

**CHAPTER 16. Solid Waste  
Disposal**

Sec. 16-1. Declaration of Policy.

Sec. 16-2. Definitions.

**CHAPTER 16. SOLID WASTE DISPOSAL**

**ARTICLE 1. MUNICIPAL SOLID WASTE**

***Sec. 16-1. Declaration of Policy.***

The accumulation, collection, removal and disposal of solid waste must be regulated by the Town of East Hartford for the protection of the public health, safety and welfare. It is consequently found and declared that:

- (a) The Town is authorized by law to regulate the disposition of solid waste generated within its boundaries and to collect a charge therefore, and to license refuse collectors; and
- (b) The Town is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where solid waste generated within its boundaries shall be disposed of; and
- (c) The Town has executed a Municipal Service Agreement with the Connecticut Resource Recovery Authority (CRRRA) requiring it to designate the area to which solid waste, generated within its boundaries and which meets the Contractual Standards of the Municipal Service Agreement, is to be delivered to; and
- (d) The public health, safety and welfare of the town will be best served by requiring the delivery of said solid waste directly to a facility operated by the CRRRA and/or to a transfer station or other location designated by the Director for transfer to a facility operated by the CRRRA; and
- (e) The Town is authorized to license solid waste carriers and charge a fee for the delivery of bulky waste to the East Hartford Landfill for processing. Bulky waste received at a Town facility may be processed for the purpose of reclaiming and recycling all possible raw materials; and
- (f) The enactment of this ordinance is in furtherance of the Town's Solid Waste Management Plan.

***Sec. 16-2. Definitions.***

For the purpose of this Chapter, the following terms shall have the following meanings:

- (a) "Authority" shall mean the Connecticut Resource Recovery Authority established pursuant to Chapter 446(e) of the Connecticut General Statutes, as amended.
- (b) "Bulky Waste" shall mean: tree stumps and/or any other debris produced by land clearing activities; any waste resulting from demolition activities other than clean fill; and any other oversized waste provided that no such waste be hazardous or highly flammable. Oversized waste shall constitute waste larger than 18 inches thick by 48 inches wide and 6 foot in length that weighs more than 50 pounds, which cannot be reduced in size to be accommodated by a resource recovery facility of the Connecticut Resource Recovery Authority.

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- (c) "Bulky Waste Facility" shall mean a facility operated by the Town wherein bulk waste is received, processed, transferred, and/or disposed of in any manner.
- (d) "Business Refuse" shall mean any solid waste not generated by a household.
- (e) "Commercial Premises" shall mean any establishment engaged in manufacturing, industry or commerce, such as, but not limited to: factories, office buildings, retail stores, restaurants, non-public schools, clubs, etc.
- (f) "Container" shall mean a receptacle designed for the storage of municipal solid waste.
- (g) "CRRRA" shall mean the Connecticut Resource Recovery Authority.
- (h) "Director" shall mean the Director of Public Works of the Town of East Hartford.
- (i) "Disposal Charge" means that amount of money to be charged for each ton of Municipal Solid Waste delivered to the CRRRA as established by the procedures authorized in the Municipal Service Agreement, or that charge per ton or cubic yard established for the transfer or disposal of waste at a Town facility.
- (j) "Dumpster" shall mean a large metal container used to hold solid waste, usually from a commercial establishment, an industrial operation, or housing complex. July 28, 1989(
- (k) "Hazardous Waste" means pathological, biological, cesspool and other human wastes, human and animal remains, radioactive, toxic, and/or other hazardous waste which, according to federal, state, or local rules or regulations now in effect, require special handling in their collection, treatment or disposal, including those regulations under 42 U.S.C. Sections 6921-6925 and regulations thereunder adopted by the United States Environmental Protection Agency pursuant to the Resource Conservation and Recovery Act of 1976, 90 Stat. 2806, 42 U.S.C. Sec. 6901, such as cleaning fluids, crankcase oils, cutting oils, paints, acids, caustics, poisons, drugs, fine powdery earth used to filter cleaning fluid and any refuse of a similar nature.
- (l) "Municipal Services Agreement" shall mean the Municipal Solid Waste Management Services Contract between this Municipality and the Authority dated May 25, 1984.
- (m) "Municipal Solid Waste" shall mean residential, commercial, industrial and institutional waste other than bulky waste and hazardous waste, as herein before defined, which is normally collected by conventional refuse collection vehicles and transported to a municipal solid waste processing facility for ultimate processing and/or disposal. This term shall include all items designated in Article 2 of this Chapter as being recyclable.
- (n) "Person" shall mean any individual, partnership, firm, corporation, business, association, society, company or any other group acting as a unit.
- (o) "Roll-off Container" shall mean a large metal box, designed to hold various forms of solid waste, such as, but not limited to municipal solid waste and bulky waste, that is winched or lifted onto a truck body for transportation to a solid waste processing facility.
- (p) "Solid Waste" means unwanted or discarded materials consistent with the meaning of that term pursuant to Section 22a-260(7) of the

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**Sec. 16-3. Solid Waste Contract**

**Sec. 16-5. Collection**

Connecticut General Statutes, this term does not include semi-solid or liquid materials which may be collected and treated in a sewage system, nor does it include hazardous waste.

- (q) "Solid Waste Collectors" means any person, partnership, firm or corporation engaged in the business of collecting and transporting commercial, household, institutional or industrial solid waste within the town.
- (r) "Town Operated Transfer Facility" shall mean any structure and/or any operation established by the Town for the transfer of Municipal Solid Waste to a CRRA facility.

***Sec. 16-3. Solid Waste Contract Standards.***

Contractual Standards for Municipal Solid Waste Delivered to the Town Operated Transfer Facility and/or Any CRRA Facility are as follows:

- (a) It must be solid waste emanating from within the corporate boundaries of this Municipality;
- (b) It must not be of such a quantity, quality or other nature as to materially impair the operation or capacity of any equipment or facility of the CRRA and/or the Town operated transfer facility or any portion thereof;
- (c) It must not be of such a quantity, quality or other nature as to materially impair the strength and durability of the structures, equipment, or works which are part of any CRRA facility and/or Town operated transfer facility or any portion thereof;
- (d) It must not be of such quantity, quality or other nature as to create flammable or explosive conditions at any CRRA facility and/or a Town operated transfer facility or any portion thereof;
- (e) It must not contain chemical or other properties which are deleterious, as determined by the Town and/or the Authority, of being capable or capable of causing material damage to any part of the system or to personnel; and
- (f) It must not include any Hazardous or Bulky Waste.

***Sec. 16-4. License Required for Refuse Collectors.***

- (a) No person shall collect, or transport over any street or highway, or dispose of any municipal solid waste or recyclable in this town unless licensed by the Town to perform such work in accordance with the provisions of this ordinance. No municipal solid waste collected from outside the town shall be disposed of in the town under any license, permit or registration issued pursuant to this Article. Effective: 1/3/92
- (b) Bulky Waste may be delivered to the Town bulky waste facility only by persons licensed by the Town. No other person may transport or deliver bulky waste to the bulky waste facility, except that the owners of premises in this town upon which Bulky Waste has accumulated may convey and deliver such Bulky Waste upon complying with this and any other applicable ordinances and regulations.
- (c) No bulky waste collected outside the town may be conveyed to a Town bulky waste facility without proper license from the Town.

***Sec. 16-5. Collection Policies.***

- (a) The Town shall not provide collection services for businesses. Buildings which are no

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more than one thousand gross square feet in which a business is operating and such business is receiving collection services as of the effective date of this section shall continue to receive said service limited to the curbside collection of not more than one town approved container per week. The Director of Public Works shall terminate the service if the business places more than one container at curbside in any given week.

(b) Town businesses which do not possess proper equipment necessary to utilize a CRRRA facility may bring solid waste to the Town landfill for transfer to a CRRRA facility. Said business shall be charged a by-the-ton fee for this service, the amount to be determined by the Town Council.

(c) The Town does not provide collection services for apartment houses, apartment buildings or apartment complexes; and multi-family dwellings housing more than (6) families.

Refuse generated by multi-family dwellings housing six (6) families or less, will only be collected when set out in acceptance containers as required by Sec. 16-6 of this Ordinance.

Effective 11/01/91

(d) Grass cuttings from lawns shall be collected if they are placed in a closed waterproof plastic or paper bag no larger than thirty (30) gallons.

(e) Town refuse collection trucks shall not collect leaves, whether they are loose, in containers or in bags. Special leaf collection trucks will provide pick-up to residents during the autumn months, providing said leaves are raked to the curbside, are not in any container or bag, and are accessible from public property.

(f) The Director shall be responsible for the scheduling of weekly collections by Town solid waste collection vehicles.

(g) Notwithstanding the provisions of this section, the town may provide collection services for condominium owners or mobile home park residents if: (1) the condominium complex or mobile home park facility has more than fifty-percent of its condominium units or mobile homes that are owner-occupied; (2) the town public works director has determined in writing that town refuse collection trucks and contracted collection vehicles are able to collect such trash in the same manner as trash is collected from other residential property; (3) such trash is placed in a Town approved automated waste container as required by section 16-6; and (4) the condominium complex association or the owner of the mobile home park has provided written permission to the town and its contractors to use its property for such collection and has agreed to indemnify the town and its contractors for any liability for damage to such property. In order to qualify for such collection services, the condominium association or mobile home park owner, which meets the provisions of subdivisions (1) through (4) of this section shall file a written request for such services with the Public Works Director by December 31 of the year preceding the July 1 of the year in which such collection services may begin. Such written request shall include a sworn affidavit from the president of the condominium association or agent for the owner of the mobile home park that more than fifty-percent of its condominium units or mobile homes are owner-occupied as of October 1 of that year and such other information as required by the Director of Public Works in order to ensure compliance with the provisions of this section. Subsequent to the initiation of collection services by the town, such sworn affidavit concerning the percentage of units owner occupied as of October 1 shall be filed with the Director no later than December 31<sup>st</sup> of each year. The town shall provide such trash services to qualified condominium owners or mobile home park residents within eighteen months of the filing of such request. If, at any time, the Director determines that a condominium complex or mobile home park no longer meets the criteria of this subsection, he shall notify in writing the president of the condominium association or agent for the owner of the mobile home park that it no longer qualifies for collection services. The Director may suspend collection services to such association or park residents no less than fifteen days after such notification is made. The Director may resume collection services if he determines that the condominium complex or mobile home park meets the criteria of this section. (Effective: 11-05-01)

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- (h) Notwithstanding the provisions of this section, the town may provide residential municipal solid waste collection and disposal for a condominium association of not more than twenty dwelling units where the percentage of owner-occupied units is less than fifty percent if: (1) the association enters into a contract with the town for such services on an annual basis, beginning July 1<sup>st</sup> and ending June 30<sup>th</sup>, and pays an annual fee equal to an amount determined by the Finance Director to be the average cost of residential municipal solid waste collection and disposal per dwelling unit multiplied by the number of dwelling units in such condominium association; (2) such association pays for the cost of the automated refuse containers required for residential municipal solid waste collection under this section and any other containers that meet town standards for residential municipal solid waste collection; and (3) such collection and containers are placed on a street on which the town's refuse collection vehicles already collect residential municipal solid waste or in such other area designated by the Director of Public Works. The association shall file with the Director of Public Works an initial written request for services under this subsection no later than December 31<sup>st</sup> of the year preceding July 1<sup>st</sup> of the year in which such collection services shall begin. Prior to July 1, 2010, the town may enter into a contract for such services for a term of less than one year and shall assess such fees on a pro-rata basis. The town may suspend or refuse to perform residential municipal solid waste collection and disposal services if the association fails to meet its obligations under the contract.

Voted: 10-20-09

Published: 10-27-09

Effective: 11-17-09

***Sec. 16-5a. Annual Free Removal of Debris for Town Commercial Property.***

- (a) Notwithstanding the provisions of Section 16-5, and subject to the limitations set forth in this Section, the Town shall provide to an owner of commercial property located in the Town free removal of debris from the location of the commercial property one time per calendar year. Such debris shall not exceed seven (7) cubic yards and must be the product of the commercial property owner's effort to improve the exterior appearance at the location of the commercial property. The debris shall not include debris generated as a result of the operation of any business located on the commercial property and shall not include debris generated as a result of structural demolition. For the purpose of this section, the term "commercial property" shall not include property consisting solely of residential dwellings.
- (b) In order to be allowed to utilize the privilege set forth in subsection (a) above, the commercial property owner must submit the following information to the Director of Public Works on forms provided by him for that purpose: Name of commercial property owner; address of commercial property; telephone number at which commercial property owner may be reached; a general description of debris; and dates on which debris will be available for removal. The Director of Public Works or his/her designee shall contact the commercial property owner to arrange an appointment, at which time said director or designee will inspect the debris and will arrange for its removal.
- (c) This ordinance shall be repealed two (2) years from the effective date, unless renewed.

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Sec. 16-6. Storing of Solid Waste.

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Voted: 4/20/93  
Published: 4/30/93  
Effective: 5/21/93

**Sec. 16-6. Storing of Solid Waste.**

- (a) Provision for Containers. The owner of each premise in which solid waste is created or generated shall provide, at a suitable place upon such premises, sufficient containers for receiving and holding such solid waste during the intervals between collection. Solid waste containers shall be maintained in good condition free of holes and fissures and shall be equipped with securely-fitting covers.
- (b) Containers for Household Waste.
  - 1. The standard container for household Municipal solid waste shall be a watertight, vermin-proof galvanized or plastic container, with a tight lid, of no less than twenty (20) gallons and no more than thirty (30) gallon capacity. Containers larger than thirty (30) gallons designed for and used as part of Town-licensed or sponsored automated refuse collection system will be permitted.
  - 2. In the automated refuse collection program only household refuse fitting into the automated refuse container will be picked up by the Town. Automated Refuse containers shall not be used for other than household waste. These containers are provided by the Town of East Hartford and remain the property of the Town. Containers lost, stolen, destroyed, or damaged shall be replaced at the resident's expense.
    - a. (b)(1) and (2) Effective: 5/6/94
- (c) Placement of Containers in Public Way. Solid Waste containers shall not be placed or left for collection upon any sidewalk, street or public place. This provision shall not apply to containers placed by duly authorized Town employees in such public places, or if specifically authorized by the Director.
- (d) Time Restriction on Placement of Containers. No person shall place any solid waste container at the location designated for collection by the town before sundown on the day prior to designated collection day. After collection has been completed and the containers emptied by the town, the owner or agent must remove the empty containers from the collection point on or before 8:00 P.M. on the same day of collection.
- (e) Use of Container by Non-owner. No owner, occupant, tenant or lessee, using or occupying a building structure or other premises as a separate dwelling shall utilize the solid waste container of any other owner, occupant, tenant or lessee for the disposal of his or her solid waste.
- (f) Depositing Solid Waste Whose Origin is from a Household or Business in Town-owned Containers. No person shall deposit household or business solid waste in any street container maintained by the Town.

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- (g) Disturbing Contents of Containers. No person not authorized by the

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- owner of a solid waste container shall remove the lid from such solid waste container or shall remove, collect or disturb the solid waste stored in such container. No person shall remove any solid waste from a container and scatter the same upon any Town-owned property.
- (h) Public Places. No person shall place any solid waste in any street, alley or other public place, or upon any private property, whether owned by such a person or not, within this town except in proper containers.
  - (i) Dumpsters shall comply with all federal regulations as to construction.
  - (j) The Director shall have the authority to set the location of dumpsters.
  - (k) Accumulation of Solid Waste. Any uncontainerized accumulation of solid waste on any premises is hereby declared to be a nuisance and is prohibited.
  - (l) Scattering of Solid Waste. No person shall cast, place, sweep or deposit anywhere within this town any solid waste in such a manner that it may be carried or deposited by the elements upon or in any street, sidewalk, alley, sewer, parkway or other public place, or into any occupied premises. No person shall throw or deposit any solid waste in any stream or body of water.
  - (m) Hazardous Wastes. It shall be unlawful for any person, firm or corporation to place hazardous wastes or similarly dangerous substances into any solid waste container or to transport any such substance to the CRRA facility, or any other location designated by the Director for waste disposal or transfer.

***Sec. 16-7. Failure to Remove Solid Waste.***

Failure to remove any accumulation of solid waste within ten (10) days after written notice by registered mail from the Director to remove same shall be deemed a violation of this ordinance; provided that if such waste constitutes an immediate threat to public health, safety or welfare, it may be ordered to be removed immediately, or removed by the Town at the occupants and/or owner's expense. When such solid waste has been removed by the Town at its expense, this cost, together with accrued interest at the rate of 8% per annum from the date of the completion of work, shall be charged to such owner on the next regular tax bill forwarded to him by the Town unless sooner paid by such owner. Such charge shall be due and payable at the time of payment of such tax bill. When the full amount due the Town is not paid by such owner within thirty (30) calendar days after the disposal of such solid waste as provided for in subsections (a) and (b), a sworn statement showing the cost and expense incurred for the work, the date the work was completed, and the location of the property involved, shall be recorded in the office of the Town Clerk. Such recordation shall constitute a lien on the property and shall remain in effect for the amount due, including principal, interest, attorney's fees and court costs, if any, until final payment has been made. Such amount due shall be collected in the manner fixed by law for the collection of taxes and shall be subject to a penalty as provided for delinquent taxes on a per monthly basis in the event the charge is not paid in full on or before the date the tax bill upon which the charge appears to become delinquent. Sworn statements recorded in accordance with the provisions of this Section shall be prima facie evidence that all legal formalities have been complied with, that the work has been done properly and satisfactorily, and shall be notice to all concerned that the amount of the statement, plus interest, constitutes a lien against the property designated in the statement and that the debt underlying such lien is due and collectible as provided by law.

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***Sec. 16-8. Licensing of Solid Waste and Recycling Collectors;  
Registration of Vehicles, etc.***

- (a) Licensing and Registration Authority Designated. The Director shall be the licensing and registration authority for solid waste and recycling collectors, vehicles and containers. The Director shall grant a license within a reasonable time following the filing of a proper application and payment of the prescribed fee unless he finds one or more of the following conditions to prevail:
- i. The applicant has been irresponsible in the conduct of solid waste collection and hauling operations based upon previous suspensions and/or revocations of licenses; or
  - ii. The applicant lacks suitable equipment with which to collect solid waste in a safe and nuisance-free manner, and in compliance with this article.
- (b) If the Director, on review of the applicant's qualifications, concludes that granting a license would not be in the best interest of the Town, then said application shall be denied.
- (c) License Required. Each solid waste and recycling collector shall annually on or before July 1 apply for a license from the Director, on such form as he shall prescribe, to engage in the business of solid waste collection in this Town. The applicant shall supply the Town with all information requested on the application form, and attach a current schedule of rates for services. License renewals require the Licensee to complete a License Renewal Application annually.
- (d) Registration of Vehicles, Roll-off Containers. Each licensed solid waste and recycling collector shall obtain a separate registration for each vehicle he operates to transport solid waste and/or recyclables within this town. When a vehicle is employed to transport more than one roll-off container, each roll-off container to be transported and the vehicle shall require a registration. Registrations shall not be transferable from vehicle to vehicle nor from container to container, although the Director may allow a temporary transfer of registrations in hardship situations, such as a temporary breakdown of an individually licensed vehicle.
- 16-5, a-d Effective: 1/3/92
- (e) Vehicle Inspections. Initially, and each year before the License Renewal Application can be submitted, each vehicle intended for the use of hauling solid waste, industrial wastes or organic wastes, shall be inspected by the Public Works Department with the assistance of the Police and the Director of Health for compliance with applicable health, safety and construction requirements of the vehicles hauling this type of collection. No license shall be issued for any such vehicle unless the vehicle has been inspected and approved by the Director of Health and the Police Department.
- (f) Registration Term; Fee; Renewal. All registrations shall be issued for a term not to exceed one year. The registration fees shall be that amount adopted by the Town Council.
- (g) Reinspection Upon Sale, Transfer of Vehicle During Registration Year. Whenever a duly registered vehicle is sold or transferred to another solid waste



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collector licensed in this town during the registration year, said vehicle shall be reinspected within seven (7) days of such a transfer date, but no original fee shall be required.

- (h) Display of Registration. The registration issued shall be conspicuously displayed on the left front of the body of each vehicle or container so licensed, or as may be directed by the Director.
- (i) Identification of Vehicles and Containers. Each licensee shall prominently display at all times on each registered vehicle or container in letters at least four (4) inches in height, his name, registration number, and telephone number.
- (j) Notification Required Upon Sale, or Other Transfer of Route. When any licensee shall sell or transfer all or part of his route to any Refuse Collector presently licensed to collect waste in this town, he or she shall give written notice to the Director at least seven (7) days before the date of sale or transfer stating the name of the buyer or transferee and the intended date of sale.
- (k) Licenses Non-transferable. Licenses are not transferable. When any licensee shall sell or transfer all or part of his route to any Refuse Collector not licensed in this town, he or she shall first notify the Director, in writing, of his or her intent to sell and the transferee shall, at the same time, make application for a license to operate in this town.
- (l) Routes Served. As a prerequisite to the issuance or renewal of any license, the solid waste collector must, during the month of June, furnish to the director the geographical routes within the town that such Refuse Collector services, or intends to service.
- (m) Maintenance and Sanitation of Vehicles, Dumpsters and Roll-Off Containers. All vehicles licensed under this Article shall be maintained in a clean and sanitary condition. Each vehicle shall be treated with a germicidal compound generally recognized as effective and safe, at least once a week or more often if required by the Director of Health.

[Subsection (n) of Section 16-8 repealed effective 09-19-02]

***Sec. 16-9. Revocation or Suspension of License or Registration.***

- (a) Generally. A license to engage in Solid Waste collection in this Town and to utilize any solid waste facility designated by the Director is a privilege, not a right. Failure to comply with the provisions of this ordinance shall be grounds for revocation or suspension of any license or registration issued under the provisions of this ordinance in addition to any other penalty imposed by law.
- (b) Notice Required. Revocation or suspension shall only become effective five (5) calendar days after receipt of written notice from the Director.
- (c) Request for Review: Filing: Effect of Failure to File. If a licensee objects to the Director's action described in paragraph (b) above to revoke or suspend his license or registration, he or she may, within five (5) calendar days of receipt of said notice, file a written request for review by the Corporation Counsel. Failure to timely file such request for review shall make the Director's action final and binding upon the licensee.
- (d) Same Effect of Timely Filing. Timely filing of such request for review shall operate as an automatic stay of the Director's action; provided that the Director may for good cause petition the Corporation Counsel to lift such stay pending any final resolution.

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- (e) Hearing; Decision. The Corporation Counsel shall establish a hearing date by sending notice, by certified mail, to the licensee at least seven (7) days prior to said hearing. the Corporation Counsel shall render his or her decision within fifteen (15) days of the hearing, and said decision shall be binding on both the Director and the licensee.
- (f) Names, Addresses of Customers to be Furnished upon Revocation or Suspension. Whenever a solid waste collector's license or registration is revoked or suspended, he or she shall furnish the Director within twenty-four (24) hours a complete list of the names and addresses of all of his customers.
- (g) Refusal of Permission to Use a Refuse Disposal or Transfer Facility. Notwithstanding anything to the contrary herein, the Director shall have power to refuse permission to a solid waste collector to use any CRRA Facility, Town Landfill, or any other Town facility or operation, when, in his opinion, such solid waste collector has violated this Article or any other applicable rule or regulation.

**Sec. 16-10. List of Rates.**

Each solid waste collector shall furnish to his or her customers, upon request, a list of rates for the various services he provides.

**Sec. 16-11. Administration; Promulgation of Rules and Regulations.**

- (a) The Director shall administer the licensing of any solid waste collector engaged in collecting and transporting solid waste within the town.
- (b) The Director shall, when considering an application for a Solid Waste Collection License, including renewal, ascertain that the applicant has adequate liability insurance, according to standards set by the Town.
- (c) The Director may promulgate additional rules on all collection and disposal procedures from time to time as he deems proper, but such rules shall not be inconsistent with this Article.
- (d) The Director of Public Works shall have the power to issue rules and regulations governing the collection and removal of municipal solid waste and recyclable materials from condominiums, provided such rules and regulations are not inconsistent with this Article or the Charter. Such rules and regulations shall provide for municipal collection of solid waste and/or recyclable materials from condominiums, or in lieu thereof, a payment to be determined as set forth in sub—paragraph (e) per unit per year for the subsidy of tipping fees and other costs of solid waste removal and recyclable to each unit owner, provided that all municipal taxes due from that unit owner have been paid. Payment of sums due under this provision shall be made in the fiscal year in which taxes are due, and shall not accrue from year to year if the unit owner's municipal taxes have not been paid.
- (e) The amount to be paid to each unit as set forth in the foregoing sub—paragraph (d) shall be determined by multiplying the total real property taxes due for that unit by a fraction, the numerator of which shall be the amount budgeted for the waste services account and the denominator of which shall be the amount approved in the total town budget for each fiscal year.

Effective: 11/1/91

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Sec. 16-12. Licensee Regulations.

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***Sec. 16-12. Licensee Regulations.***

(a) Place of Delivery; Payment. Each solid waste collector shall deliver all solid waste meeting the Contractual Standards collected within the territorial limits of the town to a location designated by the Director, and pay the Disposal Charge to the Authority, its agent, or, upon Town billing, the Town.

(b) Failure to Pay. Any licensee failing to pay to the Authority or the Town within thirty (30) days after that date of a bill therefore, shall pay, in addition to the disposal charge shown on the bill, interest on such Disposal Charge at the rate of 1% per month or fraction thereof commencing on the date of such bill, plus all costs of collection, including an attorney's reasonable bill, incurred by the Authority or the Town. A failure to pay shall also be grounds for revocation or suspension of a license and registration.

(c) Prohibition on Delivery. No licensee shall deliver any solid waste designated by the Director.

(d) Construction and Maintenance of Vehicles and Containers. All vehicles registered to collect and transport solid waste shall be automatic unloading vehicles of a watertight construction and shall be maintained free of obnoxious odors and accumulated solid waste. Any such vehicle with a capacity in excess of ten (10) cubic yards shall be of a closed construction. A container utilized primarily for non-liquid solid waste need not be of watertight construction, but shall be completely enclosed. If any such vehicle may have a capacity of less than ten (10) cubic yards, it may have an open top, provided that it be covered when in motion, to prevent the escape of solid waste. November 1, 1991

(e) Customer's Containers. Solid waste collectors shall leave their customer's containers in a neat upright condition, with the lids replaced. The said containers shall be left off the road.

(f) Spilled Solid Waste. Solid Waste collectors shall clean up immediately solid waste that may spill when being carried or transferred.

(g) No Licensee Shall Commence Collection Activities Before 6:30 A.M. or After 7:30 P.M. Violation of this Article may result in the suspension or revocation of the collector's license.

***Sec. 16-13. Authority to Issue Rules.***

(a) The Director of Public Works shall have power to issue orders on the placing of solid waste containers, the protection of such containers from flies or vermin, and the collection and transportation of solid waste through the streets. The disposal of solid waste shall be in places to be designated by the Director.

(b) The Director of Public works shall present to the Mayor and then to the Town Council for approval, rules and regulations governing the separation, collection, transportation and disposal of all solid wastes that he may deem suitable and economical for recycling.

(c) The Director shall have the authority to set the hours and days of operations of all locations to which solid waste may be transported.

(d) The Director is empowered to promulgate rules and regulations not inconsistent with this Article.

***Sec. 16-14. Collection During Icy or Snowy Weather.***

The occupants of all premises where solid waste is accumulated shall, in icy and snowy

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Sec. 16-15. Contagious Disease Refuse.

Sec. 16-17. Private Dumps.

weather, keep the walks, paths, driveways, and steps as may be used by the collector in the normal collection of solid waste, in a condition that will permit the collection to be made without hazard to the collectors.

***Sec. 16-15. Contagious Disease Refuse.***

The removal of wearing apparel, bedding, medical waste or other refuse from homes, health care facilities, and any other place where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the Director of Health. The Town does not provide medical waste collection services and therefore such refuse shall not be placed in containers for regular collection. All infectious or contagious refuse and any other medical waste shall be separately bagged and be conspicuously labeled as "medical waste".

***Sec. 16-16. Litter from Trucks.***

(a) No person shall drive or move any truck or other vehicle within the town unless such vehicle is constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley, or other public property.

(b) No person shall drive or move any vehicle or truck within the town, whose wheels or tires carry onto or deposit in any street, alley or other public place, any mud, dirt, sticky substance, litter or foreign matter of any kind. Any debris or substance deposited in the above fashion on any public place shall be removed immediately by the operator of the responsible vehicle.

***Sec. 16-17. Private Dumps.***

(a) As used in this Article, waste material shall mean and include old sheet metal, roofing, cans, portions of automobiles, or any matter or thing injurious to the public health or offensive to the public, but shall not include recently excavated material, unless objectionable by reason of dust or foul odor.

(b) No owner or occupant of any land shall cause or allow his land to be used as a place for the dumping or depositing of solid waste, rags, tin cans, papers, empty barrels, boxes or other waste material without having obtained a permit from the State Department of Environmental Protection.

(c) No person shall place any of the above mentioned materials upon land belonging to another, except in a place for which such permit has been obtained.

(d) Before any dump permit shall be issued, the Director of Public Works shall submit the application to the Department of Development and the Inland Wetlands Commission for approval. No private dump permit shall be issued unless approved by the Department of Development, the Inland Wetlands Commission and the Department of Environmental Protection.

(e) The Director is authorized to issue permits authorizing the dumping of solid waste and to make orders and regulations covering the time and conditions of use, the materials that may be deposited on any particular location, and the placing and maintaining of signs indicating the permitted uses.

(f) This Article shall not apply to the dumping of any of such materials in any dumping ground or place owned or maintained by the Town as a public landfill. Any dumping on a Town-owned or Town-maintained landfill shall be done in accordance with rules and regulations of the Director of Public Works.

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**Section 16-17a. Bulky Waste/Transfer**

**Section 16-17a. Bulky**

(g) No parent, guardian or person in charge of any child under the age of twelve (12) years shall permit such child to any public or private dumping ground unless accompanied by a responsible adult.

Voted: 6/20/89  
Published: 7/7/89  
Effective: 7/28/89

***Section 16-17a. Bulky Waste/Transfer Station Permit.***

- (a) No person shall deposit or attempt to deposit any solid waste, except leaves or other materials as authorized by the Public Works Director by regulation, at the transfer station or request the town to pick up bulky waste from the curbside in front of the person's property without obtaining a permit pursuant to this section.
- (b) The Director of Public Works may issue a permit to any resident or residential property owner of the town to deposit at the transfer station any solid waste from the person's residential property that is authorized by state law or town ordinance or regulation to be deposited at such transfer station or to request town pick up of bulky waste from the curbside in front of the person's property, provided the town resident or residential property owner submits proof of town residency or ownership of residential property in the town and pays the transfer station permit fee as established by the town council pursuant to this section. Such permit shall be effective one year from the date of issuance and shall specify the residential property for which the permit was issued. If the residential property is a building containing more than one residential unit but no more than six dwelling units, the permit shall specify the unit for which it is issued. If the permit is issued to an owner of residential property who is not a town resident, such permit shall only authorize deposit at the transfer station or pick up from the curbside of any solid waste of the residential property in the town. As used in this section, residential property shall mean property with a single family home or a building containing no more than six dwelling units. No permit is transferable from one residential property to another except when the permit holder relocates the holder's principal residence from one residential property in East Hartford to another such property.
- (c) The Director of Public Works may revoke any permit issued to a town resident pursuant to this section if such town resident violates any state law or town ordinance or regulation concerning the proper disposal of solid waste.
- (d) The Town Council shall establish the fee for such permit.
- (e) The Director of Public Works may promulgate regulations to implement the provisions of this section.
- (f) No person, who has obtained a permit pursuant to this section, shall place any bulky waste at curbside more than seven days prior to the scheduled town pick up of such bulky waste.
- (g) If a person places bulky waste at curbside without requesting the town to pick up such bulky waste or without obtaining a permit pursuant to this section, the Director of Public Works may serve a citation on the owner of such property by certified mail or by abode service at the property where such bulky waste was placed at curbside. Such citation shall indicate that the placement of bulky waste is in violation of this section and that the property owner has no more than three days from the date of service of such citation to

Effective 08-13-04

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Sec. 16-18. Definitions.

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remove such bulky waste or the town will remove such bulky waste and bill the property owner for such removal. The town may place a lien on such property for any uncollected costs under this section. Such citation may be revoked if the property owner obtains a permit and agrees to comply with the provisions of this section.

Subsections (f) and (g) Voted: 11-22-05

Published: 11-29-05

Effective: 12-20-05

**ARTICLE 2. RECYCLABLE MUNICIPAL SOLID WASTE.**

***Sec. 16-18. Definitions.***

As used in sections 16-18 through 16-22 of the town ordinances:

- (1) "Commercial property" shall mean any property in the town of East Hartford that is not residential property;
- (2) "Curbside recyclable waste" shall mean any category of recyclable waste which the Director of Public Works, by regulation, determines to be recyclable material that should be deposited in a recycling container;
- (3) "Municipal solid waste container" shall mean a container for household waste as described in subsection (b) of section 16-6 of the Town Ordinances;
- (4) "Recyclable waste" shall mean any category of municipal solid waste which the Director of Public Works, by regulation, determines to be recyclable material;
- (5) "Recycling container" shall mean any receptacle approved by the Director of Public Works for use by residential property residents for the curbside collection of recyclables;
- (6) "Residential property" shall mean any property from which the town collects municipal solid waste pursuant to section 16-5 of the Town Ordinances;

***Sec. 16-19. Residential Collection Policies***

- (a) A residential property owner or a person residing at a residential property shall not place any recyclable waste in a municipal solid waste container.
- (b) Each residential property owner or any person residing at a residential property shall place all curbside recyclable waste in a recycling container. All curbside recyclable waste shall be clean and free from any food waste. Curbside recyclable waste shall be separated in the recycling container in accordance with regulations adopted by the Director of Public Works. Recycling containers shall not be used for any non-recyclable solid waste. No residential property owner or person residing at a residential property shall place a recycling container at the curbside for collection prior to sundown on the day prior to the designated collection day. Such recycling container shall be removed from the curbside prior to 8 p.m. on the designated collection day.

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- (c) The Town shall provide a recycling container to each property owner on which a new residential structure is placed on or after the effective date of this ordinance. Recycling containers are the property of the Town of East Hartford. Replacement recycling containers shall be made available to residential property owners by the Town of East Hartford upon payment of the fee established by the Town Council in the Schedule of Fees for such replacement recycling containers.
- (d) All recyclable waste collected from the recycling containers shall be delivered to a facility designated by the Director of Public Works for processing into new materials.
- (e) The Town or any person designated by the Town to collect curbside recyclable waste may not collect curbside recyclable waste from a recycling container that contains materials that are not curbside recyclable waste.
- (f) No person shall scavenge curbside recycling waste from a recycling container.

**Sec. 16-20. Commercial Collection Policies**

- (a) A commercial property owner or person who resides at, or leases, such commercial property shall not place any recyclable waste in a container designated by the solid waste hauler for municipal solid waste.
- (b) Each commercial property owner or person who resides at, or leases, such commercial property shall place all curbside recyclable waste in a recycling container designated by the solid waste hauler with whom such owner or person has contracted to collect municipal solid waste from the property. Each municipal solid waste hauler shall ensure that curbside recyclable waste placed in such recycling container is recycled.

**Sec. 16-21. Preparation of Recyclables**

Each private solid waste hauler and the recyclable waste collection company with whom the town has contracted to collect recyclable waste from residential property shall report the amount of recyclable waste collected to the Director of Public Works on a quarterly basis. The Director of Public Works shall designate the reporting schedule in writing to each hauler and collection company.

**Sections 16-22 and 16-23 were repealed on 02/02/05.**

**Sec. 16-24. MEMBER OF THE CENTRAL CONNECTICUT SOLID  
WASTE AUTHORITY**

Section One: Statement of Purpose

Pursuant to Section 7-273aa of the Connecticut General Statutes Annotated, which provides that any two or more Connecticut municipalities may, by concurrent ordinances of their

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legislative bodies, create a regional solid waste authority under the provisions of Sections 7-273aa to 7-273oo, inclusive ("Chapter 103b"), to jointly manage solid waste and recycling services on behalf of its members, the purpose of this Ordinance is to create such a regional authority to be known as the Central Connecticut Solid Waste Authority ("CCSWA"). Upon adoption of this Ordinance by two or more municipalities, CCSWA shall be created.

**Section Two: Creation of the Regional Solid Waste Authority**

CCSWA is hereby created as a regional authority under the provisions of Chapter 103b and shall have all the rights, powers, duties and obligations of a regional authority pursuant to Chapter 103b and Chapters 446d and 446e of the Connecticut General Statutes Annotated.

**Section Three: Designation of Regional Solid Waste Authority**

The Town of East Hartford (the "Municipality") hereby designates CCSWA as its regional solid waste authority, including its regional resource recovery authority, and adopts the provisions of Chapter 103b in connection with this election to become a member of CCSWA; provided, however, that this designation and membership election shall not constitute a commitment of the Municipality's solid waste or recycling streams, and provided further that the Municipality agrees that it shall take no action, now or in the future, contrary to its currently existing legal obligations and commitments, including, without limitation, making any pledge of its municipal solid waste or recycling streams to a disposal or recycling option chosen through CCSWA which has an effective date commencing prior to the expiration date of any currently existing waste stream commitment to another disposal or recycling arrangement. By adopting this Ordinance, the Municipality shall not be obligated now or in the future to make any such commitment of its solid waste or recycling streams, or to commit any funding toward CCSWA, without further express authorization by its legislative body.

**Section Four: Purpose of the Authority**

The purpose of CCSWA shall be to solicit and jointly manage solid waste and recycling services on behalf of its members.

**Section Five: Principal Address of the Authority**

The principal address of CCSWA shall be 241 Main Street, Hartford, Connecticut 06106, c/o the Capitol Region Council of Governments.

**Section Six: Members of the Authority**

The members of CCSWA shall be the municipalities, including the Municipality, which adopt this Ordinance. Each member municipality shall be assigned to one of four sub-regions of CCSWA: (1) the Northwest Sub-Region, (2) the Naugatuck Valley Sub-Region, (3) the Greater Capitol Sub-Region or (4) the Shoreline Sub-Region.



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**Section Seven: Voting System for Meetings of the Authority's Full Membership**

The number of votes to be cast by each municipal member of CCSWA at any meeting of the authority's full membership shall be determined in accordance with the following five-tiered voting system based on the individual population of each municipal member compared to the total population of all CCSWA municipal members (all such population figures to be derived from the most recent annual data published by the Connecticut Department of Public Health):

(a) each municipal member whose individual population is less than one percent of the total population of all CCSWA municipal members shall have one vote;

(b) each municipal member whose individual population is equal to or greater than one percent, but less than two percent, of the total population of all CCSWA municipal members shall have two votes;

(c) each municipal member whose individual population is equal to or greater than two percent, but less than five percent, of the total population of all CCSWA municipal members shall have three votes;

(d) each municipal member whose individual population is equal to or greater than five percent, but less than ten percent, of the total population of all CCSWA municipal members shall have four votes; and

(e) each municipal member whose individual population is equal to or greater than ten percent of the total population of all CCSWA municipal members shall have five votes.

**Section Eight: Appointment, Removal and Term of Office of a Municipal Member Representative**

Each municipal member shall appoint one representative to CCSWA, which shall be the current chief elected official of the municipality or that official's designee, and that representative shall exercise the voting powers established for that municipal member as set forth in this Ordinance. As long as the method of appointment and removal and the term of office of each municipal member representative shall be consistent with the first sentence of this section, the details of such appointment, removal and term of office shall be as determined by the appointing municipality; provided however, that not more than half of the terms of all such municipal representatives shall expire within any one fiscal year.

**Section Nine: Annual Meeting and By-Laws of the Authority**

There shall be at least one annual meeting of all municipal members of CCSWA, to elect the members of the Executive Committee and enact such other business as shall be deemed advisable at such meeting, all as provided in the by-laws of CCSWA to be adopted after its formation. It shall require the affirmative vote of a majority of all CCSWA municipal members to enact the authority by-laws or adopt any amendments thereto, such vote to take place at a duly-called meeting of the full membership of CCSWA, with proxy voting to be permitted at such meeting.

**Section Ten: Prohibition Against Member Monetary Compensation Other Than Host**

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**Community Compensation**

The members and member representatives of CCSWA shall receive no monetary compensation solely for their service as members and member representatives of CCSWA; provided, however, that the ability of CCSWA, if it chooses to do so in its sole discretion, to pay host community compensation to municipal members which agree to host facilities owned or used by CCSWA within their municipal borders shall not be affected by this prohibition.

Section Eleven: **Executive Committee of the Authority**

The full membership of CCSWA shall elect an Executive Committee to manage the operations of CCSWA, provided, however, that the specific division of responsibilities for such management between the Executive Committee, the full membership of CCSWA and any other body or officer of CCSWA shall be consistent with the by-laws of CCSWA to be adopted after its formation. No member of CCSWA shall have more than one representative on the Executive Committee, and each member of the Executive Committee shall have one vote, without regard to the voting system established by Section 7 of this Ordinance for meetings of the authority's full membership. The members of such Executive Committee shall constitute an odd number, shall include at least one representative of each of the five voting tiers established pursuant to Section 7 of this Ordinance for meetings of the authority's full membership, and shall also be determined by considerations of geographical representation based on the four sub-regions established under Section 6 of this Ordinance, all such matters and the terms of office and appointment of such Executive Committee members and other matters pertaining thereto to be specifically determined in a manner consistent with the by-laws of CCSWA to be adopted after its formation.

Section Twelve: **Adoption**

This Ordinance is hereby adopted pursuant to and in compliance with all laws governing the Municipality's adoption of ordinances. Dated: \_\_\_\_\_, 2010

Voted: 08-17-10  
Published: 08-24-10  
Effective: 09-14-10