases the ePass. The price of the ePass shall be established as provided in Sec. 62-14 – Fee Schedule – of this chapter.

The ePass service is not transferable and is limited to only one (1) ePass per year. Individuals eligible to receive this service include:

- (1) The holder of the ePass.
- (2) A member of the holder's household (as determined by reviewing the address on the driver's license of the individual wishing to use this service) is eligible to use the service described in Sec. 62-24 – ePass Program.
- (3) Individuals wishing to use this service will be asked to present their driver's license to the Scale House attendant when entering the solid waste facility, to determine their eligibility to receive this service. Failure to present a driver's license or meet the eligibility requirements listed in this ordinance may disqualify the individual from receiving the services listed in this ordinance.

Secs. 62-25--62-30. Reserved.

ARTICLE II. RESERVED PRIVATE COLLECTORS

~~Sec. 62-31. License or authorization required.~~

~~No person shall collect any house offal, swill or garbage, or carry the same through any of the streets or sidewalks of the city, except such person as may be authorized or licensed by the department of public works.~~

~~Sec. 62-32. Duration of license; revocation.~~

- ~~(a) — The department of public works shall determine the length of time for which any license under this article shall issue, and all such licenses for the collection of garbage shall be granted subject to revocation by the department.~~
- ~~(b) — The department of public works may at any time revoke any or all licenses granted, in whole or in part, upon failure of any licensee to comply with the provisions of this article. Upon revocation of any license, the department shall send a notice thereof by registered mail to the licensee at least 15 days before the date such revocation shall become effective.~~

~~Sec. 62-33. Voluntary relinquishment of license.~~

~~Any licensee wishing to discontinue the collection of garbage, in whole or in part, shall notify the department of public works in writing of his intention to do so, at least 15 days prior to the date of such discontinuance, and shall return his license to the department.~~

Secs. 62-31 34--62-55. Reserved.

NOTE: Additions are underlined; deletions are ~~struck out~~.