

# WASTE DISCHARGE ORDINANCE TOWN OF LAMOINE, MAINE

Section 1.	TITLE.....	1
Section 2.	AUTHORITY .....	1
Section 3.	PURPOSE.....	1
Section 4.	SCOPE .....	2
Section 5.	DEFINITIONS .....	2
Section 6.	CONFLICT .....	2
Section 7.	ENACTMENT .....	2
Section 8.	DISPOSAL AND DISCHARGE OF WASTE .....	2
Section 9.	PUBLIC HEARING.....	3
Section 10.	APPROVAL CRITERIA .....	3
Section 11.	VIOLATION.....	3
Section 12.	PENALTY .....	3
Section 13.	AMENDMENTS .....	3

Enacted: March 1982

## WASTE DISCHARGE ORDINANCE OF THE TOWN OF LAMOINE

### **Section 1. TITLE**

This Ordinance shall be known as the Waste Disposal Discharge Ordinance of the Town of Lamoine, Maine.

### **Section 2. AUTHORITY**

This Ordinance is adopted pursuant to the Home Rule power granted to all municipalities under the Constitution, Article VIII, Part 2, Section 1 and Title 30 MRSA, Chapter 201-A, Section 1917

### **Section 3. PURPOSE**

The purpose of this Ordinance is to protect the health, safety, and general community well-being and to protect the natural resources and beauty of the Town and its environs from the pollution accompanying the unregulated disposal and discharge of wastes.

## **Section 4. SCOPE**

This Ordinance shall apply to the disposal and discharge of solid, liquid, hazardous and all other forms of waste materials, as defined, within the Town of Lamoine.

## **Section 5. DEFINITIONS**

Waste - For the purposes of this Ordinance, waste shall mean waste as described by this section and yet will also cover other wastes not specifically described yet determined to be hazardous to the social or environmental well-being of the Town.

- A. Hazardous Waste - That which is designated such according to the United States Clean Water Act. Section 311, Public Law 92-500.
- B. Radioactive Waste - That which is designated such by title 38 MRSA, Section 261 - D.1.B.
- C. Sewage - That which is defined according to Maine law, Title 30, MRSA, Section 1901.
- D. Sludge - Shall be defined according to the standards set forth in the Solid Waste Management act of 1973 and Title 35 MRSA, Chapter 13-A.
- E. Solid Waste - Solid waste shall be defined as it is by the Solid Waste Management Act, Title 38, MRSA, Chapter 13.
- F. Septage - Septage shall be any and all wastes which comes from a septic tank.

## **Section 6. CONFLICT**

This Ordinance shall not supersede any State or Federal Law or regulation. In case of conflict, the more stringent provisions shall apply.

## **Section 7. ENACTMENT**

This Ordinance shall be enacted at either a regular or a special Town Meeting.

## **Section 8. DISPOSAL AND DISCHARGE OF WASTE**

No solid, liquid, hazardous or other form of waste shall be disposed of or discharged without the discharger or disposer first having received approval to do so from the Board of Selectmen.

**Section 9. PUBLIC HEARING**

The Board of Selectmen shall not grant any applicant the right to dispose and/or discharge wastes without first holding a public hearing on the application.

**Section 10. APPROVAL CRITERIA**

Approval shall not be granted by the Selectmen unless the applicant can prove that no adverse social or environmental impacts will be associated with the disposal or discharge operation. No operation shall be approved by the Selectmen unless an operation plan has been prepared by the applicant.

**Section 11. VIOLATION**

Any person or other legal entity found to be discharging or disposing wastes within the Town without approval by the Selectmen shall be deemed to be in violation of this Ordinance. All approved disposal and discharge operations not operating in compliance with an approved operations plan shall be deemed to be in violation of this Ordinance.

**Section 12. PENALTY**

Any person or other legal entity found to be in violation of this Ordinance shall be subject to a fine of not more than one thousand dollars (\$1,000.00) and not less than two hundred fifty dollars (\$250.00) for each offense. Each day in which a violation occurs shall constitute a separate offense.

**Section 13. AMENDMENTS**

This Ordinance may be amended by the legislative body of the Town at a special or regular Town Meeting.

- (s) Francis S. Karst
- (s) Martin S. Bisson
- (s) Richard K. Harding

Selectmen of Lamoine  
December 30, 1981

**Attest: A true copy**  
**Marion J. McDevitt, Clerk**