TOWN OF WILTON SOLID WASTE AND RECYCLING REGULATIONS

1. POLICY

The Board of Selectmen shall regulate and control the separation, preparation, collection, depositing, receiving, disposal and removal of all Solid Waste, Garbage, Rubbish, Trash, Refuse and Recyclables within the Town of Wilton and charge reasonable fees to license and to defray the costs in whole or in part for providing such Solid Waste disposal facilities and services and the cost of regulating such activities.

2. DEFINITIONS AND GENERAL CONSTRUCTION OF LANGUAGE

Except where specifically defined herein, all words shall carry their customary meaning. All words used in the present tense include the future tense; words in the singular number include the plural number and vice versa; the word "premises" shall include land and buildings thereon; and the words "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied," unless the natural construction of the wording indicates otherwise; the word "shall" is always mandatory. In the event of a conflict of terms or definitions, the more restrictive shall apply.

ACCEPTABLE RECYCLABLE MATERIALS means those items to be received and processed at the SWEROC Regional Intermediate Processing Center including glass food and beverage containers, metal food and beverage containers, newspaper and certain H.D.P.E. and P.E.T. plastic food and beverage containers and other Recyclables determined by SWEROC.

CARDBOARD means corrugated boxes and similar corrugated and kraft paper materials which have a minimum of contamination by food or other material.

COLLECTOR means any Person who holds itself out for hire to collect Solid Waste from residential, business, commercial and other establishments within the Town.

COMMINGLED means to be combined or mixed together.

CONDOMINIUM ASSOCIATION means the general association of property owners formed for the government and management of a residential condominium.
**DWELLING OCCUPANT** means the owner, tenant or other occupant of a dwelling unit whether or not in the same building with other dwelling units.

**DWELLING UNIT** means any room or group of rooms located within a building and forming a single, habitable unit with facilities, which are used or intended to be used for living, sleeping, cooking and eating.

**GENERAL STATUTES** means the General Statutes of Connecticut as amended.

**GLASS FOOD AND BEVERAGE CONTAINER** means a glass bottle or jar of any size or shape used to package food or beverage products suitable for human or animal consumption.

**HAZARDOUS WASTE** means any waste material, except by-product material, source material or special nuclear material, as defined in Connecticut General Statutes (CGS) section 22a-115, which may pose a present or potential hazard to human health or the environment when improperly disposed of, treated, stored, transported, or otherwise managed, including (A) hazardous waste identified in accordance with Section 3001 of the Federal Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.), (B) hazardous waste identified by regulation by the Connecticut Department of Environmental Protection and (C) polychlorinated biphenyls in concentrations greater than fifty parts per million.

**H.D.P.E. (High Density Polyethylene) PLASTIC CONTAINER** means any high-density polyethylene bottle, jar or container of any size or shape used to package food or beverages products suitable for human or animal consumption or used for household laundry products or motor oil which are marked on the bottom with the number "2" encircled by the Recycling symbol.

**INTERMEDIATE PROCESSING FACILITY OR INTERMEDIATE PROCESSING CENTER** means a facility where glass, metals, paper products, batteries, household hazardous waste, fertilizers and other items are removed from the waste system for Recycling or reuse.

**LEAVES** mean the foliage of trees.

**METAL FOOD AND BEVERAGE CONTAINER** means an aluminum, bi-metal, steel, tin-plated steel, or other metallic can, plate or tray of any size or shape used to package food or beverage products.
suitable for human or animal consumption.

**NEWSPAPER** means used or discarded newsprint which has a minimum of contamination by food or other material.

**OFFICE PAPER** means used or discarded high-grade white paper and Manila paper including but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing, and photo-copying, which is suitable for Recycling and which has a minimum of contamination, excluding office paper generated by households.

**PERSON** means any individual, organization, corporation, trust, partnership, foundation, group, association, or establishment or any combination of them.

**P.E.T. (Polyethylene Terephthalate) PLASTIC FOOD AND BEVERAGE CONTAINER** means any Polyethylene Terephthalate bottle, jar or container of any size or shape used to package food or beverage products suitable for human or animal consumption which is marked on the bottom of the bottle, jar or container with the number "1" encircled by the Recycling symbol.

**RECYCLABLES or Items to be Recycled or Statutory Recyclable Materials** means cardboard, glass food and beverage containers, metal food and beverage containers, newspaper, certain H.D.P.E. and P.E.T. plastic food and beverage containers, office paper, scrap metal, storage batteries and waste oil, as defined herein; and such other items as may be designated by the Board of Selectmen.

**RECYCLE** means to separate or divert an item or items from the Solid Waste stream for the purposes of processing it or causing it to be processed into a material product, including the production of compost, in order to provide for disposition of the item or items in a manner, other than incineration or landfilling, which will best protect the environment.

**RECYCLING** means the processing of Solid Waste to reclaim material therefrom.
RECYCLING FACILITY OR RECYCLING CENTER means land and appurtenances thereon and structures where Recycling is conducted, including but not limited to an Intermediate Processing Center.

REFUSE means garbage, rubbish, and organic wastes, excluding therefrom body waste, bulky waste, demo-lition material, hazardous wastes, and recyclable materials.

RESIDENTIAL PROPERTY means real estate containing one or more Dwelling units excluding hospitals, institutions, motels and hotels.

SCRAP METAL means used or discarded items which consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof, including but not limited to, white goods, such as refrigerators, washers and dryers, and metal containers.

SCRAP TIRES means discarded rubber or synthetic rubber tires used by or manufactured for auto-mobiles, vans, pick-up trucks, motorcycles and other types and/or sizes as may be approved by the Board of Selectmen.

SMALL BUSINESS ESTABLISHMENT means any business or professional office or business enterprise with not more than five (5) full-time employees, including owners and managers.

SOLID WASTE means any solid, liquid, semi-solid or contained gaseous material that is unwanted or discarded, including but not limited to material processed at a Recycling Facility.

STORAGE BATTERY means lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications.

SWEROC means the Southwest Connecticut Regional Recycling Operating Committee created by the Inter-Community Agreement among the towns and cities in Southwest Connecticut to establish a regional Recycling program.

WASTE OIL means crankcase oil that has been utilized in internal combustion engine.

3. **REFUSE AND RECYCLABLE MATERIAL DISPOSAL**
   
   A. All Solid Waste generated within the boundaries of the Town of Wilton
shall be disposed of at the Town's Transfer Station site or other sites as may be designated or approved by the Board of Selectmen.

The Town of Wilton shall provide, within the Town's Transfer Station site or sites, facilities for receiving: 1) Refuse, 2) Recyclables, 3) bulky waste and demolition materials from residential properties by residents only, and 4) Recyclables from Small Business Establishments.

In accordance with the Ordinance Regulating Recycling of Solid Waste in the Town of Wilton, Connecticut, the Board of Selectmen designates the Town's Transfer Station site to be the location of the Recycling Center, and pursuant to Section 22a.220a of the Connecticut General Statutes the Board of Selectmen designates the SWEROC Intermediate Processing Center as the facility where all Recyclable Glass, Metal, and Plastic Food and Beverage Containers, Newspaper and Cardboard generated by residential properties within the Town of Wilton shall be taken for processing. Unless the Board of Selectmen has given written authorization, therefore, the processing or sale of Recyclables from residential properties at any other processing facility shall be prohibited.

All businesses and non-profit organizations operating within the Town of Wilton shall provide the Board of Selectmen on a form approved by it with a quarterly accounting of all items recycled by type, tonnage and method of disposal, if such items are deposited at locations other than the Wilton Transfer Station.

B. Separation of Recyclables.

(1) The following items shall be separated from other residential Solid Waste and shall be delivered by licensed Collectors or residents at locations designated within the Transfer Station site:

- Glass food and beverage containers,
- Metal food and beverage containers,
- P.E.T. (Polyethylene Terephthalate) Plastic Food and Beverage Containers,
- H.D.P.E. (High Density Polyethylene) Plastic Food and Beverage Containers,
- Newspaper,
- Cardboard,
- Scrap metal,
- Storage batteries,
- Waste oil,
- Such other items as may be designated by the Board of Selectmen.
The following items shall be separated from other non-residential Solid Waste and shall be deposited by licensed Collectors and/or Small Business Establishments by temporary permit, as per Section 6C hereof, at locations designated within the Transfer Station site or at the designated intermediate processing center or at a private processing center approved by the Board of Selectmen:

- Glass food and beverage containers,
- Metal food and beverage containers,
- P.E.T. (Polyethylene Terephthalate) Plastic Food and Beverage Containers,
- H.D.P.E. (High Density Polyethylene) Plastic Food and Beverage Containers,
- Newspaper,
- Cardboard,
- Office Paper
- Scrap metal,
- Storage batteries,
- Waste oil,
- Such other items as may be designated by the Board of Selectmen.

C. Preparation of Recyclables

- Glass, Metal and Plastic Food and Beverage Containers shall be commingled in a collection container. All food and beverage containers shall be rinsed clean with all plastic and metal caps removed (labels may be left on). Glass Food and Beverage Containers should be unbroken. Large plastic containers may be flattened to save space. Deposit for redemption beverage containers should not be crushed.

- H.D.P.E. plastic Recyclable containers for non-hazardous materials such as motor oil and detergent shall be well drained.

- Newspaper shall be separated from other Recyclables, tied four ways with string or twine in bundles approximately 8” in height and kept dry.

- Cardboard (corrugated) and kraft paper containers shall be flattened and tied in bundles.
D. Unacceptable Materials

The following materials will not be accepted for disposal at the Town's Transfer Station site:

- Leaves, brush, and yard waste
- Stumps
- Hazardous Waste
- Septage
- Explosives
- Fill

Refuse and Recyclables collected outside the Town of Wilton will not be accepted at the Town's Transfer Station site.

4. COLLECTION AND DELIVERY OF REFUSE AND RECYCLABLES

The following Solid Waste items may be collected within Wilton and delivered to the designated Transfer Station Site as follows:

A. Refuse

i) Collection by licensed Collectors between 5:00 a.m. and 3:30 p.m. Monday through Friday. No Refuse shall be stored overnight in a collection vehicle.

ii) Delivery by licensed Collectors between 8:00 a.m. and 3:30 p.m. Monday through Friday.

iii) Delivery by residents between 8:00 a.m. and 4:00 p.m. Monday through Friday, and 9:00 a.m. to Noon Saturday.

B. Glass, Metal and designated Plastic Food and Beverage Containers, and Newspapers (bundled)

i) Collection by licensed Collectors between 5:00 a.m. and 3:30 p.m. Monday through Friday, and 7:00 a.m. to 4:00 p.m. Saturday.

ii) Delivery by licensed Collectors between 8:00 a.m. and 3:30 p.m. Monday through Friday.

iii) Delivery by residents between 8:00 a.m. and 4:00 p.m. Monday through Friday, and 9:00 a.m. to Noon Saturday.

iv) Delivery by the owners or operators of Small Business Establishments between 8:00 a.m. and 3:30 p.m. Monday through Friday. (See Section 6C hereof).

C. Cardboard and Office Paper

i) Delivery by residents 8:00 a.m. to 4:00 p.m. Monday through Friday, and
9:00 a.m. to Noon Saturday.

ii) Delivery by the owners or operators of Small Business Establishments between 8:00 a.m. and 3:30 p.m. Monday through Friday. (See Section 6C).

D. Scrap Metal, Storage Batteries and Waste Oil

i) Delivery by residents 8:00 a.m. to 4:00 p.m. Monday through Friday, and 9:00 a.m. to Noon Saturday.

E. Bulky Waste, Tires and Demolition Material

i) Delivery by Residents Wednesday 8:00 a.m. to 4:00 p.m., and Saturday 9:00 a.m. to Noon.

No collectors or vehicles with commercial plates will be allowed to use the designated Transfer Station Site on Saturdays.

The Transfer Station will be closed on Sundays and on Holidays designated by the Board of Selectmen.

5. LICENSE REQUIRED (amended 9/5/95)

It shall be unlawful for any Person not licensed by the Town of Wilton to engage in the business of collecting, transporting and/or disposing of Refuse and/or Recyclables generated within the Town for compensation. Non-profit organizations that collect Recyclables for fund raising purposes shall be exempt from the fee provisions of these regulations.

Each Person desiring to engage in the collection, transportation or disposal of Refuse and/or Recyclables for hire within the Town shall make a written application to the Board of Selectmen or its authorized agent on a form provided for that purpose, setting forth the name of such Person's address or address of place of business, a description of the vehicle to be used in such collection, transportation and/or disposal of Refuse and/or Recyclables. The application shall be accompanied by a certificate of public liability insurance in an amount not less than $100,000-$500,000 and a certificate of Workmen's Compensation insurance in accordance with the State law.

Each license issued by the Town shall include a permit for each vehicle to be used for the collection, transportation and/or disposal of refuse and/or recyclables.

In addition to the aforesaid, each container used to collect, transport and/or dispose of refuse and/or recyclable materials within the Town shall be licensed by a separate permit. The permit shall be permanently affixed to the container.
Each license issued by the Town shall expire on the thirtieth day of June each year. Licenses and permits shall be renewed annually in the same manner upon payment of the license fee. Licenses and permits are non-transferable.

6. PERMIT AND DISPOSAL FEES (amended 9/5/95)

A. The Board of Selectmen shall set a permit fee for each vehicle and/or each container used to collect, transport and/or dispose of refuse and/or recyclables. The fee shall be due from and paid by the owner of the vehicle and/or the container except that in the event that the owner of the vehicle or container is not the collector, then the fee shall be due from and paid by either the owner or collector and each shall be jointly and severally liable for the fee. The Board of Selectmen may adjust such permit fee from time to time to offset the operational costs incurred by the Town.

Each license and permit issued by the Town shall expire on the thirtieth day of June of each year. Licenses and permits shall be renewed annually in the same manner upon payment of the applicable permit fee. Licenses and permits are non-transferable.

B. Individuals wishing to dispose of Refuse, Recyclables or bulky waste generated within the residential property which they occupy within the Town of Wilton must obtain a permit (decal) to enter the designated Transfer Station site. Permits (decals) may be issued for not more than two (2) vehicles per Dwelling Unit.

C. Small Business Establishments wishing to dispose of glass, metal and plastic food and beverage containers, newspaper, cardboard and office paper only on a periodic basis may obtain a temporary permit which shall be valid for one day only. Temporary permits may be issued no more frequently than once a month. The party seeking the permit shall identify the items to be disposed of, their volume or quantity, and the vehicle to be used to deliver the items to the Transfer Station site.

D. Disposal Fees

The Board of Selectmen shall establish a schedule of fees for:

i) The disposal of Refuse, bulky waste, tires and demolition material by residents
ii) The disposal of Refuse by Collectors
iii) The disposal of Recyclables by residents
iv) The disposal of Recyclables by Collectors
v) The disposal of certain designated Recyclables by Small Business Establishments
The schedule of fees, Schedule A, shall be a part of these regulations.

7. VEHICLES USED

A. Vehicles used to collect Refuse and/or Recyclables shall be of the covered type designed to keep the contents dry, and constructed to prevent leakage, access of flies, or the scattering of the contents. They shall be kept clean and in proper operating condition.

B. Vehicle bodies used to collect and transport Refuse may not be used to transport Recyclables and vice versa.

C. Before any vehicle is employed in the collection of Refuse and/or Recyclables by a Collector; the Board of Selectmen shall require the following written approvals:

   i) The Department of Environmental Health shall confirm that the vehicle meets the health requirements of this section.

   ii) The Wilton Police Department shall confirm that the vehicle meets all State of Connecticut motor vehicle requirements and is in good working condition.

D. Prior to obtaining a Collector's license or renewing a Collector's license, all vehicles to be used for collection and transport shall be inspected by the Wilton Police Department to see that they meet all state motor vehicle requirements and are in good working order.

E. All Collectors' vehicles shall be kept clean and free from exterior debris. All seals shall be maintained to prevent leakage and shall be covered to prevent littering and keep contents dry.

F. All Collector's vehicles shall be clearly marked on the two front doors with the name, address and telephone number of the Collector in lettering not less than three (3) inches in height and must display the Town of Wilton's identification decal on the front right windshield.

G. All residential vehicles using the designated Transfer Station must display the Town of Wilton's identification decal on the front right windshield.
H. Town of Wilton vehicles may collect from Town government agencies and transport and dispose of Solid Waste, including Recyclables, at the designated Transfer Station or at a site approved by the Board of Selectmen.

8. **VIOLATIONS AND PENALTIES** (amended 9/5/95)

A. It shall be unlawful for any Person, except for non-profit organizations exempted by Section 5, who is not licensed by the Town of Wilton, in accordance with these regulations, to engage in the business of collecting, delivering, transporting or disposing of Refuse and/or Recyclables in the Town of Wilton for compensation.

B. It shall be unlawful for any Person not authorized and/or licensed by the Town to collect or take Recyclables, which have been placed outside or otherwise set aside for collection within the Town of Wilton.

C. No Person shall deposit at the designated Transfer Station any Refuse containing any Recyclables. The Town retains the right to inspect any Refuse deposited at the Transfer Station and to reject said Refuse if it is found to contain substantial amounts (more than one cubic foot per load) of Recyclables.

D. No Person shall deposit any Recyclables contaminated or mixed with Refuse or other non-Recyclables at the designated Transfer Station site.

E. No Collector shall be required to take Refuse from a residence or place of business within the Town that contains any Recyclables.
F. Any Person who violates any provision of these regulations shall, in addition to other legal remedies of the Town of Wilton and the State of Connecticut, be fined not more than $100 for each offense, and each act of collecting, transporting or disposing of Solid Waste shall be a separate violation. Any refuse and/or recyclable container not licensed by the Town as provided in Article 5, may be subject to removal at the owner's and/or collector's expense. Any costs incurred by the Town in the enforcement of the regulations including the reasonable cost of removing and storing a container, and reasonable attorney's fees and court costs, if any, shall be added to the fine imposed.

G. Whenever a licensed Collector or resident persistently violates the provisions of these regulations, the Board of Selectman may suspend its license, or his or her permit.

H. Any business establishment that violates any provision of these Regulations may be fined not more than $500 for each offense.

I. All Collectors licensed under these regulations shall be notified by certified mail of the provisions made for the collection and delivery of the items that are required to be recycled by state and local laws, ordinances, and regulations. After the mailing of such notice, any Collector, pursuant to Public Act No. 90-249, that knowingly mixes other Solid Waste with items designated for Recycling shall, for a first violation, be liable for a civil penalty of not more than one thousand dollars ($1,000) and, for each subsequent violation, be liable for a civil penalty of not more than five thousand dollars ($5,000). At the request of the Commissioner of Environmental Protection, the Town of Wilton or the Attorney General may bring an action, pursuant to Public Act No. 90-249, as amended and/or supplemented, to enforce this penalty.
9. **SEVERABILITY**

   The invalidity of any section or provision of these regulations shall not affect the validity of any other part, which shall be given effect to the extent it is possible to do so without reference to such invalid part or parts.

   ____________________
   Burton L. Jones
   First Selectman

   Approved by Resolution of
   The Board of Selectmen

   Date: **October 15, 1990**
   Effective Date: **January 1, 1991**

   Amended by Resolution of
   The Board of Selectmen

   Date: **September 5, 1S995**
   Effective Date: **September 5, 1995**
**SCHEDULE A**

**WILTON TRANSFER STATION**  
**LICENSE, PERMIT and DISPOSAL FEES**

Effective ________________

<table>
<thead>
<tr>
<th><strong>COLLECTORS</strong></th>
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<tbody>
<tr>
<td>License and Inspection Fee</td>
<td>$400.00/Truck</td>
</tr>
<tr>
<td>Refuse Tipping Fee</td>
<td>65.00/Ton</td>
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<tr>
<td>Recyclables Tipping Fee</td>
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<tr>
<th><strong>RESIDENTS (DWELLING OCCUPANTS)</strong></th>
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<tbody>
<tr>
<td>Vehicle Permit (Decal)</td>
<td>$ 5.00 1st vehicle</td>
</tr>
<tr>
<td></td>
<td>$ 1.00 2nd vehicle*</td>
</tr>
<tr>
<td>Household Refuse Fee</td>
<td>$ 2.30/32 Gallon Bag</td>
</tr>
<tr>
<td>Scrap Tires from Automobiles, Vans, and Pick-Up Trucks Only</td>
<td>$ 2.30/Tire**</td>
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<tr>
<td>Bulky Waste and Demolition Material Fee</td>
<td>$11.50/Carload</td>
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<tr>
<td></td>
<td>$23.00/Pick-up truck load***</td>
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<td>Recyclables Drop-Off Fee</td>
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<tr>
<th><strong>SMALL BUSINESS ESTABLISHMENTS</strong></th>
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<tbody>
<tr>
<td>Temporary Permit (maximum 1/day/month)</td>
<td>$ 5.00 Each Temporary Permit</td>
</tr>
<tr>
<td>* Only when purchased at the same time as the first decal, maximum two (2) per Dwelling Unit</td>
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</tr>
<tr>
<td>** Must be off the rim</td>
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<tr>
<td>*** Maximum three (3) cubic yards per load</td>
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**NOTE:** Payment of Disposal Fees by residents and Small Business Establishments shall be by pre-purchased tickets only.
AN ORDINANCE REGULATING RECYCLING OF SOLID WASTE IN THE TOWN OF WILTON, CONNECTICUT

1. Establishment of Town Recycling Program. There is established a Town Solid Waste Recycling Program with standards to effect the maximum level of recycling of Solid Waste and source separation.

2. Definitions. For the purposes of this ordinance:

(a) “Acceptable Recyclable Materials” means those items to be received and processed at the SWEROC Regional Intermediate Processing Center, including glass food and beverage containers, metal food and beverage containers, newspaper and certain H.D.P.E. and P.E.T. plastic food and beverage containers and other recyclables determined by SWEROC.

(b) “Cardboard” means corrugated boxes and similar corrugated and draft paper materials, which have a minimum of contamination by food or other material.

(c) “Collector” means any Person who holds itself out for hire to collect Solid Waste from residential, business, commercial and other establishments within the Town.

(d) “Commissioner” means the Commissioner of Environmental Protection of the State of Connecticut or his authorized agent.

(e) “General Statutes” means the General Statutes of Connecticut as amended.

(f) “Glass Food and Beverage Container” means a glass bottle or jar of any size or shape used to package food or beverage products suitable for human or animal consumption.

(g) “H.D.P.E. (High Density Polyethylene) Plastic Food and Beverage Container” means any high density polyethylene bottle, jar or container of any size or shape used to package food or beverage products suitable for human or animal consumption or used for household laundry products or motor oil which are marked on the bottom with the number “2” encircled by the recycling symbol.

(h) “Inter-Community Agreement” means the Agreement of September 15, 1989 entered into by the towns and cities in Southwest of Connecticut to form SWEROC and establish a regional recycling program.

(i) “Intermediate Processing Facility” or “Intermediate Processing Center” means a facility where glass, metals, paper products, batteries, household hazardous waste, fertilizers, and other items are removed from the waste stream for recycling or reuse.

(j) “Leaves” means the foliage of trees.

(k) “Metal Food and Beverage Container” means an aluminum, bi-metal, steel, tin-plated steel, or other metallic can, plate or tray of any size or shape used to
package food or beverage products suitable for human or animal consumption.

(l) “Newspaper” means used or discarded newsprint, which has a minimum of contamination by food or other material.

(m) “Office Paper” means used or discarded high-grade white paper and manila paper including, but not limited to, paper utilized for file folders, tab cards, writing, typing, printing, computer printing and photo-copying, which is suitable for recycling and which has a minimum of contamination, excluding office paper generated by households.

(n) “Person” means any individual, organization, corporation, trust, partnership, foundation, group, association, or establishment or any combination of them.

(o) “P.E.T. (Polyethylene Terephthalate) Plastic Food and Beverage Container” means any polyethylene terephthalate bottle, jar or container of any size or shape used to package food or beverage products suitable for human or animal consumption which is marked on the bottom of the bottle, jar or container with the number “1” encircled by the recycling symbol.

(p) “Recyclables” or “Items Required to be Recycled” or “Statutory Recyclable Materials” means cardboard, glass food and beverage containers, metal food and beverage containers, newspaper, certain H.D.P.E. and P.E.T. plastic food and beverage containers, office paper, scrap metal, storage batteries and waste oil, as defined herein and such other items as may be designated by the Commissioner.

(q) “Recycle” means to separate or divert an item or items from the solid waste stream for the purpose of processing it or causing it to be processed into a material product, including the production of compost, in order to provide for disposition of the item or items in a manner, other than incineration or landfilling, which will best protect the environment.

(r) “Recycling” means the processing of solid waste to reclaim material therefrom.

(s) “Recycling Facility” or “Recycling Center” means land and appurtenances thereon and structures where recycling is conducted, including but not limited to, an Intermediate Processing Center.

(t) “Residential Property” means real estate containing one or more dwelling units excluding hospitals, institutions, motels and hotels.

(u) “Resources Recovery Facility” means a facility utilizing processes to reclaim energy from municipal solid waste and, particularly, the Greater Bridgeport Resources Recovery Facility located in Bridgeport.

(v) “Scrap Metal” means used or discarded items which consist predominately of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof, including, but not limited to, “white goods” and metal containers.
“Solid Waste” means solid, liquid, semisolid or contained gaseous material that is unwanted or discarded, including but not limited to, material processed at a Recycling Facility.

“Solid Waste Facility” means any Solid Waste Disposal Area, volume reduction plant, transfer station, wood burning facility, or biomedical waste treatment facility.

“Solid Waste Disposal Area” means land and appurtenances thereon and structures, including a landfill or other land disposal site, used for the disposal of more than ten cubic yards of solid waste.

“State” means the State of Connecticut.

“Storage Battery” means lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors and like applications.

“SWEROC” means the Southwest Connecticut Regional Recycling Operating Committee created by the Inter-Community Agreement among the towns and cities in Southwest Connecticut to establish a regional recycling program.

“Town” means the Town of Wilton, and includes authorized officers, boards, commissions and agencies of the Town.

“Waste Oil” means crankcase oil that has been utilized in internal combustion engines.

3. **Administrator of Town Recycling Program.** The Board of Selectmen is vested with full powers to develop and operate a recycling program consistent with this ordinance, the Inter-Community Agreement establishing the Southwest Connecticut Regional Recycling Operating Committee, policies promulgated by SWEROC and the laws and regulations of the State. The Board of Selectmen shall appoint an Administrator of the Recycling Program to supervise the operation and coordination of the Recycling Program established by the Board of Selectmen.

4. **Scope of Town Recycling Program.**

Under the provisions of the Inter-Community Agreement, the Town of Wilton has the following obligations:

(1) To require residential acceptable recyclable materials generated within its boundaries as determined by SWEROC to be processed pursuant to the provisions of the Inter-Community Agreement;

(2) To have (i) residential statutory recyclable materials that are not processed at the regional Intermediate Processing Center and (ii) all commercial and non-residential statutory Recyclable Materials generated within its boundaries, processed in accordance with applicable Regulations of Connecticut State Agencies;
(3) To collect and/or receive and transfer to the regional Intermediate Processing Center or such place as designated by SWEROC all residential Acceptable Recyclable Materials as determined by SWEROC;

(4) To pay to SWEROC each month the Town’s proportionate share of the cost associated with its participation in the regional recycling program; and

(5) To meet any other obligations in accordance with the terms of the Inter-Community Agreement, as it may be amended from time to time.

5. Fulfillment of Contractual and Statutory Obligations. By adoption of this ordinance, the Town shall:

(a) Fulfill its obligation under Section 2.08 of the April 27, 1990 Agreement between the State of Connecticut and SWEROC to adopt “a mandatory source separation ordinance…sufficient to implement its recycling program in the context of the regional recycling effort”; and

(b) Comply with Section 22a-220 of the General Statutes as amended by Section 2 of Public Act No. 90-220 “To adopt an ordinance…setting forth measures to assure the compliance of persons within its boundaries with the requirements of Subsection (c) of Section 22a-241b, as amended by Section 1 of…(Public Act 90-220) and to assure compliance of Collectors with the requirements of Subsection (a) of Section 4 of…(Public Act 90-220)

6. Issuance of Regulations and Instructions Governing the Operations of the Recycling Program. The Board of Selectmen is authorized and directed to promulgate regulations and instructions setting forth-detailed procedures to be followed by residents, businesses and institutions, collectors and others, to be binding upon all persons within the Town.

7. Separation of Items Required to be Recycled from Other Solid Waste.

(a) Residential

(1) On and after January 1, 1991, each person who generates Solid Waste from Residential Property within the Town shall separate from other Solid Waste the following recyclable items:

   (i) Cardboard
   (ii) Glass food and beverage containers,
   (iii) Leaves,
   (iv) Metal food and beverage containers,
   (v) Newspaper,
   (vi) Scrap metal
   (vii) Storage batteries
   (viii) Waste oil, and
   (ix) Certain plastic food and beverage containers as described more fully below.
(2) Each person who generates Solid Waste from Residential Property within the Town shall place in an appropriate container the following items required to be recycled:

(i) Glass food and beverage containers,
(ii) Metal food and beverage containers,
(iii) Newspaper,
(iv) P.E.T. (Polyethylene Terephthalate) plastic food and beverage containers which are marked on the bottom with the number “1” encircled by the recycling symbol.
(v) H.D.P.E. (High Density Polyethylene) plastic food and beverage containers which are marked on the bottom with the number “2” encircled by the recycling symbol, and
(vi) Such other items as may be designated by the Board of Selectmen.

(b) Non-residential

On and after January 1, 1991, each person who generates Solid Waste from property other than Residential Properties shall make provision for the separation from other Solid Waste of the following items required to be recycled:

(i) Cardboard
(ii) Glass food and beverage containers
(iii) Leaves
(iv) Metal food and beverage containers
(v) Newspaper
(vi) Office paper
(vii) Scrap metal
(viii) Storage batteries
(ix) Waste oil
(x) P.E.T (Polyethylene Terephthalate) plastic food and beverage containers which are marked on the bottom with the number “1” encircled by the recycling symbol,
(xi) H.D.P.E. (High Density Polyethylene) plastic food and beverage containers which are marked on the bottom with the number “2” encircled by the recycling symbol, and
(xii) Such other items as may be designated by the Board of Selectmen.

8. Collection, Recycling and Sale of Items Required to be Recycled.

(a) The items listed in Section 7(a) (2) above shall be collected and/or received at the Town’s Transfer Station or other site designated by the Board of Selectmen and, thereafter, delivered to the regional Intermediate Processing Center or to such other site designated by SWEROC, such collection and/or receipt and delivery to be in accordance with the provisions of this ordinance, the Inter-Community Agreement, policies promulgated by SWEROC and approved by the Board of Selectmen, and any agreement entered into by SWEROC and approved by the Board of Selectmen for the processing and marketing of Items.
Required to be Recycled, and Section 22a-24b of the General Statutes as amended by Subsection (c) of Section 1 of Public Act 90-220.

(b) Each owner, tenant and operator of property used for business, institutional and other non-residential purposes, at such person's expense, shall collect and have recycled the items listed in Section 7(b) which are generated from properties other than Residential Property, in accordance with the provisions of this ordinance, the Inter-Community Agreement, policies promulgated by SWEROC and approved by the Board of Selectmen and applicable State laws and regulations. Such owner, tenant and operator shall be jointly and severally liable to comply with this provision.

(c) To assist the Town in monitoring the separation, collection, recycling and sale of Items Required to be Recycled that are generated from properties other than Residential Property, the Board of Selectmen may require such non-residential generators to submit plans for such recycling and periodic reports setting forth specified data relating to the amount and nature of items recycled.

9. Regulation of Collectors.

(a) Any Collector hauling solid waste generated by residential, business or other establishments within the Town shall register in the Town in accordance with regulations to be adopted pursuant to this ordinance.

(b) The two front doors of any vehicle used by a Collector to haul solid waste generated within the Town shall be clearly marked with the business name and address of such Collector.

(c) The Board of Selectmen shall, by mail, give notice of this ordinance and any regulations promulgated hereunder for the collection, hauling, processing and marketing of Items Required to be Recycled to all Collectors registered under Subsection (a) of this Section 9. After receipt of such notice, any Collector who has reason to believe that a person from whom it has collected Solid Waste has discarded Items Required to be Recycled with such Solid Waste, shall promptly notify the Administrator of the Recycling Program of the alleged violation. Upon request by the Administrator of the Recycling Program, a Collector shall provide a warning notice, by tag or other means, to any person suspected by the Administrator of the Recycling program of violating the separation requirements of this Ordinance. Each Collector shall also notify the Administrator of the Recycling Program of any person depositing for collection significant quantities of Items Required to be Recycled mixed with solid waste for delivery to a Resources Recovery Facility or Solid Waste Facility by such Collector.

(d) On and after January 1, 1991, as required by Section 4(b) of Public Act No. 90-220, the owner or operator of each Resources Recovery Facility or Solid Waste Facility who has reason to believe, upon visual inspection, that a load of Solid Waste which is delivered to the facility, contains significant quantities of any Items Required to be Recycled is required to provide prompt notification of such belief to the driver of the vehicles delivering the load and to the Administrator of the Recycling Program if the load originated within the Town. Under said
Section 4(b) of Public Act 90-220, the owner or operator of each Resources Recovery Facility or Solid Waste Facility is also required to conduct unannounced inspections of loads delivered to such facility.

(e) Any Collector who dumps more than one cubic foot in volume of Solid Waste at one time in an area within the Town not designated for the disposal of such Solid Waste or who knowingly mixes other Solid Waste with Items Required to be Recycled shall for a first violation be liable for a civil penalty of up to one thousand dollars and for each subsequent violation shall be liable for a civil penalty of up to five thousand dollars. The Town or the Attorney General, at the request of the Commissioner, may bring an action under Section 3(f) of Public Act 90-220, which action shall have precedence in the order of trial as provided in Section 52-191 of the General Statutes.

10. **Charge for Recycling Services.** The Town, by action of its Board of Selectmen, may levy a charge for the collection and/or receipt and/or processing of Solid Waste brought to a facility for recycling.

11. **Designation of SWEROC as the Town’s Regional Agent for Purpose of Submitting Annual Report.** SWEROC is designated as the Town’s regional agent to provide the report due on July 1, 1991 and annually thereafter pursuant to Section 2(e) of Public Act 90-220.

12. **Prohibition of Scavenging.** It shall be a violation of this ordinance for any person not authorized by the Town to collect or pick up, or cause to be collected or picked up, any Recyclables which have been set aside for collection.

13. **Penalties.**

(a) The Town, acting by the Board of Selectmen, may impose a penalty not to exceed five hundred dollars for each violation by a commercial establishment of the requirements of this ordinance.

(b) Except as otherwise expressly provided herein, any person who violates the provisions of this ordinance shall, in addition to other legal remedies available to the Town, be cited or fined not more than one hundred dollars for each offense, and each violation of this ordinance, shall be a separate violation. This ordinance and the regulations and instructions promulgated pursuant to this ordinance may be enforce by citations issued by the Administrator of the Recycling Program. Before issuing any citation the Administrator of the Recycling Program shall issue a written warning providing notice of the specific violation in accordance with Section 7-148(c)(10)(a) of the General Statutes.

(c) The citation hearing procedure provided in Section 7-152c of the General Statutes is established as the Town’s citation hearing procedure to be followed when citations pursuant to Section 13(b) of this ordinance are issued. The Board of Selectmen is authorized to issue such rules and regulations governing the operation of the citation hearing procedure so long as such rules and regulations are consistent with Section 7-152c of the General Statutes.
(d) **Severability.** If any word, clause, section or provision of this ordinance is found to be invalid, such finding shall not affect the validity of any other part hereof provided that such other part may be given effect without reference to the invalid part or parts.