

Introduced: 6/01/09  
Second Read/Public Hearing: 6/15/09  
Public Hearing Continued: 6/22/09  
Adopted: 6/22/09

**ORDINANCE 2009-02**  
***AN AMENDMENT TO THE MUNICIPAL CODE,  
TITLE IV, CHAPTER V, SOLID WASTE RECYCLING***

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***WHEREAS*** the Londonderry Town Council authorized the signing of a new solid waste collection contract which encourages recycling, better manages the waste stream, and saves tax dollars; and,

***WHEREAS*** some residents may have extenuating circumstances which require obtaining additional capacity to dispose of their solid waste; and,

***WHEREAS*** the added cost of granting additional capacity should be borne by the users generating said additional capacity rather than through the general property tax; and,

***WHEREAS*** RSA 41:9-a requires that a public hearing be held prior to the adoption of a fee system;

***NOW THEREFORE BE IT ORDAINED*** by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title IV – Public Health, Safety and Welfare, Chapter V, Streets and Sanitation – Solid Waste/Recycling, is hereby amended by adding Section VIII F. which establishes a fee structure for additional solid waste capacity.

Michael Brown - Chairman  
Town Council

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Meg Seymour  
Town Clerk

(TOWN SEAL)

***A TRUE COPY ATTEST:***  
*xx/xx/xx*

## **SECTION VIII      COLLECTION, REMOVAL OR DISPOSAL OF REFUSE**

- A. The Town Council is hereby authorized, on behalf of the Town, to enact ordinances concerning the supervision and regulation of the collection, transportation, delivery and disposition of all or part of any solid waste generated within the Town so that the same is delivered to a designated resource recovery facility or such other facility as may be designated by the Town for processing or for other disposition or handling.
- B. The Town Council is hereby directed to appoint a Solid Waste Advisory Committee to assist the Council on municipal solid waste issues and to establish and maintain a municipal recycling program.
- C. From the time of placement of any recyclables at the curb of any residence, ownership of such materials shall thereafter vest in the Town of Londonderry.
- D. It shall be unlawful for any person or persons, firms or corporations to collect, remove or dispose of recyclables which are the property of the town.
- E. Each such collection, removal or disposal in violation hereof from one or more residences shall constitute a separate and different offense.
- F. Residents may request overflow bags, additional waste container(s) and/or request a different container size, beyond the one container provided by the Town, upon payment of the following fee(s):

Overflow Bag -	\$3.00 per bag (30 gallon bag)
Additional 32 Gallon Container -	\$150 for the initial year the container is issued to a resident
	\$105 for each subsequent twelve month period
Additional 65Gallon Container -	\$200 for the initial year the container is issued to a resident
	\$150 for each subsequent twelve month period
Downgrade – 32 Gallon Container –	No charge
- G. Waiver of Fee – The fee for an additional waste container shall be waived for household units that have six (6) or more occupants, and may be waived by the Department of Public Works for households that have less than six (6) occupants, but have family members such as older adults or individual with special needs that have personal care items to dispose of that cannot be reduced and add greatly to the overall volume of household waste.