

Town of South Thomaston

Ordinance

Regulating the Storage and Disposal of Putrescible Solid

Waste and Junk

A. Purpose

This ordinance is created in order to protect the health, welfare, safety and property values of the citizens of South Thomaston, Maine.

B. Definitions

- 1. "Putrescible Solid Waste" shall mean useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including but not limited to rubbish, garbage, refuse, but does not include hazardous waste, biomedical waste, septic tank sludge or agricultural wastes. The fact that putrescible solid waste, or a constituent of said waste, may have value, be beneficially used, have other uses, or be sold or exchanged, does not exclude it from this definition.*
- 2. "Junk", shall mean discarded, worn out, unusable or damaged household appliances, furniture, plumbing and heating supplies, discarded scrap and junked lumber and wood products; old or scrap metal or any kind, paper products, bedding, glass, plastic, rags, rope, batteries and other scrapped or junked manufactured items or materials excluding putrescible solid waste. The fact that junk may have value, be beneficially used, have other uses, or be sold or exchanged, does not exclude it from this definition.*

C. Prohibition.

- 1. Storage. It shall be unlawful to store any putrescible solid waste or junk outside of a closed structure of any dwelling, retail or service establishment, or public road within the Town of South Thomaston, unless such putrescible solid waste or junk is stored in closed ridged containers that provide protection against animals, insects, wind and precipitation except that:*
 - A) Putrescible solid waste may be stored in sealed plastic bags outside a closed structure or container for a period not to exceed seven (7) days, provided that such bags will be removed from the premises within said period.*
 - B) Any excessively sized items of junk (not putrescible solid waste) that does not fit within a standard 55 gallon container may be stored outside a closed structure or container for a period not to exceed thirty (30) days. At the end of thirty days (30) the junk shall be lawfully removed and recycled or disposed.*
 - C) Junk stored within a municipal licensed junkyard or salvage facility is exempt from this ordinance.*
 - D) Junk that is to be salvaged or repaired may be stored for a period of sixty (60) days on the premises of a repair establishment. At the end of the sixty (60) day period, the junk shall be lawfully removed and recycled or disposed.*
 - E) Orderly storage of lobster traps and fishing gear is exempt from this ordinance.*

D. Enforcement - Remedies.

- 1. Enforcement. The Code Enforcement Officer shall enforce the provisions of this Ordinance as provided in Title 30-A M.R.S. Section 4452 et seq.*
- 2. Penalties and Other Remedies. Any person, including but not limited to, a landowner, the landowner's agent, or a contractor who violates the provisions of this ordinance may be liable for the civil penalties and remedies set forth in Title 30-A M.R.S. Section 4452 et seq.*
- 3. Nothing in this Ordinance shall affect or limit the provisions of the state junkyard law, Title 30-A M.R.S. Sections 3751-3760.*

E. Appeal-

- 1. Any individual found to be in violation of this ordinance may appeal the judgement to the South Thomaston Select Board. The appeal must be submitted to the Town Office within 30 days of the citation date. The Select Board will hold an appeal hearing no later than 45 days from the time the appeal was received by the Town Administrator or their designee. The appeal process will be an appellate review. At the discretion of the Select Board, additional hearing on an appeal may be had.*