

**AN ORDINANCE REGULATING THE STORAGE, COLLECTION
AND DISPOSAL OF SOLID WASTE AND PROVIDING FOR A
SYSTEM OF REFUSE COLLECTION AND DISPOSAL AND THE
ADMINISTRATION THEREOF**

Be it ordained by the Town of Harwinton that:

Section 1. Declaration of Policy.

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

(a) this Municipality is authorized by law to regulate the disposition of refuse generated within its boundaries and to collect a charge therefore and to license refuse collectors; and

(b) this Municipality is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where refuse generated within its boundaries shall be disposed; and (c) this Municipality 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 welfare of this Municipality will be best served by requiring the delivery of such solid waste to the Torrington Transfer Station for processing by the Mid-Connecticut System and the generation of electricity at such facilities as may be designated by the Board of Selectmen; and

(e) the enactment of this ordinance is in furtherance of this Municipality's regional Solid Waste Management Plan.

Section 2. Definitions.

The following terms shall have the following meanings:

(a) The "Contractual Standards" for Solid Waste delivered to the Mid-Connecticut System are as follows:

1. It must be Solid Waste emanating from within the corporate boundaries of this Municipality;

2. 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;

3. It must not be of such a quantity, quality or other nature as to materially impair the strength or the durability of the structures, equipment, or works which are a part of the Mid-Connecticut System or any portion thereof;

4. It must not be of such a quantity, quality or other nature as to create flammable or explosive conditions in the Mid-Connecticut System or any portion thereof;

5. 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; and

6. It must not include any hazardous waste.

(b) "Disposal Charge" means 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.

(c) "Hazardous Waste" means 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. Sections 6921-6925 and regulations there under 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. Section 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.

(d) "Mid-Connecticut System" means the solid waste disposal and energy recovery facility designed and constructed by Combustion Engineering, Inc. ("CE") pursuant to an agreement with the Connecticut Resources Recovery Authority ("CRRA") located in Hartford; the transfer stations which service that facility; and the landfill or landfills provided by or designated by the CRRA.

(e) "Municipal Service Agreement" means the Municipal Solid Waste Management Services Contract, as amended, between the CRRA and this Municipality dated as of May 15, 1984.

(f) "Solid Waste" means unwanted or discarded materials consistent with the meaning of that term pursuant to Section 22a-260(7) of the Connecticut General Statutes, excluding semi-solid or liquid materials, collected and treated in a sewerage system.

Section 3. Pursuant to Public Act No. 83-120, Connecticut General Statutes Section 22a-220a, the legislative body hereby designates the Mid-Connecticut System as the area where Solid Waste meeting Contractual Standards generated within the boundaries of Harwinton by residential, business, commercial or other establishments shall be disposed. On or after 2-25-88 each person collecting any Solid Waste meeting Contractual Standards generated within the boundaries of this municipality shall deliver all such waste to the Torrington Transfer Station at such facilities as designated by the Board of Selectmen unless otherwise directed by the Director of Public Works and shall pay the Disposal Charge therefore to the Director of Public Works.

Section 4. Violation and Penalty.

Any person violating the terms of this Article shall be fined not more than one hundred dollars for each offense, in addition to any other penalty imposable hereunder.

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