WASTE DISPOSAL ORDINANCE

SECTION 1 PURPOSE

The purpose of this ordinance is to protect the public health and property values of the citizens of the Town of Fairfield by controlling the disposal of all discarded matter in such a manner as to prevent:

1. The pollution of air, land, or water resources of the town.
2. Littering and unsightliness around disposal areas.
3. The destruction of private wells.
4. Erosion.
5. The destruction of town roads by increased and/or heavy traffic.

SECTION 2 PROHIBITION

The operation of a disposal area in the Town of Fairfield for the disposal of any waste, unused materials, or discarded matter by any commercial, manufacturing or industrial organization, governmental or quasi-governmental agency except any town-owned disposal area without a permit from the Town Council is prohibited. This permit is not required by farms for waste generated directly from the raising of livestock, crops, or poultry.

SECTION 3 PERMIT APPLICATION AND PROCEDURES

The prospective operator and the owner of such a site must apply for this permit by writing a letter to the Town Council stating:

1. The weight and volume per day, week and year to be disposed of.
2. The consistency and chemical composition and origins of the material to be disposed of.
3. The location of the proposed disposal area.
4. Existing and planned final contours if excavation and fill are contemplated.
5. Plans to screen and reduce any unsightliness and to control access to the site for protection against accident and public harm.
6. The manner and frequency in which the material will be transported to the site.
7. The results of site surveys, engineering, evaluations and other studies supporting the project.

The Town Council may reduce the amount of information needed in the application for this permit, provided they determine, after a meeting with the
applicant, the information requested is not applicable to the particular permit. A public hearing must be held on all applications. The permit shall be granted, granted with conditions, or denied within 60 days of receipt of a properly completed application, or if additional information is necessary, within 60 days of receipt of the additional information.

SECTION 4 CRITERIA FOR GRANTING THE PERMIT

A permit shall be granted after public hearing provided the Town Council find that:

1. The soils, bedrock formation and ground contours are such that the ground water and surrounding surface waters will not be affected.
2. There are no toxic or pathagent materials to be disposed of;
3. There will be no open burning and, if the material is combustible, adequate fire control facilities shall be provided.
4. The site and entrance thereto are properly landscaped to screen, to the maximum extent possible, the disposal area from all surrounding property, and that entrance to the site is controlled to prevent accident and public harm if necessary.
5. Any excavation or open soil will be planned in such a manner as to minimize erosion and prevent sediment pollution or siltation of any ground or surface water in the town.

Obtaining this permit in no way relieves the applicant from the requirement to obtain other applicable Federal, State and local permits. The Town Council may issue this permit subject to any conditions necessary to ensure compliance with these criteria and the goals stated in Section 1. If, after investigation, the Town Council determines that the disposal area is not being operated in accordance with the criteria herein or conditions on the permit for the area, then the permit shall be cancelled and rendered null and void.

SECTION 5 EXISTING DISPOSAL SITES

Existing disposal sites covered by the ordinance must obtain a permit within 2 years of adoption of this ordinance by the town.

SECTION 6 CHANGES IN LOCATION, SIZE OR OPERATION

If the operation or location of any disposal area changes from that specified in the original permit application, an amendment to that permit must be obtained by the operator and the owner.
A public hearing on an amendment may or may not be held at the discretion of the Town Council.

SECTION 7 PENALTY

Any operator or owner who fails to obtain a permit, misrepresents information in the application, or fails to comply fully with conditions on the permit shall be individually liable to a fine of up to one thousand dollars ($1,000.00) per day of each day of violation.

SECTION 8 PERMIT FEE AND TERM

Applications shall be accompanied by a non-refundable fee of $50.00 payable to the Town of Fairfield. In addition, the Town Council may assess reasonable additional costs relating to a specific application. The term of the permit shall be for one year from date of approval by the Town Council. Permits are subject to termination at the discretion of the Town Council after 60 days upon written notice.

SECTION 9 SEPARABILITY

The invalidity of any provision of this ordinance shall not invalidate any other part.

SECTION 10 COMMENCEMENT

This ordinance shall become effective when enacted.

Public Hearing: December 2, 1980

Effective Date: December 16, 1980

TRUE COPY ATTEST: Agnes G. LaPlante