

**TOWN OF NORTHFIELD
SOLID WASTE HAULERS APPLICATION/LICENSING
RULES & REGULATIONS**

In accordance with the Town of Northfield's Solid Waste Management Ordinance the following rules and regulations for the licensing of solid waste haulers have been adopted by the Board of Selectmen to ensure the delivery of all acceptable solid waste generated within the Town of Northfield (hereinafter referred to as the TOWN) In accordance with Federal & State regulations

REGULATED ACTIVITY:

1. All solid waste haulers shall be licensed by the Town.
2. All acceptable solid waste originating or collected within the municipal boundaries of the Town shall be collected and disposed of in accordance with Federal & State regulations.
3. No solid waste hauler shall deliver or cause the delivery of any unacceptable waste or hazardous waste to any disposal area.
4. The Town shall not bear the cost for either pick-up, transportation, tipping fees or landfill closures, by the hauler, of any commercial solid waste. The tipping fee for all acceptable solid waste, generated in the Town that is delivered to a licensed facility by the hauler shall be paid by the licensed hauler.
5. The Board of Selectmen will adopt reasonable rules, regulations fees and fines as needed to enforce the rules and regulations governing the delivery of acceptable waste to the disposal area.
6. Any person(s) who violates this ordinance shall be guilty of a violation of each such violation, and shall be subject to a fine, payable to the Town, of not more than \$1,000.00 for each such violation.

LICENSING PROCEDURE:

1. All haulers are required to obtain a license and shall make an application to the Board of Selectmen, providing the information required.
2. Each application shall be accompanied by a non-refundable application fee in the amount of \$25.00.
3. The application shall contain all information required by the Board of Selectmen, including but not limited to type of hauler; company name, address, mailing address if different, telephone number; NH Rubbish Haulers license #, equipment inventory (including a description of the make, model and year of each vehicle used for the collection or transportation of Solid Waste), list of commercial customers and size and location of containers, pick up route, designated day and time of pick up, type and amount of waste handled.
4. Each applicant shall provide Certificate of Insurance coverage with limits of coverage defined by the Board of Selectmen: General Liability/Bodily Injury/Property Damage \$500,000 each occurrence and \$500,000 aggregate. Automobile Liability/Bodily Injury – Per person \$100,000., per accident \$300,000., Property Damage \$100,000.; Workers' Compensation and Employers' Liability \$100,000 each accident, \$300,000 disease policy limit; \$100,000 disease-each employee.
5. Licenses shall be renewed annually and all information provided in the initial application shall be revised upon application for license renewal. If the Board of Selectmen shall determine the application is incomplete, they shall notify the applicant in writing of the specific information necessary to complete it. The Board of Selectmen shall be informed immediately in writing of any changes in or additions to the information required on the application.
6. The annual license fee shall be \$175 for each applicant licensed.
7. Licenses issued hereunder shall not be transferable.
8. All licenses shall expire one year from the date of issue unless otherwise stated on the license or revoked or suspended sooner in accordance with the provision of this Ordinance.
9. In the event the Board of Selectmen denies a license application, they shall notify the applicant in writing and shall state the reasons for the denial. Upon such notice, the applicant may request a hearing in accordance with the procedures in Section VI of the Town of Northfield Solid Waste Management Ordinance.

SUSPENSION AND REVOCATION:

1. Any license issued under this Ordinance may be suspended or revoked by order of the Board of Selectmen after the Board of Selectmen shall have notified the licensee in writing of the intent to suspend or revoke, the reasons therefore and the licensee

has had an opportunity for a hearing in accordance with the procedures in Section V of the Town of Northfield Solid Waste Management Ordinance.

2. A license may be suspended or revoked for the following causes: (i) violation of this Ordinance; (ii) violation of any provision of any state or local law, or regulation relating to this Ordinance, including but not limited to NH RSA 149-M or any environmental law; (iii) violation of any license condition or (iv) falsehoods, misrepresentations or omissions in the license application.

HEARINGS:

1. Any Person denied a license or whose license is proposed to be suspended or revoked pursuant to Section IV shall be entitled to a hearing before the Board of Selectmen, if such request is made in writing within 15 days of the licensee's receipt of the notice of denial or proposed suspension or revocation.
2. A hearing authorized by this Ordinance shall be held within 30 days after receipt by the Board of Selectmen of the written request for a hearing.
3. The licensee or applicant shall be notified in writing as to the time and place of the hearing at least 10 days prior to the hearing date. The applicant or licensee has the right to be represented by counsel, to offer evidence and to cross examine witnesses.
4. A determination shall be made by the Board of Selectmen within 20 days after the conclusion of the hearing and a notice of the decision shall be served upon the applicant or licensee by certified mail, return receipt requested.
5. A final determination relative to the denial, suspension or revocation of a license and the period of suspension or revocation shall take effect as provided in the notice but no later than 10 days after the date notice of such final determination has been mailed by certified mail, return receipt requested to the licensee or applicant. Such final determination shall be conclusive. Notice of the final determination shall set forth the reasons for the denial, suspension or revocation and the effective dates thereof, together with a statement that such decision may be appealed as provided in the Ordinance.
6. Any claim arising out of or relating to a final determination shall be reviewed as provided by the laws of the State of New Hampshire.

ADMINISTRATION:

1. This ordinance shall be administered by the Board of Selectmen whose powers and duties are as follows:
 - to adopt reasonable rules, regulations, fees and fines as needed to enforce this Ordinance including without limitation, rules and regulations governing the delivery of Acceptable Waste to the Waste Plant and Other Solid Waste to the Facility;
 - to consider all license applications and to grant or deny each application within 15 days after receipt of a completed application at the Town Offices or within such other time as the Board of Selectmen and the applicant shall agree is reasonable;
 - to review any alleged violations of this Ordinance, and to impose appropriate penalties therefore after notice and hearing as required by this Ordinance; and
 - to institute necessary proceedings either legal or equitable to enforce these Rules and Regulations.

ENFORCEMENT AND PENALTIES:

Any Person who violates these Rules and Regulations shall be guilty of a violation for each such violation and shall be subject to a fine, payable to the Town, of not more than \$1,000.00 for each such violation.

DEFINITIONS:

ACCEPTABLE WASTE means (a) household garbage, trash, rubbish and refuse, originating within the boundaries of the Town, normally collected or disposed of, as a result of residential pickups or deliveries; and (b) such types of agricultural, commercial and light industrial waste originating within the boundaries of the Town as are normally collected or disposed of, but excluding Hazardous Waste, Unacceptable Waste, and Other Waste.

COMMERCIAL means commercial entities doing business in the Town of Northfield, including but not limited to, contractors, multi-family dwellings and/or manufactured housing parks of more than three (3) units per parcel, respectively and commercial

establishments of any size such as, residential boarding and lodging homes, convalescent and nursing homes, churches, schools, ski areas, motels, inns, campgrounds, restaurants, lounges, retail sales, service businesses, professional offices, manufacturing, or automotive related businesses.

FACILITY means the transfer station or other sites or areas designated by the Board of Selectmen within or outside the borders of the Town for the delivery or disposal of solid waste collected within the borders of the Town pursuant to this ordinance.

HAZARDOUS WASTE means (a) waste containing explosive, toxic or pathological substances; (b) waste defined or classified as hazardous waste at any time under federal, state or local law, or any regulation there under or waste defined by any applicable federal, state or local law as low level or high level radioactive waste; (c) waste prohibited for incineration by any local, state or federal agency with jurisdiction over the Waste Plant or Facility because of its toxic nature; (d) waste (other than Acceptable Waste of the character referred to in clause (a) of the definition of "Acceptable Waste") the processing of which would result in Hazardous Waste under (a), (b) or (c) of this definition, or (e) containers which hold or which previously have held waste described under (a), (b) or (c) above. If any governmental entity having jurisdiction shall determine that any substances which are not, as of the date of this Ordinance, considered harmful or of a toxic nature or dangerous, are harmful, toxic or dangerous, such substances shall thereafter be deemed Hazardous Waste.

OTHER SOLID WASTE means residential white metal goods, household appliances, tires, street sweepings, tree stumps and residential demolition debris.

PERSON means any natural person, partnership, corporation, association or other legal entity.

RESIDENTIAL means all single family dwellings and multi-family dwellings consisting of three (3) units or less per parcel.

SOLID WASTE shall have the meaning prescribed by the Division of Solid Waste Management of the New Hampshire Department of Environmental Services as set forth in NH Administrative. Rules, HE-P 1901.2.

UNACCEPTABLE WASTE means waste that is unacceptable at the Waste Plant such as (d) any waste which if processed, would violate or cause the violation of any judicial decision, order or action of any federal, state, or local government or any agency thereof or applicable law; and (e) Hazardous Waste.

WASTE PLANT any licensed disposal facility.

ADOPTED BY TOWN MEETING VOTE MARCH 16, 2002
EFFECTIVE DATE: JANUARY 1, 2003
AMENDED JANUARY 21, 2020