

**SOLID WASTE  
ORDINANCE #00-31  
PROPOSED FEE CHANGE**

The Town of Hooksett ordains that, pursuant to the authority granted under Section 3.6 of the Hooksett town Charter, the following ordinance is hereby enacted in the Town of Hooksett:

**INTRODUCTION**

An Ordinance is hereby created establishing control of solid waste in the Town of Hooksett (Town), implementing rules and regulations for the operation of the Transfer and Recycling Center (Center), and setting fees for the use of the facilities thereof.

Whereas, the control and regulation of solid waste will serve the public interest, protect the health and safety of Town residents, and conserve our natural resources, and,

Whereas the town has authority pursuant to State law and the town Charter to establish rules and regulations for the control of solid waste, to establish permit regulations, and to prescribe penalties for the violations thereof, and

Whereas it is necessary to establish the rules and regulations for the acceptance of solid waste, therefore be it ordained by the Town of Hooksett, the County of Merrimack, and the State of New Hampshire, that a solid waste ordinance is hereby established setting forth regulations governing the use of the Center and requiring that permits be obtained and fees paid.

**SECTION 1  
DEFINITIONS AND WORD USAGE**

As used in this Ordinance, the following terms shall have the following meanings;

**CENTER.** The Town of Hooksett Transfer and Recycling Center situated off route 3A.

**COMMERCIAL.** Any and all nonresidential activities.

**CONSTRUCTION DEBRIS.** Non putrescible waste building materials and rubble.

**DEMOLITION WASTE.** See Construction Debris

**DISPOSAL.** The discharge, deposit, injection, dumping, spilling, leaking, or placement of any solid waste into or onto any land or water so that such solid waste or any constituent of it may enter the environment, be emitted into the air, or be discharged into any water, including groundwater.

**HAZARDOUS WASTE.** Any material which has been identified as hazardous waste by the New Hampshire Department of Environmental Services. Such wastes include, but are not limited to, those which are ignitable, irritants, or strong sensitizers, or any combination of these wastes which, because of either quantity, concentration, or physical, chemical or infectious characteristics may: a) cause or contribute to an increase in mortality or an increase in irreversible or incapacitating reversible illness;

and or b) pose a present or potential threat to humans or the environment when improperly treated, stored, transported, disposed of, or otherwise mismanaged.

**INFECTIOUS WASTE.** Any waste which, because of its infectious nature, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

**HOUSEHOLD HAZARDOUS WASTE.** Hazardous waste generated from non-commercial usage by persons in their living abodes.

**METAL GOODS (METAL).** Metal goods include household appliances, air conditioners, aluminum lawn chairs, aluminum windows, outside grills, hot water tanks, and other metallic items that can be readily recycled and marketed.

**MOTOR VEHICLE WASTE.** Used motor oil, motor vehicle batteries, antifreeze, and tires from motorized vehicles.

**RECYCLABLES.** Any item within the town recycling program which can be recycled with the intent of reusing that item.

**RECYCLING.** The collection, storage processing, and redistribution of separated solid waste so as to return material to the marketplace.

**REFUSE.** Any solid waste product which is composed wholly or partly of such materials as garbage, swill, sweepings, cleanings, trash, rubbish, litter, industrial solid wastes, organic wastes, and domestic solid wastes.

**RESIDENT.** A person who is domiciled or has a place of abode in the Town of Hooksett and who has, through all of his or her actions, demonstrated a current intent to designate that place of abode as his or her principal place of physical presence for the indefinite future to the exclusion of all others.

**SOLID WASTE.** Any matter consisting of putrescible material, refuse, and other discarded or abandoned material. It includes solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. For the purposes of this Ordinance, it does not include hazardous waste as defined in RSA 147A:2, infectious waste as defined in this Section, solid or dissolved materials and irrigation return flows, or municipal and industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended, or source special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended. Solid Waste includes municipal solid waste (MSW) as defined in State Waste Rule ENV-WM 103.23

**USER FEE.** A charge usually by a municipality to users of a service.

**YARD WASTE.** Leaves, grass clippings, weeds, hedge clippings, garden waste, and twigs.

## SECTION II STATUTORY AND REGULATORY AUTHORITY

The Center is operated and maintained in accordance with RSA 149-M:17 solely to receive, transport, and dispose of authorized solid waste generated within the geographical boundaries of the Town.

These regulations have been recommended by the Recycling and Transfer Advisory Committee and adopted by the Town Council pursuant to the authority granted the Council by RSA 149-M:17, II and 31:39, I (f). These regulations are intended to:

1. Prevent unauthorized entrance into and/or use of the Center;
2. Prohibit the disposal of illegal and/or unacceptable solid waste;
3. control the disposal of authorized solid waste to facilitate compliance with operating standards, improve efficiency and productivity, encourage recycling and reuse of our resources, and maximize the life of the Center; and
4. Establish permit procedures.

The Superintendent of the Center is authorized to promulgate additional regulations subject to the approval of the Town council which may include, but are not limited to, the following subjects:

1. Separation of solid wastes and other materials;
2. Inspection procedures;
3. Hours of operation; and
4. Establishing fees.

## SECTION III USE OF CENTER

### A. Permit Required

No resident shall dispose of solid waste at the Center without having obtained a permit for such activity. In the event, the vehicle being used is not registered in Hooksett, paperwork disclosing the residential address must be submitted.

### B. Removal of Material

No material shall be removed from the Center without authorization.

C. Designated Areas

Solid waste shall be disposed of only in the designated areas.

D. Unauthorized Entry

No person shall enter or attempt to enter the Center at times other than during posted operating hours.

SECTION IV  
RECYCLING

The policy of the Center is to promote and encourage recycling within the Town. The recycling program is intended to facilitate the reuse of resources, reduce operating costs through the avoidance of high tipping fee rates, and provide additional income to the Town (when applicable).

Residents, who use the facility, will be required to recycle cardboard. Cardboard is easily accepted in an area clearly marked. The recycling of other materials is strongly encouraged.

SECTION V  
SOLID WASTE POLICIES

A. Acceptable Solid Waste

Solid waste which is allowed to be received at the Center includes refuse, construction debris and demolition waste, motor vehicle waste, yard waste residential brush, appliances, and scrap metal. user fees may apply, see Section VIII.

Clean demolition will be accepted: sheetrock (must be kept separate) wood, asphalt shingles (must be kept separate) and bricks (must be kept separate).

Metal items and appliances will be accepted. Appliances with Freon will be kept separate.

Yard waste (grass clippings, garden waste, and leaves) must be brought to the designated area (compost pile) and must be free from branches. Material brought in plastic bags must be emptied.

Some household hazardous wastes may be brought to the facility. Residents need to contact the facility to determine if it can be accepted.

B. Unacceptable Solid Waste

Materials which will not be accepted at the Center shall include, but not be limited to, the following:

1. Hazardous Waste. Hazardous waste or materials which the Town considers to be detrimental to the operation of the Center or which require special handling or disposal procedures.
2. Other. Infectious, pathological and biological waste, radioactive materials, oil sludges, hazardous refuse of any kind, or other substances which are now or are hereafter considered harmful, inflammable, hazardous, or toxic, or which would otherwise not normally be allowed for burial under New Hampshire Department of Environmental Services or U.S. Environmental Protection Agency regulations, or which would be likely to pose a threat to health or safety, or which may cause damage to or adversely affect the operation of the Center.
3. Tires on rims. Also see Section VII, Fees.
4. Stumps; Logs. Stumps and logs greater than three inches in diameter or three feet in length.

## SECTION VI PERMIT PROCEDURES

### A. In General.

Permits may be obtained during normal business hours at the Center, 210 West River road, Hooksett, New Hampshire.

All permits shall be nontransferable.

Each vehicle intended for transport of solid waste to the Center must be permitted.

Permits must be prominently displayed on the window of the passenger side of the vehicle, which is bearing solid waste to be disposed of at the Center.

1. Residential
  - a. Any person applying for a permit must present a vehicle registration showing residence in the Town.
  - b. Permits are issued free of charge.
2. Commercial.
  - a. Any commercial entity must call the office for permission to enter the premises and have proper identification of legal Hooksett address. Permits will not be issued.

- b. Hooksett commercial entities, may use the facility only to bring in solid waste that is generated in Hooksett

B. Revocation of Permit

The Superintendent may revoke the permit of any holder when a written finding is made that the holder of the permit or the holder's agent has violated any provisions of these regulations or any regulations promulgated hereunder. The Superintendent will provide written notice of the revocation to the holder of the permit by certified mail. Any person ~~or commercial entity~~ with such notice of revocation may request a hearing before the Town Administrator within fifteen (15) days of the receipt of such notice. The Town Administrator will affirm, reverse, or modify the action of the Superintendent. The revocation of the permit will be stayed during the pendency of the appeal.

SECTION VII  
VIOLATIONS AND PENALTIES

Any person or commercial entity violating any provision of this ordinance or any regulation adopted pursuant to this Ordinance shall:

- a. be subject to a civil penalty not to exceed \$3,000 for each act constituting a violation of this Ordinance or the regulations adopted pursuant hereto;
- b. be subject to revocation of permission to use the Center;
- c. be liable for all costs incurred by the Town resulting from the violation and enforcement of this Ordinance, including attorney's fees; and,
- d. be liable for all costs of removal of solid waste improperly disposed of and all costs incurred by the Town resulting from the improper disposal of waste at the Center.

SECTION VIII  
FEES

The following disposal fees (user fees) are designed to defray some of the expense incurred by the Town in administering and operating the Center. This list is not meant to be all inclusive and additional information can be obtained by calling the office at 669-5198 or checking the website at [www.hooksett.org](http://www.hooksett.org) and checking under the Recycling and Transfer Department

- Demolition. \$100.00 per ton
- Furniture. \$100.00 per ton
- Carpet. \$100.00 per ton (must be cut into 4' lengths).

~~Electronics.~~ \$ .11 per pound

Electronics. \$ .15 per pound

Metal. Fee assessed per unit.

Metal with refrigerants (per unit) Resident \$11.00 Commercial \$20.00

Appliances (per unit) \$5.00

Recycling No fee

Solid Waste Resident \$0 Commercial \$100.00 per ton

Tires (not on rims)

Resident – No charge for the first four tires (passenger tires) per year per registered Hooksett vehicle, thereafter a charge of \$2.00 for each tire. Not accepted from commercial entities.

Yard Waste Fee assessed per load, one –ton truck.

Resident \$0 Commercial \$15.00

Adopted: 6/11/97

Amended: 3/10/10

Amended: 10/8/2014