

NOTICE OF SPECIAL TOWN MEETING
TOWN OF SHARON
MARCH 23, 2018

A Special Town Meeting of the electors and citizens qualified to vote in Town Meetings of the Town of Sharon, Connecticut, will be held at the Sharon Town Hall, 63 Main Street, Sharon, Connecticut, on March 23, 2018 at 7:00 p.m. for the following purposes:

1. To determine what action the Town will take with respect to the following Ordinances:

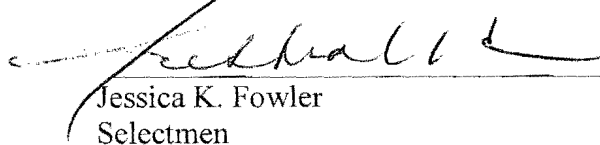
1. To amend A12 – Civil Preparedness
2. To repeal A2 – Hawkers and Peddlers
3. To repeal E2 – Constables
4. To amend A18 – Board of Assessment Appeals
5. To amend A3 – Use of Town Property
6. To amend B6 – Recycling Ordinance
7. To amend A3 – Motor Boats
8. To increase all fines to \$250

2. To determine what action the Town will take in respect to accepting of the financial report for the Town ending June 30, 2017.

Dated at Sharon, Connecticut, this 14th day of March 2018.


Brent M. Colley


Dale Jones


Jessica K. Fowler
Selectmen

To appear in: Lakeville Journal : March 15

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SHARON TOWN CLERK

To amend A12 – Civil Preparedness. This ordinance shall be amended to provide as follows:

An organization for civil preparedness for the Town of Sharon is established and the local Emergency Planning Committee shall be designated the Civil Preparedness Agency for the town. The Civil Preparedness Coordinator of the local Emergency Planning Committee shall be appointed by the Chief Executive Officer of the town pursuant to Section 28-7 of the Connecticut General Statutes. Said local Emergency Planning Committee and its Civil Preparedness Coordinator shall have all the powers and duties set forth in Chapter 517 of the General Statutes for local organizations for civil preparedness.

A2 – Hawkers & Peddlers.

This ordinance shall be repealed.

E2 – Constables

This ordinance shall be repealed.

A18 – Board of Assessment Appeals: This ordinance shall be amended to provide as follows:

“1. The town meeting may appoint up to six additional members to the Board of Assessment Appeals for any assessment year or for any revaluation year. The term of such additional members shall be for the length of the assessment year, or for the revaluation year and appeal period for which they were appointed. Each additional member shall be an elector of the Town of Sharon. Each additional member shall have all the powers and duties of a member of the Board of Assessment Appeals.

2. The Board of Selectmen may appoint an alternate for each member of the Board of Assessment Appeals. Each alternate member shall be an elector of the Town of Sharon. When seated, an alternate member shall have all the powers and duties of a member of the Board of Assessment Appeals.”

A3 – Use of Town Property: The attachment has use of town property. This ordinance is amended as follows:

“No person, firm or corporation shall place, construct or erect any device or structure on property or any right-of-way belonging to the Town of Sharon unless plans for the same have been submitted to and approved by both the Sharon Board of Selectmen and the Sharon Planning and Zoning Commission. Legal notice of any pending application must be provided by the applicant to all adjoining property owners within 500 feet in any given direction of the proposed placing, constructing, or erecting. Such notice shall be given by certified mail, return receipt requested. All green cards in connection with such notice must be submitted before the application may be considered. Anyone who violates any provision of this ordinance shall be fined \$250 for each occurrence and \$250 a day for continuing violation.”

TOWN OF SHARON RECYCLING ORDINANCE

PURPOSE

There is hereby established a program for the mandatory separation of recyclables from garbage or rubbish within the Town of Sharon, CT to comply with CGS 22a-220a and its subsequent regulations mandating recycling, thereby providing for the health and welfare of the citizens of the Town of Sharon, CT.

DEFINITIONS

As use in this ordinance, the following terms shall have the meanings herein defined:

Board: The board of Selectmen of Sharon, CT, or a majority thereof.

Cardboard: Corrugated boxes and similar material and craft paper materials which are unwaxed and have a minimum of contamination by food or other material.

Collector: Any person who holds himself/herself out for hire to collect recyclables and solid waste from residential, commercial, industrial, or other sources.

Dry Cell Battery: Any device used in generating electric current through a chemical reaction including, but not limited to, nickel-cadmium batteries, carbon batteries, and alkaline batteries.

Glass Food containers: A glass bottle or jar of any size or shape used to package food or beverage product suitable for human or animal consumption with a minimum of contamination by food or other materials.

H.D.P.E. Container: Any high-density polyethylene bottle or container of any size or shape used to store food, household laundry detergent, or other non-hazardous or toxic materials.

IPC: Intermediate processing center which receives, processes, and markets recyclables.

Leaves: the foliage of trees.

Mandated Recyclables: Those recyclables which have been designated by the Board or by the Department of Energy and Environmental Protection (DEEP) to be recycled within the municipality.

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7

Those items currently designated as mandated including but not limited to the following:

- | | |
|-----------------|------------------------------|
| (1) Cardboard | (2) Glass Food Containers |
| (3) Leaves | (4) Metal Food Containers |
| (5) Newspapers | (6) Paper |
| (7) Scrap Metal | (8) Storage Batteries |
| (9) Waste Oil | (10) Scrap Tires |
| (11) Magazines | (12) Plastic Food Containers |
| (13) Box board | |

Metal Food Containers: An aluminum, bi-metal, tin plated steel, or other metallic can, plate, or tray of any size used to package food for human or animal consumption which has a minimum of contamination by food or other materials.

Municipality: The Town of Sharon, CT.

Municipal Recycling Agent: The person designated by the Board to administer the notice and enforcement provisions of this ordinance.

Newspaper: Used or discarded newsprint (newspaper advertisements, supplements, comics, and newsprint-type enclosures) which has a minimum of contamination by food or other material.

Paper: Any used or discarded high grade paper, including, but not limited to, paper used for file folders, tab cards, writing, typing, printing, computer printing, and photo-copying, which is suitable for recycling and which has a minimum of contamination.

Person: Any individual, corporation, partnership, association, or their entity organization, either public or private, of any kind.

Recycle: To separate or divert an item or items from the Solid Waste stream for the purposes of processing it, causing it to be processed, or storing it for later processing into a material product, including the production of compost, in order to provide for disposition of the item or items in a manner, other than incineration or landfilling, which will best protect the environment.

Recycling Container: Any container designated by the Board for use as a residential recycling container for the storage and collection of recyclables.

Recycling Center: The municipality's recycling drop-off facility, area, or areas as designated by the Board.

Residential Property: Real estate containing one or more dwelling units, but shall not include hospitals, motels, hotels, or nursing homes.

Scrap Metal: Used or discarded items which consist predominantly of ferrous metals, aluminum, brass, lead, chromium, iron, nickel, or alloys thereof including, but not limited to, white goods and metal food containers.

Scrap Tires: discarded rubber or synthetic rubber tires used by or manufactured for vehicles including, but not limited to, automobiles, trucks, buses, tractors, and trailers.

Storage Battery: Lead acid batteries or other batteries used in motor vehicles such as automobiles, airplanes, boats, recreational vehicles, tractors, and like applications.

User Fees: (Note you may want to define various fees)

Waste Oil: Crankcase oil that has been utilized in internal combustion engines.

SEPARATION AND COLLECTION

Separation: on or after January 1, 1991, (1) each person who generates solid waste from residential property within the municipality shall separate from other solid waste those items designated as mandatory recyclables and (2) every other person who generates solid waste shall make provisions for the separation from other solid waste of those items designated as mandatory recyclables. (See Section: 22a-241b, Subsection 2 (c) and (d))

Multi-Family Collection: It shall be the responsibility of the person having custody and control of multi-family residential dwelling units to educate the tenants to the need and techniques of recycling, and designate an area for the collection of such recyclables.

Other Residential Collection: All residents who are not served by a collector shall arrange to dispose of their recyclables at the Salisbury/Sharon Transfer Station.

Other Residential Recyclables: All other mandatory recyclables generated from residential properties shall be delivered to the Salisbury/Sharon Transfer Station.

Recyclables from Outside the Municipality: The dumping or disposal of recyclables at any location as designated by the Board from a source outside of the municipality shall be prohibited, unless previously approved by the Board

AUTHORITY AND POWERS

The municipality is authorized to, by CGS – 22a-220a and shall, through its Board of Selectmen, designate where the following items generated from residential properties shall be taken for processing or sale: (1) cardboard, (2) glass food and beverage containers, (3) leaves, (4) metal food and beverage containers, (5) newspapers, (6) storage batteries, (7) waste oil, (8) plastic food and beverage containers. The processing or sale of such items at any other area shall be prohibited.

Inserts are from the statutes cited. The town attorney may want to summarize and eliminate any redundancy.

Insert #1: (a) The legislative body of a municipality may designate the area where solid waste generated within its boundaries by residential, business, commercial or other area is prohibited, except that a municipality may approve, in writing, disposal at another area either within or outside the boundaries of such municipality, prior to disposal a municipality may refuse to approve disposal at another area if such disposal would adversely affect its solid waste disposal program. The legislative body of a municipality may also designate where the following items generated within its boundaries from residential properties shall be taken for processing or sale: (1) cardboard, (2) glass and beverage containers, (3) leaves, (4) metal food and beverage containers, (5) newspapers, (6) storage batteries, (7) waste oil, and (8) plastic food and beverage containers. The processing or sale of such items at any other area shall be prohibited except that a municipality may approve, in writing, processing or sale elsewhere, either within or outside the boundaries of such municipality, prior to processing or sale. A municipality may refuse to approve processing or sales elsewhere if such processing or sale would adversely affect its recycling program. For purposes of sections 22a-208e, 22a-208f, 22a-220, this section, sections 22a-241b, 22a-241e, and subsection (c) of section 22a-241g, residential property means real estate containing one or more dwelling units but shall not include hospitals, motels or hotels.

(b) The Board of Selectmen shall give not less than a sixty (60) days' notice of its intent to designate a disposal area where these items from the residential properties shall be taken for processing or sale to all licensed collectors hauling solid waste or such items of the municipality. At the conclusion of such period, the Board shall cause notice of such designation to appear in a newspaper of general circulation in the municipality and shall conduct a public hearing thereon.

(c) Except as provided in subsection (a) of this section, recyclable material, including but not limited to, glass, metal, paper, corrugated paper or plastic may be removed or segregated at the source of generation or prior to disposal at the designated area and pre-segregated recyclable material may be transported directly to facilities which accept and process recyclable material

(d) (1) Any collector hauling solid waste generated by residential, business, commercial or other establishments, including, but not limited to, recyclables generated within the borders of a municipality, shall register annually in such municipality and disclose: (A) The name and address of the collector and the owner of such collection company; (B) The name of any other municipality in which such collector hauls such solid waste, including recyclables; (C) whether the hauling done by such collector is residential, commercial or other; (D) the types of waste hauled; (E) the anticipated location of any disposal facilities or end users receiving recyclable solid waste; and (F) and any additional information that such municipality requires to ensure the health and safety of its residents.

(2) On or before July 31, 2011, any such collector shall report to the municipality (A) the types of solid waste, including recyclables, as listed in subsection (c) of section 22a-208e generated within the borders of a municipality and collected by such collector, (B) the name, location and contact information for the first destination where such solid waste, including recyclables, was delivered by the collector during the previous fiscal year, and (C) the types and actual or estimated amounts of such solid waste, including recyclables, directly delivered to an out-of-state destination or to an end user or manufacturer in the state. Such reports shall be submitted to the municipality annually, on or before July thirty-first, and shall provide the information specified in this subdivision for the prior fiscal year. Such reports shall be on a form prescribed by the Commissioner of Energy and Environmental Protection and shall include any other additional information the commissioner deems necessary.

The Board of Selectmen is hereby authorized to enact, from time to time, by resolution, such regulations as it shall deem in the public interest regarding separation, collection, recovery, removal, and storage of recyclables and enforcement of this Ordinance.

The First Selectman shall, and is granted the authority to, designate a person to be contacted by the DEEP with inquiries regarding the recycling program.

The First Selectman shall, and is granted the authority to, designate a Municipal Recycling Agent to receive complaints and notices of violations of the separation requirements set forth in the Public Act 90-220 and this ordinance.

The Board of Selectmen is hereby authorized to add or delete, from time to time, items on the list of mandatory recyclables so long as such action is not in conflict with the Connecticut General Statutes, Department of Energy and Environmental Protection (DEEP) regulations.

The Board of Selectmen is hereby authorized to adopt a fee schedule and a method(s) for ensuring payment of the fees for depositing any and all recyclables at any municipal, or municipally designated, disposal facility for recyclables. (Note, this needs to be consistent with the transfer station procedures.)

The Board of Selectmen, through resolution, shall adopt rules and regulation, from time to time, governing any practice and related practices contained in this ordinance provided that such rules and regulations are not inconsistent with the Connecticut General Statutes (CGS), Department of Energy and Environmental Protection regulations, or any provision of this Ordinance. (Note, this needs to be consistent with the transfer station procedures.)

The Board of Selectmen is hereby authorized to employ or make contracts with persons, for the separation, collection, transportation, processing, and/or marketing of recyclables, as provided for in Public Act 90-220, Section 2(d) of the CGS, to carry out the provisions of this Ordinance. (Note: This was the original act and as above this should be consistent with procedures.)

LICENSING

In accordance with the provisions of Subsection 22a-220a (d) of the CGS, any person collecting recyclables generated by residential, business, commercial, or other establishments in the municipality shall annually register each collection vehicle separately with the municipality on forms prescribed, upon or before the first day of July.

Upon registration and payment of an annual permit fee, as established by the Board of Selectmen, each such collector shall be permitted to collect or continue the collection of solid waste within the municipality.

The municipality in which such collector hauls such waste shall be clearly marked with the business name and address of the collector. Registrations shall not be transferable from vehicle to vehicle.

Sec 22a-141/. Solid waste contract requirement for provision regarding collection of designated recyclable items. (a) For the purposes of this section, "customer" means a business and "collector" means any person offering solid waste or designated recyclable item collection services. (b) Each contract between a collector and a customer for the collection of solid waste shall make provision for the collection of designated recyclable items, either by providing for the collection of designated recyclable items by the same collector who is party to the solid waste contract or by including an identification by the customer of the collector with whom such contract exists. The provisions of this section

shall not be construed to require a customer to contract exclusively with one collector for the collection of both designated recyclable items and other solid waste. Each collector shall provide each customer with clear written or pictorial instructions on how to separate designated recyclable items in accordance the provisions of section 22a-241b.

COMPLIANCE

On or after January 1, 1991, any collector who has reason to believe that a person from whom he collects solid waste has discarded recyclable items with such solid waste in violation of the provisions of this Ordinance or of Section 22a-241b of the CGS, as amended, shall promptly notify the municipal recycling agent of the alleged violation. Upon the request of the municipal recycling agent, a collector shall provide warning notices, by the placement of tags provided by the municipality, to any person suspected by the collector or the municipality of violating the separation requirements of state law or this Ordinance. Each collector shall also be required to assist the municipality in the identification of any person responsible for creating loads containing significant quantities of items subject to the separation requirements of state law or this Ordinance which are delivered to a resource recovery facility or solid waste facility by the collector and detected by the owner or operator of such a facility pursuant to Subsection (b), (f), (g), and (i) of Section 22a-220a of the CGS.

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11

ENFORCEMENT

Any collector found to have violated the separation and collection requirements of this ordinance shall be subject to a fine in the amount of twenty-five dollars (\$25.00) for each offense. In addition, the municipality reserves the right to suspend or revoke the license of any such collector. Any collector whose license is either suspended or revoked as provided for herein shall be entitled to a hearing in accordance with the provisions of the Code of Ordinances.

Any person who violates the provisions of this Ordinance shall be subject to the following penalties:

- (a) Upon a first or second offense, the violator shall receive a written warning.
- (b) Upon a third offense occurring within a period of one (1) year from the date of the original offense, the violator shall be subject to a fine in the amount of twenty-five dollars (\$25.00) for each such offense. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.
- (c) Upon any subsequent offense occurring within the period of one (1) year from the date of the original offense, the violator shall be subject to a fine of twenty-five dollars (\$25.00) and, in addition, shall be refused recycling collection.

In accordance with the authority provided in Section 22a-241, any commercial establishment that is found to have violated the provisions of Subsection (c) of Section 22a-241b of the CGS shall be subject to a fine in the amount of five hundred dollars (\$500.00) for each such violation.

Sec. 22a-241i. Commercial establishment. Penalty, notwithstanding any other section of the general statutes to the contrary, a municipality may impose a penalty not to exceed five hundred dollars for each violation by a commercial establishment of the requirements of subsection (c) of section 22a-241b.

Any person who violates any other provision of this Ordinance shall be subject to a fine of twenty-five dollars (\$25.00) for each such offense. Any fine levied shall be subject to the Citation Hearing Procedure adopted pursuant to Section 7-152c of the Connecticut General Statutes.

MISCELLANEOUS

Should any provision of the Ordinance be declared invalid for any reason, such declaration shall not affect the validity of other intent that the provisions of this Ordinance as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and notwithstanding and that the balance of this Ordinance shall remain valid notwithstanding such declaration.

Except as otherwise specifically provided for, the provisions of this Ordinance shall take effect on January 19, 1991.

Legal References:

Voted:	January 18, 1991
Published:	January 23, 1991
Effective:	February 7, 1991
Amendment Voted:	January 6, 2012
Published:	January 12, 2012
Effective:	January 28, 2012

A3 – Boat/Motor. The title of this ordinance shall be changed to Motor Craft and the text amended as follows:

1. Any person operating a motor craft having a motor or engine more than 7.5 horse power on Mudge Pond, also known as Silver Lake, in the Town of Sharon shall be fined not more than \$250.00.
2. Any person who operates a motor craft in excess of 6 miles per hour on Mudge Pond shall be fined not more than \$250.00.
3. Any person operating a motor craft within 200 feet of the Town of Sharon beach, or its docks and floats or within 200 feet of the Silver Lake Conference Center, or its docks and floats during the camps open season, shall be fined not more than \$250.00 unless the motor is stopped and oars are used to propel the boat.
4. Any person operating a motor craft on Mudge Pond between the hours of one half hour after sunset and sunrise shall be fined not more than \$250.00.

The Board of Selectmen or its designee shall have authority to enforce this ordinance.

Fines. All fines originally established in the ordinances of the Town of Sharon shall be increased to \$250 per incident, and, in the event of a continuing violation, \$250 per day of violation.
