

## **TOWN OF LITCHFIELD, CONNECTICUT**

### **PUBLIC WORKS DEPARTMENT**

#### **RECYCLING CENTER RULES AND REGULATIONS**

These rules and regulations for the operation of the Town of Litchfield's Recycling Center are adopted by the Board of Selectmen, pursuant to General Statutes §7-148(c)(4)(H), 7-148(c)(8), and Litchfield Code of Ordinances Chapter 12. The Recycling Center must following the General Permit sections 22a-208a (i)(l) NS 22a-454(e)(l) of the Connecticut General Statutes.

##### **1. PURPOSE AND USE**

The Litchfield Recycling Center was established to provide the Town of Litchfield residents an area of collection and transporting items that can be recycled in order to reduce the items being thrown away in the waste stream or garbage stream known as Municipal Solid Waste (MSW).

The Litchfield Recycling Center is funded by and under the direction of the Litchfield Public Works Department. It was established to accept certain types of recyclable waste generated in the Town of Litchfield by the residents of the Town of Litchfield and small commercial users (examples: privately owned corporation, partnership, or sole proprietorship) with places of business in the Town of Litchfield. Pursuant to Litchfield Code of Ordinances § 12-46, the Board of Selectmen is hereby empowered to adopt from time to time rules and regulations governing the Litchfield Recycling Center including but not limited to categories and quantities of certain MWS and Recyclables delivered to the center. Such rules and regulation may relate to the residents, businesses, commercial or other establishments disposing therein and the items, packaging, and bundling of categories of certain materials to size including the reduction of the materials to prescribed sizes.

**LEGAL NOTICE:** Residents who use the Recycling Center should be aware of the potential to encounter a variety of waste materials that may impact a user and/or their vehicle. When entering the Recycling Center, all users assume the risk of any damage or injury to themselves, their passengers and/or their vehicles. Users of the Recycling Center agree to indemnify and hold harmless the Town of Litchfield, its agents, servants and employees, from and against all expenses, including but not limited to attorney's fees and court costs, for damages due to bodily injury, including death inflicted by any person or persons or damage to personal property, arising out of or in consequence of the use of the Recycling Center.

##### **2. HOURS OF OPERATION**

- a. The Recycling Center is open: Tuesday through Saturday, 7:00 a.m. to 3:00 p.m. and at such other times as may be determined by the Litchfield Public Works Department.  
NOTE: 2:45 p.m. is the latest arrival time for access before close of business.
- b. The Recycling Center is closed on certain holidays, which will be posted to the Town's website.

**3. GENERAL RULES GOVERNING USAGE OF THE RECYCLING CENTER**

- a. The Recycling Center is regulated by Connecticut's Department of Energy and Environmental Protection through the state's general permit for the operation of a municipal transfer station.
- b. The Recycling Center is designated for residents of the Town of Litchfield and small commercial users with places of business in the Town of Litchfield to dispose of acceptable materials generated within the boundaries of the Town of Litchfield as defined herein. This involves identifying materials and placing them into the appropriate area(s) for disposal. For purposes of these Regulations and Rules, the term "users" shall include residents of the Town of Litchfield and small commercial users (examples: privately owned corporation, partnership, or sole proprietorship) with physical places of business in the Town of Litchfield.
- c. The Recycling Center is staffed by an attendant that examines the materials being disposed of and to identify where these materials should be placed. Recycling Center users must follow the instructions of the attendant at all times, including providing the attendant and attendant's supervisor with adequate access to materials being presented for disposal and information responsive to the attendant and supervisor inquiries.
- d. The attendant has full authority to examine materials, ask questions about materials, and may, reject materials from being disposed of at the facility. The attendant shall have the discretion to determine whether such materials are appropriate for disposal at the Recycling Center. Such determinations are final.
- e. The Recycling Center utilizes signage to identify the appropriate disposal area for the various materials it accepts. Recycling Center users must obey all signage.
- f. Users delivering materials to the facility must be capable and equipped to offload these materials into the appropriate areas as directed by the attendant. Users of the facility must be capable of unloading the materials that they are bringing to the facility. The facility and its staff are not equipped to provide additional labor or equipment to assist in the unloading of materials. Users may not employ any type of dumping vehicle for demo or heavy equipment for unloading materials in the facility. Under no circumstances shall these Regulations create any express or implied duty, whatsoever, on the part of any facility staff member to assist users in unloading materials.

**4. MATERIALS ACCEPTED AT THE RECYCLING CENTER FROM TOWN OF LITCHFIELD RESIDENTS ONLY**

**Note: Scavenging and removal of materials from the Recycling Center is strictly prohibited and may result in criminal prosecution.**

- A. The following materials may be disposed by users at the facility:

1. Oversized Household/Bulky Waste. (Rugs, chairs, couches, etc..)
2. Construction and Demolition Debris.
3. Brush and Organic Yard Wastes including Wood Chips.
4. Recyclables as identified in Section 5.

B. The following materials shall not be disposed by users in the Town of Litchfield's Recycling Center:

1. Refuse or Waste of any kind generated and/or originating at any property other than the property in which the resident resides within the Town of Litchfield, or generated and/or originating at a place of business outside the Town of Litchfield.
2. Dangerous materials or substances defined herein as, but not limited to poisons, acids, and caustics, infected materials including medical wastes, explosives, radioactive materials or any waste deemed hazardous by the State of Connecticut Department of Energy and Environmental Protection or the Federal Environmental Protection Agency.
3. Motor vehicle bodies and chassis.
4. Materials of any kind containing hot live coals.
5. Animal remains.
6. All other materials, the disposal of which are not or will not be in accordance with these rules and regulations

## 5. **DISPOSAL OF RECYCLABLE MATERIALS *FREE OF CHARGE***

A. All Recycling Center users shall separate recyclable materials in any of the roll off dumpsters that accept the wastes identified herein for disposal.

B. For the purpose of these rules and regulations "Recyclable Materials" shall be defined as follows:

1. Any material designated by the State of Connecticut, Department of Energy and Environmental Protection, or by the Director of Public Works of the Town of Litchfield, as to be separated from the solid waste stream for reuse, sale, or any other alternative means.
2. "Recyclable Materials" mean at this time, and as amended from time

to time by the State of Connecticut Department of Energy and Environmental Protection:

- a. Newspapers, magazines and catalogs, which shall also include all inserts within any newspaper and magazine, soft covered books, hard cover books.
- b. Corrugated cardboard and fiberboard/paperboard, boxboard containers (such as cereal boxes - without liner bag, food boxes, shoe and gift boxes, etc.) Toilet paper or Paper towel type rolls. (Remove cellophane windows)
- c. Office Paper/Computer Paper/Junk Mail Junk mail includes all loose bulk mail received through the mail consisting of paper, including paper envelopes (remove cellophane windows), flyers, office paper, computer paper, coupons, brochures, magazines, catalogs, stationery and bills. NO shredded paper.
- d. Telephone Books.
- e. Milk cartons, juice cartons, juice boxes (remove caps and straws) and other aseptic packaging.
- f. Plastic food, beverage and household containers, #1 through #7, with the exception of Styrofoam materials. Large plastic toys, laundry baskets, containers, coolers, and buckets. NO Black plastics.
- g. Glass food, beverage and household containers. Cleaned and Rinsed.
- h. Steel/Metal food, beverage and household containers. Cleaned and Rinsed.
- i. Tin and aluminum cans and clean foils. Cleaned and Rinsed.
- J. Non Hazardous empty metal aerosol cans.
- k. Motor oil/Motor Oil Filters. Residents should place sealed containers of Motor oil (in motor oil containers) or Oil filters next to the oil disposal area. NO gasoline is allowed.
- l. Antifreeze – sealed antifreeze containers should be left next to the antifreeze disposal area. NO gasoline is allowed.
- m. Printer cartridges – Any laser or ink jet print cartridges.

- n. Scrap Metal – Appliances (without Freon), metal piping, lawn mowers (gas tanks removed), steel bathtubs, metal frames, etc.
- o. Electronic Waste, including, but not limited to Televisions, Computers, Computer Monitors and Printers.
- p. Leaves and Grass – **must be emptied if in bags**. This material is composted and free to residents each spring.
- q. Automotive batteries- Car, boat, tractor led/acid batteries. (All batteries must have caps in place.
- r. Book Exchange: Books in good condition and appropriate material can be exchanged or dropped off. Residents are free to take books also.
- s. Cell phones of all types including cell phone accessories.
- t. Clothing and textiles – Clean used clothing, handbags, shoes, boots, blankets and curtains.
- u. Household Batteries – Rechargeable batteries or nickel cadmium batteries, alkaline batteries and button (disc shaped) batteries. These can also be returned to the place of purchase. All dry cell batteries can go into your household trash.
- v. Mattresses and box springs. Must be clean and dry.
- w. Eye Glasses – Receptacles are available for eye glasses which are donated.
- x. Fluorescent Lamps and Ballasts – All types of fluorescent lamps and ballasts.
- y. Wood Chips: Clean wood chips. **Must be emptied if in bags**.

C. For all other Recyclable Materials, the Recycling Center staff will direct residents as where to place the items for proper recycling.

D. Swap Shop – Leave items in good condition and working order and perhaps pick up something useful while you are there. Recycling Center staff shall determine what is allowed to be left free of charge. NOTE: Swap Shop will be open as directed by the Recycling Center Staff and/or the Public Works Director. All users who take items from the Swap Shop hereby agree to indemnify and hold harmless the Town of Litchfield, its agents, and its employees for any injury or damage to property caused by items taken from the swap shop. All users who take items from the Swap Shop acknowledge that such items carry no express or implied warranty for any purpose, whether general or specific, from the Town of Litchfield and assume the risk of using such items.

6. **DISPOSAL OF NON RECYCLABLE MATERIALS FOR A FEE OR CHARGE**

- A. The Recycling Center offers disposal of items that can be recycled, reused, or processed.
- B. The Recycling Center does NOT accept cash at any time. Accepted forms of payment are Checks, Credit Cards, or Debit cards. The Town of Litchfield reserves the right to assess a returned check fee equal to the fee charged by the town's depository bank against any person who offers as payment a check which is subsequently returned as unpayable for any reason by the Town's bank. The Town of Litchfield reserves the right to refuse checks from any individual where there is any doubt as to the proper identity of the payer, or validity of payment on such checks.
- C. All disposal of items must be paid for at the time of entry and for each visit. **NO** running tabs will be allowed.
- D. All users of the Recycling Center shall be limited to a daily maximum of **TWO** trips per day and **a maximum of 3 yards per trip. NO EXCEPTIONS. NO** dump trailers allowed. If the roll off units are full, the Recycling Center Staff has the right to refuse dumping of those materials until such time the units have sufficient room.

The following are accepted for a FEE or Charge. All fees are subject to change and at the sole discretion of the Recycling Center attendants.

- 1. Appliance with Freon: \$20.00 per unit  
Air conditioners, Refrigerators, Water coolers, Dehumidifiers, Freezers
- 2. Brush: \$25.00 per cubic yard  
Small Limbs and trees – Up to 3 inches in diameter  
Free of stain, paint or other contaminants, yard clippings, or stumps
- 3. Demolition Material: \$25.00 per cubic yard  
Scrap Wood, Sheetrock, Shingles, Insulation, Wood Pallets, etc.  
Asphalt shingles, sheetrock, stacked wood etc. are subject to higher rates.
- 4. Non Processible Items: \$15.00 per item  
Furniture, Rugs, Bathroom Fixtures, etc.
- 5. Propane Tanks:  
20 lbs. or smaller \$ 5.00 per unit  
Over 20 lbs. \$25.00 per unit
- 6. Tires:  
Passenger car tires, Bicycle Tires, Mower Tires up to 19”  
\$ 5.00 per tire  
Small Truck tires, Large Truck tires up to 24”  
\$ 20.00 per tire  
Off road/Construction Tires \$ 60.00 per tire

## 7. **RESIDENTIAL ACCESS TO THE RECYCLING CENTER**

### **A. Litchfield Residents**

The use of the Recycling Center is limited to Litchfield residents and small commercial users with a physical place of business in Litchfield only. The ownership of property in the Town of Litchfield is not in and of itself proof of Litchfield residency. For purposes of these rules and regulations, a Litchfield resident is defined as follows:

- A. An individual possessing a valid Connecticut driver's license showing a Litchfield residential address; or
- 2 An individual having documentation which confirms a Litchfield residential address, such as a lease or a utility bill and a government issued or other photo identification document confirming a Litchfield residential address; or
- 3 A seasonal Litchfield resident, which is an individual who has documentation verifying that there is a residential property tax bill for Litchfield property in their name together with either a Litchfield motor vehicle registration or a utility bill in their name indicating a Litchfield residential address.

### **B. Residential Use via a Contractor**

Any full-time or seasonal resident of the Town of Litchfield may access the Recycling Center during regular business hours. NOTE: 2:45 p.m. is the latest arrival time for access before close of business.

Residents using the Recycling Center may dispose of allowable materials as long as these materials originate from the residential property occupied by the residential user, and are consistent with those materials set forth herein.

Residents may utilize a rented or borrowed vehicle to deliver acceptable materials to the Recycling Center such as a U-Haul, Home Depot, Budget Trucks, as examples, as long as they can verify their Recycling Center Permit number; **Or** Residents can hire Contractors for activities such as landscaping, home repair, contracting, lawn care, property management. These contractors may deliver wastes generated by those type of business activities and allowed only with a copy of an active building permit presented each time at the time of disposal. If no building permit is required for such work, a contract or invoice showing type of work and residential address will be required.

Residents shall not be permitted to travel to the Recycling Center with a contractor and/or other person, and pay for disposal of acceptable materials on their behalf.

### C. Annual Recycling Center Permits

Users may obtain a Recycling Center Permit which entitles the individual to access the Recycling Center for one year, with that year being defined as the Town's fiscal year, from July 1<sup>st</sup> through the following June 30<sup>th</sup> regardless of when you obtain a Recycling Center Permit. Permits are free of charge.

For example, where a user acquires a Recycling Center Permit on September 15th, it is valid through the following June 30th.

In order to obtain or renew a Recycling Center permit, an individual must submit and demonstrate the following annually:

1. Ownership and occupation of residential property in the Town of Litchfield for which they are applying, AND
2. A valid Connecticut driver's license issued showing the same address as provided in paragraph 1 above, AND
3. A valid motor vehicle registration for the vehicle carrying the Recycling Center Permit, with such registration showing the same address as provided in paragraph 1 above. Such vehicle must not be used for business purposes when using the facility. Note: Only one Recycling Center Permit will be issued per Vehicle.
4. Recycling Center Permits will not be issued to any motor vehicle bearing the name of a business or registered in the name of a business or any motor vehicle having dealer plates, repair plates or transportation plates.
5. In lieu of being a property owner, a Litchfield resident who permanently and lawfully occupies, rents, or leases shall be eligible to obtain a Recycling Center Permit for his or her motor vehicle as long as conditions are met and the following apply:
  - a. The resident provides a lease signed by the property owner indicating the resident is a permanent occupant of the home.
  - b. Only one Recycling Center Permit may be issued per Vehicle.
  - c. The Town reserves the right, in its sole discretion, to determine whether a non-owner occupant of a residential property is in fact a permanent resident at a particular property.
6. Ownership and/or registration of a business at a residential address does not preclude the resident from obtaining a Recycling Center Permit for a non-commercial vehicle as long as the criteria of conditions are satisfied and Recycling Centers management determines that the type of business



does not relate to activities that would have a direct relationship to warrant frequent landfill disposal activity, i.e. landscaping, contracting, rental properties, etc.

7. Recycling Center Permits are not transferable between motor vehicles and must be permanently applied to vehicle through the sticker applied on the front windshield of the driver's side. If the vehicle that has a permit applied to it, is sold or scrapped, or otherwise transferred to another owner, the Recycling Center will issue a replacement permit on a one-for-one basis.

The Recycling Center Permit will be issued in the name of the individual shown on the driver's license, which name and address must match the name and address of the motor vehicle.

Residents using the Recycling Center with a Recycling Center Permit may dispose of allowable materials, so long as those materials originate from the residential property owned and occupied by the Recycling Center Permit holder, and are consistent with those materials set forth.

The Town reserves the right to monitor the use of the Recycling Center by Recycling Center Permit holders to determine whether an individual's use may be deemed excessive or not consistent with these rules and regulations. The Town may, at its sole discretion, suspend or revoke a Recycling Center Permit for the delivery of materials from any other location, other than the address on file with the application.

The Town reserves the right to reject an application for a permit, or suspend or revoke a permit if the applicant or permit holder is delinquent in the payment of any taxes or fees owed to the Town.

#### **D. Residential Usage on Behalf of Litchfield Residents**

1. The Town of Litchfield recognizes that there may be circumstances when family members or neighbors of certain residents, especially the elderly, may not be able to deliver materials to the Recycling Center due to a physical or medical hardship. Recycling Center staff has the authority to grant limited access to the Recycling Center on behalf of these residents under the following conditions:
  - a. The resident comes to the Recycling Center in person, provides proof of residency, and verifies what materials that are being delivered on their behalf, the person delivering the materials, the relationship to that person, and, that the materials are originating from their residence.
  - b. If it is impossible for the resident to appear in person at the Recycling Center office, the resident must submit a written request that provides proof of residency, and verifies what materials that are

being delivered on their behalf, the person delivering the materials and the relationship to that person, and that the materials are originating from their residence.

- c. The Recycling Center staff shall review the request for limited access to the Recycling Center and make a determination whether such limited access is granted.
  - d. If Recycling Center staff determines the request is warranted, it will issue a letter granting limited access to the designated individual. Such limited access will not exceed two weekends per calendar year, and in no cases, will access be granted to individuals and/or business entities that are providing paid services to the resident. All such access will be on a Per-Trip basis.
  - e. All grants of limited access are determined by the Recycling Center staff in accordance with these rules and regulations.
- 2 In the event that a Litchfield resident passes away and there is a need to deliver materials from the deceased resident's residential property, Recycling Center management may grant limited access to a person representing the deceased under the following conditions:
- a. A copy of the death certificate and either the deceased driver's license or identification card is presented by an immediate family member or a person authorized pursuant to a Probate Court decree (e.g., an estate executor/executrix, administrator, etc.).
  - b. Access will not exceed two weekends per calendar year, will be on a Per-Trip basis and in no cases, will access be granted to individuals and/or business entities that are providing paid services to the deceased resident.
  - c. All such grants of limited access are determined by the Recycling Center staff in accordance with these rules and regulations.

#### **E. Delivery of Residential Construction Materials**

Residents using the Recycling Center either on a Per-Trip basis or pursuant to a Recycling Center Permit for the disposal of significant quantities of construction materials being generated by the resident at the location of their residency shall, upon the request of the Recycling Center staff, in its sole discretion, be required to produce a copy of a building permit for qualified construction activities to be able to dispose of those materials at the Recycling Center.

Copies of the necessary building permits will be requested when the following construction activities are being conducted:

- a. Roof repair and replacement.
- b. Deck repair, replacement or demolition.
- c. House additions and new construction.
- d. Removal/demolition of any outbuildings, including sheds.

Any questions regarding the need for a building permit should be directed to the Building Department at 860-567-7567.

**8. MISCELLANEOUS**

- A. Children under the age of twelve (12) and all pets must remain in vehicles at all times or supervised and shall not be left unattended.
- B. There shall be no smoking in the Recycling Center Facility.
- C. There shall be no scavenging in the Recycling Center (other than the Swap Shop Area)
- D. All users shall be bound and agree to all of the provisions of these rules and regulations, including the payment of any fees or charges as set forth herein, shall access and utilize the Recycling Center areas in strict compliance with the instructions and directions of the Recycling Center staff and shall be subject to an action at law or in equity to enforce any of these provisions.

**9. RESIDENT PENALTIES FOR MISUSE OF THE RECYCLING CENTER**

The access to and use of the Recycling Center by residents is a privilege, not a right. The Recycling Center is strictly regulated by the State of Connecticut Department of Energy and Environmental Protection and the Town of Litchfield is subject to penalties if materials are disposed of at the Recycling Center are in violation of the Town's permit to operate.

If any user of the facility is deemed to have violated any of these rules and regulations, he or she will be subject to a denial of access to the Recycling Center, and/or fined in accordance with the following schedule:

- a. First time offender - will be warned and asked to immediately comply with these rules and regulations.
- b. Second time offender - shall have access or permit to the Recycling Center revoked for a period one year from the date of the offense.
- c. Third time offender - shall have access or permit to the Recycling Center revoked indefinitely.
- d. Any use of the Recycling Center by users outside the regular business hours

shall be subject to criminal prosecution at any time per Connecticut General Statutes § 53a-107

- e. Notwithstanding the progression of penalties listed in this section, any resident who at any time disposes of dangerous materials or substances as defined herein and shall be subject to a fine of two-hundred and fifty dollars (\$250.00) for each occurrence, without warning and if warranted, Civil Restitution.
- f. Where applicable, resident users of the Recycling Center are hereby warned that certain violations of these rules and regulations may result in criminal prosecution in addition to or separate from the penalties set forth in these rules and regulations.

## 11. **CONTRACTORS**

Contractors are allowed into the Recycling Center Facility ONLY when working for a resident as explained in section 7B.

- Contractors who do not live in the Town of Litchfield and do not work for a Litchfield Resident **cannot** use the Recycling Center Facility.
- Contractors who live in the Town of Litchfield and do work for a Litchfield Resident may use the Recycling Center Facility as long as he/she has an active building permit and adheres to the guideline herein.
- Contractors who live in the Town of Litchfield and would like to bring materials from another job located outside of the Town of Litchfield are **NOT ALLOWED** to use the Recycling Center Facility for that purpose. All guidelines must be adhered to herein.

## 12. **HAZARDOUS WASTE**

Hazardous waste is **NOT ACCEPTED** at the Recycling Center!  
Hazardous waste is collected twice a year under the direction of the NWCOG (Northwest Hills Council of Governments). Please visit the Town of Litchfield website to find out dates and times.

## 13. **MEDICAL WASTE**

At no time is medical waste, needles, bio-hazards or drugs accepted. Leaving them is a violation! See section 9.

