

Chapter 144

SOLID WASTE

[HISTORY: Adopted by the Board of Selectmen of the Town of Granby as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Violation and citation hearing procedures — See Ch. 58.

Nuisances — See Ch. 114.

Sewers — See Ch. 138.

Abandoned, inoperable or unregistered vehicles — See Ch. 167.

Fees — See Ch. A184.

ARTICLE I

Town Transfer Station

[Adopted 10-8-1962; amended in its entirety at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

§ 144-1. Location.

The transfer station shall be located on property owned by the Town of Granby north of Old Stagecoach Road and west of Notch Road. The boundaries of the actual dumping areas may be changed by the Board of Selectmen from time to time.

§ 144-2. Operation.

- A. The use of the transfer station is restricted to residents of Granby and to persons doing business in Granby and is restricted to matter actually produced in the Town.
- B. The Town transfer station is to be fenced and the gate locked when the transfer station is not open.
- C. Access to the dumping area is from Notch Road at a point just north of the "notch" by way of Old Stagecoach Road (so-called).
- D. The transfer station shall be operated on a sanitary-landfill basis with the fill applied at least once a week, unless the weather prevents it. The frequency of compacting and application of fill shall be determined by the Board of Selectmen.
- E. A chemical pesticide shall be applied at the end of each dumping period for the control of insects and rodents.
- F. Burning of material in the transfer station shall be done only with the approval of a Fire Warden.
- G. A clear area around the dumping point will be maintained as a fire break.
- H. A custodian shall be on duty whenever the transfer station is open. He shall be employed by the Town and shall be responsible for the enforcement of the transfer

station regulations.

- I. Salvage rights shall be awarded to the custodian.
- J. The Board of Selectmen may temporarily close the transfer station if they deem such action to be necessary for the welfare of the Town.
- K. The Board of Selectmen may make additional rules governing operation and maintenance of the transfer station, providing that such rules do not conflict with this article.

§ 144-3. Rules for users.

Failure to comply with the rules enumerated below will subject the violator to a fine of not more than \$250. Dumping permits may be rescinded for cause at the discretion of the Board of Selectmen.

- A. Permits. The following shall obtain permits from the Town Manager in order to dump:
 - (1) Commercial rubbish collectors.
 - (2) Business firms or individuals dumping large volumes (three yards or more at a time). Charges for permits shall be determined by the Board of Selectmen.
- B. Nonpermitted dumping. The following items shall not be deposited in the transfer station:
 - (1) Dead animals.
 - (2) Junked motor vehicles.
 - (3) Motor vehicle bodies.
 - (4) Chemical waste (dissolved or in bulk).
 - (5) Oily liquids.
 - (6) Septic tank sludge or sewage.
 - (7) Trees, stumps, stones, building materials (such as beams, boards, concrete fragments, etc.) or large brush (over three feet long). Individual homeowners may dump moderate amounts of refuse from dooryard trees and shrubs as well as building materials.
- C. The days and hours that the transfer station will be open shall be determined by the Board of Selectmen.
- D. No waste material may be transported to or removed from the transfer station except in covered containers or covered vehicles.

ARTICLE II

Recycling

[Adopted 11-7-1988; amended in its entirety 8-17-1992]

§ 144-4. Declaration of policy.

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

- A. The Town of Granby is authorized by law to regulate the disposition of solid waste generated within its boundaries and to collect a charge therefor and to license refuse collectors; and
- B. The Town of Granby is also authorized by Connecticut General Statutes to designate the area where solid waste generated within its boundaries shall be disposed and to assist in the statewide recycling efforts; and
- C. The Town of Granby has executed the municipal service agreement requiring it to cause all solid waste generated within its boundaries and which meets the contractual standards to be delivered to the Mid-Connecticut System; and
- D. The public health, safety and general welfare of the Town of Granby will be best served by reducing the amount of such solid waste by encouraging and requiring the recycling of certain materials; and
- E. The enactment of this article is seen as a cost-saving method for the Town and its citizens and as a way to preserve the quality of our environment.

§ 144-5. Recyclable items.

For the purpose of this article, recyclables include:

- A. Items required by the State of Connecticut Recycling Regulation, C.G.S. § 22a-241 et seq., as amended, such as:
 - (1) Glass food and beverage jars and bottles.
 - (2) Metal food and beverage containers.
 - (3) Clean newspaper.
 - (4) Corrugated-type cardboard.
 - (5) White office paper (other than residential).
 - (6) Waste oil (crankcase oil only).
 - (7) Lead acid batteries.
 - (8) Scrap metal.
 - (9) Leaves.
- B. Other items which may now or in the future be designated as recyclable by the Director of Public Works.

§ 144-6. Separation of recyclables.

All recyclables shall be kept separate from solid waste as follows:

- A. One- and two-family residential generators of solid waste shall separate designated recyclables from solid waste.
- B. All other generators of solid waste (commercial, industrial, governmental, institutional, multifamily, etc.) shall make provision for the separation of designated recyclables.

§ 144-7. Preparation of recyclables for collection.

- A. Residents of one- and two-family structures shall separate all recyclables from nonrecyclables by the following methods and shall maintain them in a clean manner:
 - (1) Clean and unsoiled newspaper shall be separated from other rubbish and placed into designated recycling containers; or shall be separated as otherwise directed by the Director of Public Works.¹
 - (2) Glass and metal food and beverage containers, jars and bottles shall be separated from other rubbish and combined in recycling containers.
 - (3) Corrugated-type cardboard shall be separated from other rubbish, flattened and placed into the recycling container.²
 - (4) Waste oil, lead acid batteries, scrap metal and leaves shall each be separated from other rubbish and shall be delivered to a location designated by the Director of Public Works.
- B. One- and two-family residential generators shall be required to place the materials separated under Subsection A(1), (2) and (3) above at the curbside for pickup. Such recyclables shall be collected from residential properties at least once a month, according to policies prescribed by the Director of Public Works. Additional pickup of recyclable materials may be conducted pursuant to policies and procedures prescribed by the Director of Public Works. A reasonable fee may be charged for such collections. All other generators of solid waste shall make separate provision for the separation, collection and disposal of each kind of recyclable as defined in § 144-5 of this article, which separation, collection and disposal shall be consistent with the purpose of this article and with policies and procedures prescribed by the Director of Public Works.

§ 144-8. Responsibilities of collectors.

- A. Any registered collector of solid waste who has reason to believe that a person from whom he collects solid waste has violated the separation requirements of this article shall issue a warning notice (provided by the Town of Granby) and shall promptly notify the Director of Public Works of the alleged violation. Collectors shall also

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

assist the Director of Public Works in identifying persons responsible for creating loads of recyclables mixed with solid waste.

- B. All registered collectors of solid waste/recyclables shall report to the Town the amount (in tons), items collected and facilities delivered to in accordance with the reporting procedures set forth by the Director of Public Works.

§ 144-9. Scavenging prohibited.

It shall be a violation of this article for any person not authorized by the Town of Granby to collect or pick up any recyclables left for collection.

§ 144-10. Designation of enforcement agent.

The Director of Public Works shall be the enforcement agent and, as such, shall receive notice of violations from collectors and disposal facilities, shall develop warning notices for collectors to issue and shall be responsible for imposing penalties on violators.

§ 144-11. Penalties for offenses; enforcement.³

Any person violating any provision of this article or the regulations enacted hereunder shall be fined not more than \$250 for each offense. In addition, the Town of Granby may refuse to collect or receive garbage, rubbish or other refuse from any generator who violates this article or the regulations promulgated hereunder. The Town of Granby may suspend the registration of any refuse collector who violates any provision of this article . The Director of Public Works shall be responsible for the enforcement of this article and shall have full discretionary authority in deciding all disputed questions arising under the provisions of this article or the regulations enacted hereunder.

ARTICLE III
Storage, Collection and Disposal
[Adopted 11-7-1988]

§ 144-12. Declaration of policy.

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

- A. The Town of Granby is authorized by law to regulate the disposition of solid waste generated within its boundaries and to collect a charge therefor and to license refuse collectors; and
- B. The Town of Granby is also authorized by Connecticut General Statutes, § 22a-220a, to designate the area where solid waste generated within its boundaries shall be disposed; and
- C. The Town of Granby has executed the municipal service agreement requiring it to

³. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

cause all solid waste generated within its boundaries and which meets the contractual standards to be delivered to the Mid-Connecticut System; and

- D. The public healthy safety and general welfare of the Town of Granby will be best served by requiring the delivery of such solid waste to the Mid-Connecticut System for processing by the Mid-Connecticut System and the generation of electricity; and
- E. The enactment of this article is in furtherance of this municipality's regional solid waste management plan.

§ 144-13. Definitions.

As used in this article, the following terms shall have the meanings indicated:

AUTHORITY — The Connecticut Resources Recovery Authority established pursuant to Chapter 446e of the Connecticut General Statutes, as amended.

CANS or DRUMS — Five gallon capacity, opened and empty.

CONTRACTUAL STANDARDS — For solid waste delivered to the Mid-Connecticut System are as follows:

- A. It must be solid waste emanating from within the corporate boundaries of the Town of Granby;
- B. It must not be of such a quantity, quality or other nature as to materially impair the operation or capacity of the Mid-Connecticut System or any portion thereof, normal and reasonable wear and usage excepted;
- C. It must not be of such a quantity, quality or other nature as to materially impair the strength or durability of the structures, equipment, or works which are part of the Mid-Connecticut System or any portion thereof;
- D. It must not be of such quantity, quality or other nature as to create flammable or explosive conditions in the Mid-Connecticut System or any portion thereof;
- E. It must not contain chemical or other properties which are deleterious, as determined by the Authority, or capable of causing material damage to any part of the system or to personnel;
- F. It must not include any hazardous waste; and
- G. It must not exceed the following dimensions:
 - (1) Lumber: six feet in length or width or four inches in thickness.
 - (2) Trees or limbs: six feet in length or three inches in diameter, branches cut to within six inches of the trunk.
 - (3) Metal pipe: three feet in length and 1 1/2 inches inside diameter.

DIRECTOR — The Director of Public Works of the Town of Granby.

DISPOSAL CHARGE — That amount of money to be charged for each ton of solid

waste delivered to the Mid-Connecticut System as established by the procedures authorized in the municipal service agreement.

HAZARDOUS WASTE — Pathological, biological, cesspool or other human wastes, human and animal remains, radioactive, toxic, and other hazardous wastes which, according to federal, state or local rules or regulations from time to time in effect, require special handling in their collection, treatment or disposal, including those regulated under 42 U.S.C. §§ 6921 through 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. § 6901, such as cleaning fluids, crankcase oils, cutting oils, paints, acids, caustics, poisons, drugs, fine powdery earth used to filter cleaning fluid and refuse of similar nature.

MID-CONNECTICUT SYSTEM — The system for the processing of solid waste and the recovery of energy therefrom constructed by the Authority pursuant to the municipal service agreement.

MUNICIPAL SERVICE AGREEMENT — The municipal solid waste management services contract between the Town of Granby and the Authority dated as of 1984.

REFUSE COLLECTORS — Includes any person, firm or corporation engaged in the business of collecting and transporting commercial household or industrial solid waste for hire within the Town of Granby.

SOLID WASTE — Unwanted or discarded materials consistent with the meaning of that term pursuant to § 22a-260(7) of the Connecticut General Statutes, excluding semisolid or liquid materials collected and treated in a sewerage system.

§ 144-14. License required for refuse collections.

All solid waste accumulated in the Town of Granby shall be collected, conveyed and disposed of by the Town of Granby or by persons licensed by the Town of Granby to perform such work in accordance with the provisions of this article and in accordance with other local, state or federal regulations as may apply. No solid waste collected from outside the Town of Granby shall be disposed of under a license or registration issued pursuant to this article.

§ 144-15. Licensing of refuse collectors; registration of vehicles.

- A. Licensing and registration authority designated. The Director shall be the licensing and registration authority for refuse collectors and 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 fees as outlined in Subsections B and D below unless it is found that one or more of the following conditions prevail:
- (1) 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
 - (2) 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. License required. Each refuse collector shall annually on or before July 1 apply for a license from the Director on such form or forms as shall be prescribed to engage in the business of solid waste collection in the Town of Granby. An annual licensing fee shall be as set by the Board of Selectman⁴ and shall be paid prior to the issuance of any such license.⁵
- C. Registration of vehicles and containers. Each licensed refuse collector shall obtain a separate registration for each vehicle used to collect, transport and/or deposit solid waste within the Town of Granby or its system. When the vehicle is employed to transport more than one container, each container to be transported instead of the vehicle shall be registered. Registrations shall not be transferable from vehicle to vehicle nor from container to container; provided, however, the Director may allow such temporary transfer of registrations in hardship situations, such as a temporary breakdown of an individually licensed vehicle.
- D. Registration term, fee, renewal. All registrations shall be issued for a term not to exceed one year and shall be renewable on or before the first day of July each year. The registration fee for each vehicle or container shall be as set by the Board of Selectman.⁶ Containers of less than one yard shall not be subject to the registration and fee requirement.⁷
- E. Reinspection upon sale or transfer of vehicle during registration year. Whenever a duly registered vehicle is sold or transferred to another refuse collector licensed in the Town of Granby during the registration year, said vehicle shall be reinspected within seven days of such transfer date but no additional fee shall be required.
- F. 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.
- G. Licenses nontransferable. Licenses are not transferable. When any licensee shall sell or transfer all or part of his business to any refuse collector not licensed in the Town of Granby, he shall first notify the Director, in writing, no less than 10 days prior to the sale date and the transferee shall, at the same time, make application for a license to operate in the Town of Granby.

§ 144-16. Residential refuse collection policy.

The Town of Granby shall be responsible for residential refuse collection in accordance with the following conditions:

- A. Refuse shall only be removed when it is properly placed along a Town-owned or

4. Editor's Note: See Ch. A184, Fees.

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

6. Editor's Note: See Ch. A184, Fees.

7. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

state-owned public right-of-way or in the right-of-way of an approved subdivision road not presently accepted. Requests for an exception to the above must be submitted to the Director by February of each year.

- B. Refuse shall only be removed when it is stored in Town-approved containers.
- C. Refuse shall be removed from one- and two-family residential structures along public streets. Exceptions may be granted for noncommercial properties upon written application to the Director. Requests for an exception must be submitted to the Director by February 1 of each year.
- D. Refuse will be removed on a specified day in accordance with the policy set forth by the Director.⁸
- E. Refuse shall be placed at curbside in accordance with the policy set forth by the Director.
- F. Refuse may not be placed at curbside prior to 4:00 p.m. the day before pickup.
- G. Refuse containers must be removed from curbside no later than 7:00 a.m. of the day after pickup.
- H. Items designated as recyclables shall be placed at curbside in accordance with Article II, Recycling.
- I. Refuse shall not include any item listed as recyclable or any item deemed unacceptable by the Connecticut Resources Recovery Authority. Refuse shall include waste which accumulates from the preparation of food, plastic, metal or glass food containers which cannot be recycled, wastepaper, cans and bottles, wire, glass, other metal objects, tree and grass clippings, and other similar items that can be placed within a Town of Granby approved container.
- J. Bulky waste will be removed from one- and two-family residential structures for a fee, as established by the Director, under the following guidelines:
 - (1) Bulky waste will be removed on a call basis according to policy set forth in the office of the Director of Public Works.
 - (2) Bulky waste shall include refrigerators with doors off, stoves, bedsprings, mattresses, auto parts, and other similar large heavy materials except those items listed under not acceptable for collection. Bulky waste shall also include brush when tied in bundles which shall weigh no more than 80 pounds and have as its greater dimension no more than six feet.
- K. Leaves will be removed from residential property according to policy set forth in the office of the Director of Public Works.
- L. Brush will be removed from residential property according to policy set in the office of the Director of Public Works.

⁸. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- M. The following refuse shall be considered not acceptable for collection:
- (1) Material which has not been prepared, bound, containerized and/or placed for collection in accordance with the rules and regulations of the Town of Granby.
 - (2) Material and waste resulting from the repair of buildings or structures, such as earth, stone, concrete, plaster, mortar and roofing material, trees or tree stumps over six inches in diameter, junkyard wastes, dangerous material or substance, such as poisons, acids, caustics, sanitary wastes, infected materials, explosives or radioactive material, auto-car bodies, fine powdery earth used to filter cleaning fluid and refuse of similar nature.
 - (3) Body wastes or solid industrial wastes.
 - (4) Bulky waste which has a dimension in excess of six feet and/or exceeds 300 pounds in weight.
 - (5) All other material deemed unacceptable by the Connecticut Resources Recovery Authority.
- N. Any refuse or rubbish left in public view, not in accordance with the provisions of this article, shall be deemed a public nuisance and a violation of this article.

§ 144-17. Revocation or suspension of license or registration.

- A. General. A license to engage in solid waste collection in the Town of Granby and to use the Mid-Connecticut System or other refuse facilities provided by the Town of Granby is a privilege, not a right. Failure to comply with the provisions of this article shall be grounds for revocation or suspension of any license or registration issued under the provisions of this article, in addition to any other penalty imposable by law.
- B. Notice required. Revocation or suspensions shall only become effective 10 calendar days after receipt of written notice from the Director.
- C. Request for review, filing, effect of failure to file. If a refuse collector objects to the Director's action described in Subsection B above to revoke or suspend his license or registration, he may, within the five calendar days of receipt of said notice, file a written request for review with the Town Manager. Failure to timely file such request for review shall make the Director's action final and binding upon the refuse collector.
- D. Effect of timely filing. Timely filing of such request for review shall operate as an automatic stay of the Director's action.
- E. Hearing. The Town Manager shall, within 15 days, hear and decide the matter. Such hearing shall be private, except, however, such hearing may be public if so requested, in writing, by the refuse collector. The decision of the Town Manager shall be final and binding upon the refuse collector.

- F. Refusal of permission to use Mid-Connecticut System. Notwithstanding anything to the contrary herein, the Director shall have power to refuse permission to a refuse collector to use the Mid-Connecticut System when, in his opinion, such refuse collector has violated this article or any other applicable rule or regulation.

§ 144-18. Administration; promulgation of rules and regulations.

- A. The Director shall administer the licensing of any refuse collector engaged in the collecting and transporting of solid waste in the Town of Granby.
- B. The Director shall, when considering an application for a solid waste collection license, including renewal, ascertain that the applicant has adequate liability insurance as required in the solid waste permitting disposal and billing regulations of the Authority.
- C. The Director may promulgate additional collection and disposal procedures from time to time as he deems proper, but such rules shall not be inconsistent with this article. Any such procedure, however, must first be approved by the Town Manager.

§ 144-19. Responsibilities and obligations of refuse collectors.⁹

- A. Place of delivery, payment. Each refuse collector shall deliver all solid waste meeting the contractual standards collected within the territorial limits of the Town of Granby to a Town of Granby approved system and pay the disposal charge.
- B. Failure to pay. Any refuse collector failing to pay any required disposal charge within 30 days after the date of a bill therefor shall pay, in addition to the disposal charge shown on such bill, interest on such disposal charge at the rate of bill, plus all costs of collection, including an attorney's reasonable bill, incurred. A failure to pay shall also be grounds for revocation or suspension of license and registration.
- C. Prohibition on delivery. No licensee shall deliver any solid waste meeting the contractual standards to any final place other than a Town of Granby approved system, unless the Town of Granby approved system is incapable of accepting such solid waste at the time of delivery, in which event such solid waste shall be delivered to the place designated by the Director.
- D. Construction and maintenance of vehicles and containers. All vehicles registered to collect and transport solid waste to a Town of Granby approved system 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 10 cubic yards shall be of a closed construction. A container utilized primarily for nonliquid solid waste need not be of watertight construction and shall be completely enclosed and maintained free of obnoxious odors and accumulated solid waste. If any such vehicle shall have a capacity of less than 10 cubic yards, it may have an open top, provided that it be covered when it is in

⁹. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

motion to prevent the escape of solid waste.

§ 144-20. Penalties for offenses. ¹⁰

Any person violating the terms of this article shall be fined not more than \$250 for each offense in addition to any other penalty which may be imposed by law.

10. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).