

ARTICLE I
Storage, Collection and Disposal of Solid Waste

§ 133-1. Declaration of policy. [Amended 9-11-2017]

The accumulation, collection, removal and disposal of refuse shall 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 therefor and to license refuse collectors.
- 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 of.
- ~~C. This municipality has executed the municipal service agreement requiring it to cause all acceptable solid waste generated within its boundaries to be delivered to the Materials Innovation and Recycling Authority (MIRA).~~
- ~~D. The public health, safety and welfare of this municipality will be best served by requiring the delivery of acceptable solid waste to MIRA for processing into products which have an economic value.~~
- E. The enactment of this article is in furtherance of this municipality's approved regional Solid Waste Management Plan.

§ 133-2. Definitions. [Amended 9-11-2017]

The following terms shall have the following meanings:

ACCEPTABLE SOLID WASTE — Unwanted or discarded materials of the kind normally collected or disposed of, or caused to be collected or disposed of, by or on behalf of a municipality through private or municipal collection, and commercial, governmental and light industrial waste of which a municipality is required by state law to make provision for the safe and sanitary disposal, but not including in any case items designated for recycling, special handling waste or oversized bulky waste.

COLLECTOR — Any person who holds himself out for hire to collect refuse from residential, business, commercial or other establishments.

DIRECTOR — The Director of Public Works of the Town of Simsbury.

DISPOSAL CHARGE — That amount of money to be charged for solid waste or refuse disposal in accordance with this article.

HAZARDOUS WASTE — 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. §§ 6921 through 6925 and regulations thereunder 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. § 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.

~~MATERIALS INNOVATION AND RECYCLING AUTHORITY (MIRA) — A body politic and corporation constituting a public instrumentality and political subdivision of the State of Connecticut established under the Connecticut Solid Waste Management Services Act, Chapter 466e of the Connecticut General Statutes.~~

~~MID-CONNECTICUT PROJECT — The solid waste disposal and energy recovery and steam and electric facility ("facility"), available to this municipality pursuant to a municipal solid waste management services contract with MIRA, located at 300 Maxim Road, Hartford, Connecticut; the transfer stations approved for transfer of solid waste to the Mid-Connecticut Project; and the MIRA landfills provided for or designated by MIRA.~~

~~MUNICIPAL SERVICE AGREEMENT — The municipal solid waste management services agreement between MIRA and this municipality dated as of June 12, 2017.~~

OVERSIZED BULKY WASTE or OBW — White goods (major household appliances) and other unwanted or discarded materials which:

- A. Are the kinds not normally collected or disposed of, or caused to be collected or disposed of, by or on behalf of a municipality through private or municipal collection;
- B. ~~In the judgment of MIRA, reasonably exercised, cannot be processed in the facility because of size or noncombustibility;~~
- C. Would not constitute special handling waste under these definitions;
- D. May be disposed of in a bulky waste landfill holding a permit issued by the Connecticut Department of Environmental Protection under Section 19-524-8 of its regulations or any successor provision; and
- E. Are not too large to be deposited and stored at the Simsbury Bulky Waste and Recycling Center or transported to a landfill.

SOLID WASTE ORDINANCE — This Solid Waste Ordinance, as it may be amended from time to time, which consists of Chapter 133 of the Code, entitled "Solid Waste."

SPECIAL HANDLING WASTE —

- A. Hazardous waste.
- B. Dirt, concrete and other nonburnable construction material and demolition debris.
- C. Large items of machinery and equipment, such as motor vehicles and major components thereof (e.g., transmission, rear ends, springs, fenders), agricultural equipment, trailers and marine vessels and other items of waste exceeding six feet in any one of its dimensions or being in whole or part of a solid mass, the solid mass portion of which has dimensions such that a sphere with a diameter of eight

inches could be contained within such solid mass portion, including, in the context of deliveries to the facility, OBW.

- D. Explosives, ordinance materials, oil, sludges, flammable substances, hazardous chemicals, tires and other materials the acceptance of which, ~~in the judgment of the MIRA, reasonably exercised~~, is likely to cause damage to or adversely affect the operation of ~~the a~~ facility or, in the judgment of the Director of Public Works of this municipality, reasonably exercised, is likely to cause damage to or adversely affect the operation of ~~the a~~ facility, constitute a threat to health or safety or violate or cause the violation of any applicable federal, state or local law, regulation or judicial or administrative decision or order.

~~§ 133-3. Designation of disposal area. [Amended 9-11-2017]~~

~~Pursuant to Connecticut General Statutes Section 22a-220a, the Board of Selectmen hereby designates the MIRA as the area where acceptable solid waste generated within the boundaries of Simsbury by residential, business, commercial or other establishments shall ultimately be disposed of. On and after the effective date of this chapter, each collector collecting any acceptable solid waste generated within the boundaries of this municipality shall deliver all such waste to the Mid-Connecticut Project located at 300 Maxim Road, Hartford, Connecticut.~~

§ 133-4. Disposal charges.

Any person delivering solid waste or refuse shall pay any disposal charge called for by this chapter ~~or by the municipal service agreement~~.

§ 133-5. Containers.

The owner of each premises in this municipality where acceptable solid waste or any other refuse is created or generated shall provide, at a suitable place upon such premises, sufficient containers for receiving and holding such acceptable solid waste during the intervals between collections. Such containers shall be maintained in good condition free of holes and fissures and shall be equipped with covers.

§ 133-6. Licensing and registration requirements. [Amended 9-11-2017]

No person other than those licensed by this municipality to perform such work and in accordance with the provisions of these regulations shall operate as a collector within this municipality. No refuse generated or collected from outside this municipality shall be disposed of under a license or registration issued pursuant to this article.

- A. Licensing and registration authority designated. The Director shall be the licensing and registration authority for collectors and vehicles and the containers used by them. The Director shall grant a license within a reasonable time following the filing of a proper application and payment of the prescribed unless he finds one or more of the following conditions to prevail:

- (1) The applicant has been irresponsible in the conduct of refuse collection and

hauling operations as evidenced by previous suspensions and/or revocations of licenses issued by this municipality or any other licensing authority in the State of Connecticut within three years prior to the application.

- (2) The applicant is in default in its obligations as a collector or has otherwise violated the provisions of this article.
 - (3) The applicant lacks suitable equipment available for registration hereunder with which to collect and transport acceptable solid waste in a safe and nuisance-free manner and in compliance with this article.
- B. License required. Each collector shall annually on or before July 1 apply for a license from the Director on such form as the Director shall prescribe to engage in the business of collection and transportation of acceptable solid waste and recyclables in this municipality.
 - C. Registration term, fee and renewal. All registrations shall be issued for a term not to exceed one year and shall be renewable on or before the first day of July of each year.
 - D. Each licensed collector who offers a solid waste collection service to residential properties within the Town of Simsbury must also offer an acceptable concurrent curbside recycling service to all residential customers.

§ 133-7. Revocation or suspension of license or registration.

- A. A license to engage in the business of a collector in this municipality ~~and to use the facility provided by this municipality in connection therewith~~ is a privilege, not a right. Failure to comply with the provisions of this chapter shall be grounds for revocation or suspension of any license or registration issued under the provisions of this chapter in addition to any other penalty imposable by law.
- B. Notice required. A revocation or suspension shall become effective five calendar days after issuance of a written notice by the Director.
- C. Request for review; filing; effect of failure to file. If a collector objects to the Director's action described in Subsection B above to revoke or suspend such collector's license or registration, he may, within the five calendar days of issuance of said notice, file a written request for review with the Town Manager at which review the collector may present evidence to attempt to demonstrate that he has not violated this article or that the penalty for the violation should be mitigated for good cause. Failure to file such timely request for review shall make the Director's action final and binding upon such collector. **[Amended 7-12-2021]**
- ~~D. Refusal of permission to use the facility. Notwithstanding anything to the contrary herein, the Director shall have the emergency power to refuse permission to a collector to use the facility when, in the Director's reasonable opinion, such collector has violated this chapter or any other applicable rule or regulation in such a manner as to cause an unreasonable risk to the health, safety and welfare of the citizens of this municipality and/or those personnel working at the facility, which~~

~~decision shall be reviewable in the manner described in Subsection C hereof, provided that the collector will be given the opportunity for review by the First Selectman within two business days of the Director's action upon a written request for such review by the collector.~~

§ 133-8. Administration; insurance requirements. [Amended 9-11-2017]

- A. The Director shall administer the licensing of any collector engaged in the collecting and transporting of refuse and recyclables in this municipality.

§ 133-9. Refuse collector's responsibilities and obligations. [Amended 9-11-2017]

- A. Place of delivery. Each collector shall deliver all acceptable solid waste collected within the territorial limits of this municipality to ~~the MIRA facility~~ **an appropriate licensed facility** and pay the disposal charge to the facility. In no case shall a collector deliver any hazardous waste, oversized bulky waste or special handling waste to the facility.
- B. Failure to pay. A failure to pay charges of the ~~MIRA~~ **appropriate licensed facility** shall be grounds for revocation or suspension of a license and registration.
- C. Prohibition on delivery. No licensee shall deliver any acceptable solid waste generated within this municipality to any place other than ~~the~~ **an appropriate licensed facility**, unless the facility is incapable of accepting acceptable solid waste at the time of delivery, in which event such acceptable solid waste shall be delivered to the place designated by ~~MIRA~~ **or** the Director. No collector may, under the license issued hereunder, deliver to the facility any refuse, including, without limitation, acceptable solid waste generated and/or collected outside the territorial limits of this municipality.
- D. Construction and maintenance of vehicles and containers. All vehicles used to collect and transport refuse shall be of a construction which will prevent liquid leaking out of the unit and shall be maintained free of obnoxious odors and accumulated refuse. All vehicles or container systems shall be equipped to meet ~~MIRA~~ requirements.
- E. Time of operation. Collectors may deposit acceptable solid waste at the facility only at times and on days as designated in ~~MIRA's~~ regulations.
- F. Spilled refuse. Collectors shall clean up immediately any refuse that may have been spilled when carrying or transferring refuse or when disposing of such refuse at the facility.

§ 133-10. Only acceptable solid waste to be delivered to facility.

No person shall deliver any refuse other than acceptable solid waste to ~~the~~ **an appropriate licensed facility**.

§ 133-11. Penalties for offenses.

- A. Pursuant to Connecticut General Statutes Section 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 such disposal by this article 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 article, and any other person or entity who violates this article, shall be liable for a civil 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.

Article II

Storage, Collection and Disposal of Recyclable Materials

§ 133-12 *Declaration of policy.*

[Amended 8-12-2013]

The accumulation, collection, removal, processing and sale of certain recyclable materials designated as such by the Connecticut Commissioner of Energy and Environmental Protection shall be controlled by this municipality for the protection of the public health, safety and welfare. It is consequently found and declared that:

- A. The Town of Simsbury ("the Town") is authorized by law to regulate the disposition of recyclable materials generated within its boundaries.
- B. The Town is also authorized by Connecticut General Statutes Section 22a-220a to designate the area where certain recyclable materials generated from residential properties within its boundaries shall be taken for processing and sale.
- C. The Town adopted an ordinance requiring all residential acceptable recyclable materials generated within its boundaries to be processed in accordance with that ordinance.
- D. The public health, safety and welfare of the Town will be best served by requiring that:
 - (1) Each person who generates solid waste from residential property within the Town separate from other solid waste the items designated for recycling by the Connecticut Commissioner of Environmental Protection pursuant to Subsection (a) of Section 22a-241 b of the Connecticut General Statutes; and
 - (2) Every other person who generates solid waste within the Town make provisions for the separation from other solid waste of the items so designated for recycling.

§ 133-13 *Definitions.*

[Amended 8-12-2013; 9-11-2017]

The following terms shall have the following meanings:

ACCEPTABLE RECYCLABLE MATERIALS

As set forth in the Town-approved recycling program, and as designated by the Connecticut Commissioner of Energy and Environmental Protection.

COLLECTOR

Any person who holds himself out to collect refuse or solid waste from residential, commercial or other establishments and is registered by the Town of Simsbury for this purpose.

DIRECTOR

The Director of Public Works of the Town.

ITEMS DESIGNATED FOR RECYCLING

- A. Those items of solid waste designated from time to time for recycling by the Connecticut Commissioner of Energy and Environmental Protection pursuant to Subsection (a) of Section 22a-241b of the Connecticut General Statutes, and plastic food and beverage containers, glass food and beverage containers and metal food and beverage containers, and such items as are required to be recycled by the Regulations of Connecticut State Agencies. By regulation published in the Connecticut Law Journal on March 28, 1989, as Section 22a-241b-2 of the Regulations of Connecticut State Agencies, the Commissioner of Environmental Protection designated, as of that time, the following items required to be recycled:
- (1) Corrugated cardboard.
 - (2) Glass food and beverage containers.
 - (3) Leaves.
 - (4) Metal food and beverage containers.
 - (5) Newspapers.
 - (6) Office paper.
 - (7) Scrap metal.
 - (8) Storage batteries.
 - (9) Waste oil.
- B. The term "items designated for recycling" herein shall include, without further action by the Town, any and all legally adopted additions made by the Commissioner of Environmental Protection to any designation of items for recycling made pursuant to said Section 22a-241b of the General Statutes.

~~**MATERIALS INNOVATION AND RECYCLING AUTHORITY (MIRA)**~~

~~A body politic and corporation constituting a public instrumentality and political subdivision of the State of Connecticut established under the Connecticut Solid Waste Management Services Act, Chapter 446e of the Connecticut General Statutes.~~

PERSON

Any individual, partnership, firm, association, corporation or other entity.

RESIDENTIAL DWELLING UNIT

A residential property building or a part of such a building designated for occupancy, and so occupied, by one or part of one family.

RESIDENTIAL PROPERTY

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

§ 133-14 Recycling required.

[Amended 8-12-2013]

Each person who generates solid waste from residential property within the boundaries of the Town shall separate from other solid waste the items designated for recycling, and every other person who generates solid waste within the boundaries of this municipality shall make provision for the separation from other solid waste of the items designated for recycling.

§ 133-15 Collection of certain items designated for recycling.

[Amended 8-12-2013]

The property owner shall provide for curbside collection from residential property of certain of the items designated for recycling generated from residential property located within its boundaries as follows:

- A. Glass food and beverage containers.
- B. Metal food and beverage containers.
- C. Plastic food and beverage containers.
- D. Newspapers and acceptable paper products.
- E. Corrugated cardboard.
- F. Other items designated for recycling and accepted by the Collector.

§ 133-16 Placement of recyclables for curbside collection.

[Amended 8-12-2013; 9-11-2017]

- A. Recyclable items to be collected pursuant to this section shall be placed in the recycling container as prescribed by the collector. No nonrecyclable materials shall be placed in any recycling container.
- B. On the applicable scheduled collection day, owners or occupants of residential dwelling units shall place their recycling containers for collection at curbside in the manner designated by their collector.
- C. In lieu of the residential property owners engaging the services of a curbside collector, they may also dispose of the above-listed designated recyclables at the Simsbury Bulky

Waste and Recycling Center.

§ 133-17 Other items designated for recycling from residential property.

[Amended 8-12-2013]

To the extent that the Collector does not provide for regular collection of the following items for recycling, persons who generate any such items designated for recycling from residential property within the boundaries of this municipality may bring such items (leaves, tires, office paper, scrap metal, electronics, storage batteries and waste oil), separated from each other and from other solid waste, to the Simsbury Bulky Waste and Recycling Center during its posted hours of operation; provided, however, that any such person who brings such items to the Recycling Center shall pay such applicable fee as is set forth in this article.

§ 133-18 Designation of disposal area; donation or sale of recyclables.

[Amended 8-12-2013]

- A. Pursuant to Section 22a-220a of the Connecticut General Statutes, the Board of Selectmen hereby designates the Simsbury Bulky Waste and Recycling Center as the place where items designated for recycling generated from residential property within its boundaries shall be taken by Town residents and/or entities located in Simsbury if not collected by a Collector pursuant to § 133-19 below of this article.
- B. Notwithstanding any other provisions of this article to the contrary, nothing contained in this article shall be deemed to prohibit any person from giving or selling items designated for recycling (including, without limitation, deposit beverage containers) generated by them directly to another person for lawful sale or processing of recyclables, whether for profit, not for profit or charitable purposes, provided that any such items designated for recycling shall not have previously been:
 - (1) Set out for collection pursuant to § 133-16 of this article; or
 - (2) Delivered to the Recycling Center.

§ 133-19 Collectors.

[Amended 8-12-2013; 9-11-2017]

- A. Collectors, as defined in this article, shall only operate in the Town under a registration for the collection of recyclables with the Town. Recycling collectors shall meet the same requirements as trash collectors as defined in § 133-6.
- B. All collectors operating within the boundaries of this municipality registered by the Town of Simsbury as set forth in Subsection A above shall:
 - (1) Be prohibited from knowingly mixing other solid waste with items designated for recycling.
 - ~~(2) Take all items designated for recycling generated and collected from residential property within the boundaries of this municipality, separated from other solid waste, for processing or sale, to MIRA for recycling.~~

- (3) Notify the Director of:
 - (a) The identity of any person from whom such Collector collects solid waste that the collector has reason to believe has discarded items designated for recycling in violation of this article or Section 22a-241b of the Connecticut General Statutes; and
 - (b) The grounds for such belief.
- (4) Upon the request of the Town, provide a warning notice, by such reasonable means and within such reasonable time as directed by the Director, to any person suspected by the collector or the Town of violating the separation requirements with respect to items designated for recycling.
- (5) Upon the request of this municipality, assist this municipality in identifying any person responsible for creating loads of solid waste containing significant quantities of items designated for recycling mixed with other solid waste.
- C. Items designated for recycling generated by nonresidential properties are not required to be delivered by collectors to a materials recovery facility, but may be marketed or disposed of privately as long as the recipient of the recyclables is a legal disposal facility.
- D. In compliance with Section 22a-208e of the Connecticut General Statutes, owners or operators of resource recovery facilities and recycling facilities must furnish the Town a copy of all information pertaining to the municipality on a quarterly basis, including recycled quantities, in an itemized breakdown form acceptable to the Director.

§ 133-20 Disposal charges.

[Amended 8-12-2013]

Any person delivering items of recyclable material to a materials recovery facility pursuant to § 133-19 of this article shall pay any disposal charge called for by the materials recovery facility.

§ 133-21 Ownership of items designated for recycling; prohibition against scavenging.

[Amended 8-12-2013]

Upon the placement of items designated for recycling generated from residential property into a recycling container provided by the Collector, such items designated for recycling shall become the property of the permitted hauler once collected from curbside municipality, and it shall be prohibited for any person, other than the person who placed such items in the container and authorized agents of the municipality acting in the course of their employment, to collect, pick up or remove from the containers, or cause to be collected, picked up or removed from the containers any such items designated for recycling. It shall be also prohibited for any person, other than authorized agents of this municipality acting in the course of their employment, to collect, pick up or remove from the recycling center any items designated for recycling that have been delivered to the recycling center.

§ 133-22 Mixing of recyclables with other solid waste prohibited.

[Amended 8-12-2013]

It shall be prohibited for any Collector knowingly to mix any items designated for recycling with other solid waste generated within the boundaries of this municipality. It shall be prohibited for any Collector knowingly to deliver to a Materials Recovery Facility any items designated for recycling mixed with other solid waste.

§ 133-23 Simsbury Bulky Waste and Recycling Center.

[Amended 9-11-2017]

- A. The Center, located on property owned by the Town of Simsbury on the easterly side of Wolcott Road, shall be designated as the "Town of Simsbury Bulky Waste and Recycling Center," hereinafter referred to as the "Center."
- B. The Center shall be used for the disposal of bulky wastes, grass clippings, brush and tree trimmings, white goods, scrap metal and scrap tires, designated recyclable materials and other items deemed appropriate for disposal at the Center.
- C. Use of the Center shall be limited to:
 - (1) Residents of the Town of Simsbury;
 - (2) Business, commercial, industrial and institutional entities located in the Town of Simsbury; and
 - (3) Persons or entities engaged in the handling of disposal materials, but only to the extent that the materials to be disposed of were generated within the Town of Simsbury.
- D. The Department of Public Works or the contracted facility operator under the authority of the Director is hereby empowered to issue user permits in accordance with this article. No disposal of matter shall be made at the Center unless the person or entity so disposing has been issued a valid user permit.
- E. Each resident and owner or manager of business, commercial, industrial or institutional entities and multifamily dwelling units located in Simsbury shall be responsible for disposing in a legally permitted manner any matter that cannot be disposed of at the center.
- F. The Town of Simsbury reserves the right to refuse access to the Center to any resident, entity or commercial collector when it appears that the proposed user is violating this article.

§ 133-24 Access to dropoff recycling facility.

[Amended 9-11-2017]

- A. Acceptable materials.
 - (1) The following recyclables and items designated for recycling, as outlined in § 133-15, separated according to item, may be brought to the Center located on Wolcott Road in

Simsbury, in quantities not greater than normally generated by family households:

- (a) Office paper.
- (b) Waste oil.
- (c) Batteries.
- (d) Leaves.
- (e) Scrap metal and white goods.
- (2) Quantities generated by commercial entities greater than those normally generated by family households will not be accepted. This service is intended to serve the residential and small-office generator.
- B. Oversized bulky waste accepted shall be items such as demolition materials, yard waste, grass, wood, masonry, rock, furniture and carpets. No tree stumps, mixed solid waste, paint cans or hazardous waste shall be permitted.
- C. Small items that fit in a trash barrel, as well as paper and cardboard boxes that are wet or contaminated, shall not be accepted. They should be disposed of with garbage.
- D. Plastic bags shall be emptied at proper disposal areas based on contents and empty bags returned to the resident to be disposed of with garbage. No plastic bags containing anything being disposed of may be left at the Center.
- E. Paint shall be disposed of at the facility in accordance with the Connecticut Paint Stewardship Plan as administered by CT DEEP.
- F. A compost area is established at the Center for dropoff of leaves by individual residents. Once each fall, the Town of Simsbury shall collect curbside leaves in accordance with requirements and a schedule established by the Department of Public Works.

§ 133-25 Provisions governing the use of Bulky Waste and Recycling Center.

[Amended 9-11-2017]

- A. Effective November 1, 1988, the Center shall be open on Wednesday and Saturday from 8:00 a.m. to 3:00 p.m. and three Sundays in the spring and the fall. The Sunday openings shall be established by the Director of Public Works and properly publicized to private and commercial users. With a recommendation from the Director of Public Works, a number of days may be added or deleted at the discretion of the Chief Executive Officer of the Town of Simsbury.
- B. Personal vehicles registered to a resident of the Town of Simsbury shall require permits for use of the Center. Permits may be obtained at the facility during normal business hours upon proper proof of residency and presentation of vehicle registration.
- C. Each permittee shall display its vehicle permit decal on the driver's side of its windshield or window.
- D. Upon entering the Center, each permittee shall stop at the attendant's booth for

inspection and instructions prior to depositing any items or materials at the Center and make payment of any fees that may be due.

- E. Any vehicle seeking access to the Center shall have its contents secured in such a manner as to ensure that no materials shall blow from or fall off the vehicle while it is transporting items to the Center.
- F. Disposal of trash and recyclables other than by the approved methods may be subject to a penalty as defined in § **133-27**.
- G. The only activity that shall be conducted within the Center is the disposal of matter identified in this article, as the same may be amended from time to time, or the conduct of official business by or with Center personnel. No person shall enter or remain on the premises of the Center for the purposes of conducting, or shall conduct, any other activity upon the premises of the Center, except that all persons may enter upon the premises of the Center for petitioning and free speech or other activities within the area designated by the Board of Selectmen at its meeting of May 18, 1992.

§ 133-26 Fees.

[Amended 4-26-1999]

Fees shall be charged for vehicle classes and materials to be disposed of, as may be established from time to time by the Board of Selectmen.

§ 133-27 Penalties for offenses.

[Amended 8-12-2013]

- A. Pursuant to Connecticut General Statutes Section 22a-220a(f), any Collector who knowingly mixes other solid waste with items designated for recycling in violation of § **133-13** of this article shall, for a first violation, be liable for a civil penalty of \$1,000 and \$5,000 for a subsequent violation.
- B. Pursuant to Section 2 of Connecticut Public Act No. 90-249, any commercial establishment that fails to make provision for the separation from other solid waste of the items designated for recycling in violation of § **133-14** of this article shall be liable for a civil penalty of \$500 for each violation.
- C. Any collector or commercial establishment that otherwise violates this article and any other person who violates this article shall be liable for a penalty of \$100 for each violation.
- D. The imposition of the monetary penalties set forth herein shall not preclude the municipality from seeking any other remedy, including but not limited to money damages and injunctive relief, as may be allowed by law.