

TITLE V: PUBLIC WORKS

Chapter

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- 51. SANITARY CODE
- 52. RECYCLING REGULATIONS
- 53. SOLID WASTE; REFUSE COLLECTION

CHAPTER 50: SEPTAGE MANAGEMENT

Section

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§ 50.01 APPLICABILITY.

This chapter governs the removal, transportation and disposal of all materials removed from any septic tank, cesspool, privy and/or subsurface sewage disposal system, hereafter known as septage, generated in the town. This chapter provides minimum operating and administrative standards for the removal and disposal of septage per Conn. Gen. Stat. §§ 19-13-B104b through 19-13-B104c of the State Public Health Code.
(Ord. passed - -)

§ 50.02 PROCEDURES FOR PUMPERS.

In accordance with § 19-13-B014C(b)(2)(B) of the State Public Health Code, all organizations pumping septage within the town shall first obtain a permit from the Director of Health or his or her agent. Application for the permit shall require presentation of a valid license to transport septage issued by the state in accordance with Conn. Gen. Stat. § 20-341. Application for the permit shall also require presentation of a valid permit for transport and disposal of septage issued by the City of Danbury Health Department. Renewal of permits shall be on a yearly calendar basis and applications shall be made on a form furnished by the town.
(Ord. passed - -)

§ 50.03 DISPOSAL PROCEDURES.

(A) The town shall issue a sticker which shall be displayed by the vehicles of each pumper permitted by the town. The sticker shall include the name of the town, the name of the permittee, the date of expiration of the permit, the number of the permit and the current state motor vehicle registration number of the permittee's vehicle.

(B) All vehicles used for the collecting and transporting of septage shall bear the name of the organization conducting those activities. The vehicles shall be maintained in a clean exterior condition at all times.

(C) Disposal of all septage shall be approved by the Town Director of Health or his or her agent. Disposal of material other than domestic septage will require joint approval of the Director of Health and the Danbury Public Utilities Department. All permittees are required to allow spot sampling and inspection of truck tank contents by employees or agents of the City of Danbury.

(D) Organizations authorized to pump septic systems in the town and use the Danbury disposal facility shall first obtain septage discharge permits from the Town Director of Health or his or her agent. All permits shall be numbered and bear the name of the town. Two of the four copies of each permit shall be turned in to the operator of the disposal facility in Danbury prior to discharge.

(Ord. passed - -)

§ 50.04 PROCEDURES FOR PAYMENT.

(A) Upon completion of pumping, the pumper shall sign the septage discharge permit and certify the number of gallons pumped. A copy of the permit is retained by the pumper, a copy is forwarded by the pumper to the property owner pumped, and two copies are turned in to the operator of the disposal facility in Danbury. At the end of each calendar month, copies of all permits issued by the town for septage pumped in the town will be returned by Danbury to the town.

(B) Pumpers shall be billed monthly by Danbury for their use of the Danbury disposal facility to dispose of septage generated in the town.

(C) Fees charged to pumpers by Danbury for their use of the Danbury disposal facility shall be based upon permit copies documenting the town processed at the Danbury disposal facility and a formula used to calculate Danbury's cost to process septage as agreed to by the town in Schedule A of the "Interlocal Agreement for Disposal of Septage Waste" dated November 6, 1984.

(Ord. passed - -)

§ 50.99 PENALTY.

(A) The owner of any organization which pumps or disposes of septage without obtaining permits as described in this chapter and by instruction of the Director of Health is in violation of this chapter and shall be subject to a fine of \$50 for the first violation. Owners holding annual permits to pump who violate this chapter after the first violation shall be subject to termination of their permit for one year.

(B) If a pumper licensed by the town delivers to the Danbury disposal facility any discharge of material collected in the town prohibited by § 2.2 of the “Interlocal Agreement for Disposal of Septage Waste”, then the town shall hold harmless and indemnify the City of Danbury from any and all claims, damages, losses, expenses or enforcement actions, including reasonable attorney’s fees, which may arise from the discharge.

(C) Any septage pumping organization that fails to pay within 30 days invoices for septage disposed of at the Danbury disposal facility shall have its permit to pump septage in the town revoked.
(Ord. passed - -)

CHAPTER 51: SANITARY CODE

Section

51.01 Water supply facilities and structures

51.02 Administration and enforcement

51.99 Penalty

§ 51.01 WATER SUPPLY FACILITIES AND STRUCTURES.

(A) (1) The Public Health Code of the state, including all latest revisions and additions is hereby made a part of this chapter, and shall serve as the basis, and shall govern in all cases except where provisions of this chapter may vary or prescribe more stringent requirements.

(2) The provisions of this chapter and the State Public Health Code shall apply to all proposed structures and/or improvements regardless of use.

(3) No dwelling, apartment, boarding house, hotel, commercial or industrial building, hospital, nursing home or any other structure or improvement shall be constructed in the town until the water supply and sewage sanitation requirements have been approved as required by this chapter.

(B) (1) The following regulations shall govern the construction of all water supply facilities within the town.

(2) All wells and/or springs used for drinking or domestic use shall comply with the provisions of the State Public Health Code, regulations 19-13-B51 including satisfactory bacteriological examination and approval of same.

(3) The location of all wells must bear proper relation to location of sewage disposal systems and buildings. A permit indicating approval of the location of the water supply system must be secured before any drilling or digging for the specific water system is started.

(4) Drilled wells shall be located at least 75 feet from any part of a sewage disposal system, and

dug wells or springs shall be located at least 100 feet from any part of a sewage disposal system.

(5) Upon adoption of this chapter, the depth and water yield of all drilled wells shall be verified in writing by the contractor drilling the specific well.

(C) (1) The following special regulations shall govern the construction of all sewage disposal systems to be constructed in the town, including the extension of existing systems and replacement of tanks and/or seepage fields or leaching beds.

(2) All sewage disposal systems shall comply with the provisions of the State Public Health Code regulations 19-13-B4 to B20 and the following.

(3) Bottom of seepage trench and/or leaching beds shall be 18 inches above maximum ground water level.

(4) Ledge rock shall be at least four feet below bottom of seepage trenches and/or leaching beds.

(5) (a) The Sanitary Inspector shall be notified by the owner of the property when there is an intent to build.

(b) Drainage and percolation tests shall be made to determine the location of the sewage disposal system.

(c) After approval of location of sewage disposal system, a permit shall be required prior to the filing of an application for a building permit.

(6) Sewage disposal facility shall be at least 75 feet from a drilled well and 100 feet from a dug well and/or spring.

(7) It is required that all tanks used for the underground storage of oil be at least 75 feet from a dug or drilled well.

(8) No part of any sewage disposal system shall be within ten feet of any property line.
(Ord. passed 3-20-1969)

§ 51.02 ADMINISTRATION AND ENFORCEMENT.

(A) The Sanitary Inspector shall be appointed by the Board of Selectmen. The Sanitary Inspector may be removed with just cause.

(B) The responsibility for complying with these regulations as herein stated rests with the owners of the land involved. Jurisdiction of these regulations rests with the Town Health Officer or his or her representative, namely the Town Sanitary Inspector who has the right to make inspections at any time relative to sanitary sewage disposal.

(C) This chapter creating a sanitary code for the town shall be in full force and effect after its passage, approval, recording and publication as provided by law.

(D) The provisions of this chapter may be amended by a town meeting duly warned and held in the town.

(Ord. passed 3-20-1969)

§ 51.99 PENALTY.

Any person violating the provisions of this chapter shall be subject to \$25 fine for each violation. A violation will be in effect upon written notification from the Sanitary Inspector, who will then establish a reasonable time for the violation to be corrected. When the allowed time has elapsed without the violation being corrected, the violation shall be deemed to exist again. Each day a violation continues shall be deemed separate violation.

(Ord. passed 3-20-1969)

CHAPTER 52: RECYCLING REGULATIONS

Section

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| 52.01 | Purpose |
| 52.02 | Definitions |
| 52.03 | Separation and collection |
| 52.04 | Authority and powers |
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§ 52.01 PURPOSE.

There is hereby established a program for the mandatory separation of recyclables from garbage or rubbish within the town to comply with Conn. Gen. Stat. §§ 22a-220 et seq. and its subsequent regulations mandating recycling, thereby providing for the health and welfare of the citizens of the town.
(Ord. passed 2-1-1991)

§ 52.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The Board of Selectmen of Bridgewater, Connecticut. When used in reference to a voting body, it shall be taken to include the phrase ***OR A MAJORITY THEREOF.***

CARDBOARD. Corrugated boxes and similar materials which are unwaxed and have a minimum of contamination by food or other material.

COLLECTOR. Any person who holds himself or herself out for hire to collect recyclables from

residential, commercial, industrial or other sources.

DRY CELL BATTERY. Any device used in generating electric current through a chemical reaction including, but not limited to, nickel-cadmium batteries, carbon batteries and alkaline batteries.

GLASS FOOD CONTAINER. A glass bottle or jar of any size or shape used to package food products suitable for human or animal consumption with a minimum of contamination by food or other materials.

HAULER. Any person which holds himself or herself out for hire to pickup refuse (garbage) from residential, commercial, industrial or other sources.

H.D.P.E CONTAINER. Any high-density polyethylene bottle or container of any shape and up to one gallon in size used to store food, household laundry detergent or other non-hazardous or toxic materials.

HRRA. The Housatonic Resources Recovery Authority.

IPC. Intermediate processing center which receives, processes and markets recyclables.

LEAVES. The foliage of trees.

MANDATED RECYCLABLES. Those recyclables which have been designated by the DEP and any additional items which have been designated by the Board that are mandated to be recycled within the municipality. Those items currently designated as ***MANDATED*** are as follows:

- (1) Cardboard;
- (2) Glass food containers;
- (3) Leaves;
- (4) Metal food containers;
- (5) Newspapers;
- (6) Office paper;
- (7) Scrap metal;
- (8) Storage batteries; and
- (9) Waste oil.

METAL FOOD CONTAINER. An aluminum, bi-metal, tin plated steel or other metallic can, plate or tray of any size used to package food for human or animal consumption which has a minimum of contamination by food or other materials.

MUNICIPALITY. The Town of Bridgewater, Connecticut.

MUNICIPAL RECYCLING AGENT. The person designated by the Board to administer the notice and enforcement provisions of this chapter.

NEWSPAPER. Used or discarded newsprint (newspaper advertisements, supplements, comics and newsprint-type enclosures) which has a minimum of contamination by food or other material.

OFFICE PAPER. Any used or discarded high grade white paper and manila paper including, but not limited to, paper used 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. For purposes of this chapter, the foregoing definition of ***OFFICE PAPER*** shall exclude any paper generated from residential sources.

OPTIONAL RECYCLABLES. Those recyclables which may be designated to be recycled by the DEP or Board to be recycled through a voluntary or mandatory pilot recycling program. Those items currently designated as ***OPTIONAL RECYCLABLES*** are as follows:

- (1) Dry-cell batteries;
- (2) Grass clippings;
- (3) H.D.P.E. plastic containers;
- (4) PET plastic containers;
- (5) Magazines and other non-magazine printed matter;
- (6) Scrap tires; and
- (7) Yard waste.

PERSON. Any individual, corporation, partnership, association or other entity or organization, either public or private, of any kind.

PET. Any polyethylene terephthalate plastic beverage container up to three liters in size.

RECYCLABLES. Any item designated by the DEP or Board which can be separated or diverted as defined below under **RECYCLE**.

RECYCLE. To separate or divert an item or items from the solid waste stream for the purposes of processing it, causing it to be processed or storing it for later processing 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. Nothing in this definition shall preclude the use of waste oil as a fuel in an oil burner, or scrap tires as fuel in an incinerator.

RECYCLING CONTAINER. Any container designated by the Board for use as a residential recycling container for the storage and collection of recyclables.

RESIDENTIAL PROPERTY. Real estate containing one or more dwelling units, but shall not include hospitals, motels, hotels or nursing homes.

SCRAP METAL. Used or discarded items which consist predominantly of ferrous metals, aluminum, brass, lead, chromium, iron, nickel, or alloys thereof including, but not limited to, white goods and metal food containers.

SCRAP TIRES. Discarded rubber or synthetic rubber tires used by or manufactured for vehicles including, but not limited to, automobiles, trucks, buses, tractors and trailers.

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

WASTE OIL. Crankcase oil that has been utilized in internal combustion engines.
(Ord. passed 2-1-1991)

§ 52.03 SEPARATION AND COLLECTION.

(A) *Separation.* On or after January 1, 1991:

(1) Each person who generates solid waste from residential property within the municipality shall separate from other solid waste those items designated as mandatory recyclables; and

(2) Every other person who generates solid waste shall make provision for the separation from other solid waste of those items designated as mandatory recyclables.

(B) *Multi-family collection.* It shall be the responsibility of the person having custody and control of multi-family residential dwelling units to educate the tenants to the need and techniques of recycling and designate an area for placement of the recyclables as necessary.

(C) *Other residential collection.* All residents who are not served by a collector shall arrange to dispose of their recyclables at the drop-off locations as designated from time to time by the Selectman.

(D) *Other residential recyclables.* All other mandatory recyclables generated from residential properties and not collected by residential curbside collection shall be delivered to the drop-off locations as designated from time to time by the Selectman.

(E) *Recyclables from outside the municipality.* The dumping or disposal of recyclables at any location as designated by the Board from a source outside of the municipality shall be prohibited, unless previously approved by the Board.

(F) *Anti-scavenging.* Upon placement of recyclables out for residential curbside collection, or upon delivery to any disposal location designated by the Board pursuant to provisions of this chapter, it shall be a violation of this chapter for any person other than the collector or the authorized agents of the municipality acting in the course of their employment, to collect or pickup any recyclables, or cause the same to be collected or picked up.

(G) *Restitution.* In addition to the fine imposed for violation of this provision, the violator may be required to make restitution to the municipality for the value of any materials illegally removed. Each and every collection or pickup in violation of this section from one or more locations shall constitute a separate and distinct violation.

(H) *Giving/selling recyclables.* Nothing in this chapter shall abridge the right of any person to give or sell their recyclables, including deposit beverage containers, to any person provided that the materials have not been set out for residential curbside collection or delivered to any disposal location designated by the Board.

(Ord. passed 2-1-1991) Penalty, see § 52.99

§ 52.04 AUTHORITY AND POWERS.

(A) The Board is hereby authorized to, by Public Act 90-220, and shall designate where the following items generated from residential properties shall be taken for processing or sale: cardboard; glass food and beverage containers; leaves; metal food and beverage containers; newspapers; storage batteries; waste oil; plastic food and beverage containers. The processing or sale of those items at any other area shall be

prohibited.

(B) The Board shall not give less than 60 days notice of its intent to designate where these items from the residential properties shall be taken for processing or sale to all licensed collectors hauling solid waste or the items of the municipality. At the conclusion of that period, the Board shall cause notice of the designation to appear in a newspaper of general circulation in the municipality and shall conduct a public hearing thereon.

(C) The First Selectman shall, and is granted the authority to, designate a person to be contacted by the DEP with inquiries regarding the recycling program and receive complaints and notices of violations of the separation requirements set forth in the Conn. Gen. Stat. §§ 22a-220 et seq.

(D) The Board is hereby authorized to add or delete, from time to time, items on the list of mandatory and optional recyclables so long as such action is not in conflict with the State General Statutes, Department of Environmental Protection regulations.

(E) The Board is hereby authorized to adopt a fee schedule and a method(s) for ensuring payment of the fees; for depositing any and all recyclables at any municipal, or municipally designated, disposal facility for recyclables.

(F) The Board, through resolution, is hereby authorized to adopt rules and regulations, from time to time, governing any practice and related practices contained in this chapter, enforcement of this chapter, and regulations as it shall deem in the public interest regarding separation, collection, recovery, removal and storage of recyclables provided that the rules and regulations are not inconsistent with the State General Statutes, Department of Environmental Protection regulations, or any provision of this chapter.

(G) The Board is hereby authorized to employ or make contracts with persons, including the HRRA, for the separation, collection, transportation, processing and/or marketing of recyclables, as provided for in Public Act 90-220, § 2(d) of the State General Statutes, to carry out the provisions of this chapter.
(Ord. passed 2-1-1991)

§ 52.05 LICENSING.

(A) In accordance with the provisions of Conn. Gen. Stat. § 22a-220(d), any person collecting recyclables generated by residential, business, commercial, or other establishments in the municipality shall annually register each collection vehicle separately with the municipality on forms prescribed by the Selectman, upon or before the July 1.

(B) Upon registration and payment of an annual permit fee of \$25, each collector shall be permitted to

collect or continue the collection of solid waste within the municipality.

(C) Each collector shall disclose the name of any other municipality in which the collector hauls the solid waste. The door of any private vehicle used to haul solid waste shall be clearly marked with the business name and address of the collector. Registrations shall not be transferable from vehicle to vehicle. (Ord. passed 2-1-1991)

§ 52.06 COMPLIANCE.

On or after January 1, 1991, any hauler or collector who has reason to believe that a person from whom he or she collects solid waste has discarded recyclable items with the solid waste in violation of the provisions of this chapter or of Conn. Gen. Stat. § 22a-241b, as amended, shall promptly notify the municipal agent of the alleged violation. Upon the request of the municipal agent, a hauler or collector shall provide warning notices, by the placement of tags provided by the municipality, to any person suspected by the hauler or collector or the municipality of violating the separation requirements of state law or this chapter. Each hauler or collector shall also be required to assist the municipality in the identification of any person responsible for creating loads containing significant quantities of items subject to the separation requirements of state law or this chapter which are delivered to a resources recovery facility or solid waste facility by the hauler or collector and detected by the owner or operator of a facility pursuant to Conn. Gen. Stat. § 22a-220(b). (Ord. passed 2-1-1991)

§ 52.07 VALIDITY.

Should any provision of this chapter be declared invalid for any reason, that declaration shall not affect the validity of other provisions or of this chapter as a whole, it being the legislative intent that the provisions of this chapter shall be severable and that the balance of this chapter shall remain valid notwithstanding the declaration. (Ord. passed 2-1-1991)

§ 52.99 PENALTY.

(A) Any hauler or collector found to have violated the separation and collection requirements of this chapter shall be subject to a fine in the amount of \$25 for each offense. In addition, the municipality reserves the right to suspend or revoke the license of any like hauler or collector. Any hauler or collector whose license is either suspended or revoked as provided for herein shall be entitled to a hearing.

(B) Any other person who violates the separation provisions of this chapter shall be subject to the following penalties:

(1) Upon a first or second offense, the violator shall receive a written warning;

(2) Upon a third offense occurring within a period of one year from the date of the original offense, the violator shall be subject to a fine in the amount of \$25; and

(3) Upon any subsequent offense occurring within the period of one year from the date of the original offense, the violator shall be subject to a fine of \$25 and, in addition, shall be refused recycling collection.

(C) In accordance with the authority provided in § 2 of Public Act No. 90-249, any commercial establishment that is found to have violated the provisions of Conn. Gen. Stat. § 22a-241b(c) shall be subject to a fine in the amount of \$500 for each violation.

(D) Any person who violates any other provision of this chapter shall be subject to a fine of \$25 for each offense.

(Ord. passed 2-1-1991)

CHAPTER 53: SOLID WASTE; REFUSE COLLECTION

Section

- 53.01 Declaration of policy
- 53.02 Definitions
- 53.03 Designation of disposal area
- 53.04 Regulations and disposal charges

- 53.99 Penalty

Cross-reference:

Sanitary Code, see Chapter 51

§ 53.01 DECLARATION OF POLICY.

The accumulation, collection, removal and disposal of refuse must be controlled by this town for the protection of the public health, safety and welfare. It is consequently found and declared that:

(A) This town is authorized by law to regulate the disposition of refuse generated within its boundaries and to register refuse collectors;

(B) This town is also authorized by Conn. Gen. Stat. § 22a-220a to designate the area where refuse generated within its boundaries shall be disposed;

(C) This town has executed a Municipal Waste Disposal Agreement (MWDA) dated November 22, 1991, requiring it to cause all acceptable solid waste generated within its boundaries to be delivered to the Housatonic Resources Recovery Authority (HRRA) System, including the transfer stations designated by the HRRA from time to time;

(D) The public health, safety and welfare of the town will be best served by requiring the delivery of acceptable solid waste to the HRRA System; and

(E) The enactment of this chapter is furtherance of the municipality's approved municipal waste disposal agreement.

(Ord. passed 6-25-1993)

§ 53.02 DEFINITIONS.

For the purpose of this chapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

ACCEPTABLE WASTE, COLLECTOR, SYSTEM AND THE LIKE. As established in the MWDA dated November 22, 1991, which is available for inspection at Town Hall.

(Ord. passed 6-25-1993)

§ 53.03 DESIGNATION OF DISPOSAL AREA.

Pursuant to Conn. Gen. Stat. § 22a-220a, the Board of Selectmen hereby designates the Housatonic Resources Recovery Authority System as the system where acceptable solid waste generated within the boundaries of the town by residential, business, commercial or other establishments shall ultimately be disposed. On and after July 1, 1993, each person collecting any acceptable solid waste generated within the boundaries of this municipality shall deliver all the waste to the Housatonic Resources Recovery Authority (HRRA) System.

(Ord. passed 6-25-1993)

§ 53.04 REGULATIONS AND DISPOSAL CHARGES.

(A) The Town Board of Selectmen and the HRRA shall implement, and revise from time to time, as it finds necessary, regulations to administer the system of storage, collection and disposal of solid waste and refuse and to carry out the terms of this chapter. Any person delivering solid waste or refuse shall pay any disposal charge called for by the HRRA System.

(B) Any collector operating within the town must formally register at the Town Hall to do so. The collector must also apply for permits at HRRA Headquarters, Old Town Hall, Route 254-133, Brookfield, Connecticut in order to use the HRRA System.

(Ord. passed 6-25-1993)

§ 53.99 PENALTY.

(A) Pursuant to Conn. Gen. Stat. §§ 22a-220a(f), any collector who dumps more than one cubic foot in

volume of refuse at one time in an area not designated for the disposal by this chapter shall for a first violation be liable for a civil penalty of \$1,000 for each violation and \$5,000 for a subsequent violation.

(B) Any collector who otherwise violates this chapter or the regulations promulgated thereunder, and any other person or entity who violates this chapter or the regulations promulgated thereunder, shall be liable for a penalty of \$100 for each violation.

(C) The imposition of the monetary penalties set forth herein shall not preclude the town from seeking any other remedy, including but not limited to money damages and injunctive relief, as may be allowed by law.

(Ord. passed 6-25-1993)

