

Moved: That the Town Service and Outreach Committee recommend that the Town Council adopt the amendment to General Bylaw 3.3 referred to the committee, dated August 10, 2022 and once adopted, refer it to the Board of Health to finalize the required regulations.

The proposed amendment is below with mark-ups in red:

3.33 – REFUSE COLLECTION AND RECYCLABLE **AND COMPOSTABLE MATERIALS**
PENALTIES FOR VIOLATION OF THE REFUSE COLLECTION AND RECYCLABLE **AND COMPOSTABLE MATERIALS**
BYLAW

Criminal Enforcement: \$50.00 fine

Noncriminal Disposition: \$50.00 penalty (enforcement by: **Responsible personnel**, the Superintendent of Public Works, or the Transfer Station Crew Supervisor)

A. Purpose

The purposes of this section are to:

- enable the regulation of refuse and recyclable and compostable materials collection in Amherst
- significantly reduce refuse and accompanying greenhouse gas emissions, by diverting recyclable and compostable materials from refuse
- reduce the need for landfills and incinerators, thereby protecting land, air and water from toxic “scope 3” emissions especially impacting climate justice communities
- provide consistent, convenient, and transparent refuse, recycling, and composting services

B. Definitions

“Compostable materials” shall mean organic material including food scraps, food-soiled paper, compostable containers, clean wood and plants that are collected separately for the purpose of being composted, or otherwise processed into soil amendment, fertilizer, mulch, sludge, biogas, or fuel.

It shall not include aluminum foil or trays, “biodegradable plastic” not labeled compostable, flower pots or trays, ceramic dishware or glassware, clothing, linens and rags, cat litter or animal feces, foil-backed or plastic-backed paper, diapers, juice or soy-milk type boxes with foil liner, recyclable/clean cardboard or paper, styrofoam, dirt, rocks, stone, cork, plastic, plywood, pressboard or stained wood, plastic bags, wrappers or film.

C. The Board of Health shall promulgate regulations establishing conditions for the provision of refuse collection service and the separation of recyclable **and compostable materials** for residential, commercial, and institutional structures.

D. All commercial haulers collecting or removing municipal solid waste accumulating within the Town or using the streets and roads of the Town for the purpose of collecting or transporting the same shall be licensed by

the Amherst Board of Health. All licenses granted to private haulers and all contracts of other forms of authorization of duly authorized collectors shall require that all municipal solid waste collected and transported under this authorization shall be disposed of at a properly permitted disposal facility.

E. Starting in January of 2024, the Town shall either provide directly or through a contract with one or more waste hauler(s), universal curbside pick-up of trash, recyclable and compostable materials, and other waste reduction services, with the goal of meeting the Town's Climate Action, Adaptation and Resilience Plan, June 2021 and Zero Waste goals.

Such services shall be provided by way of a pay-as-you-throw fee structure and shall include local compostable materials processing and reuse.

The program may be phased in over a period of three years, starting with single family and 2-4 family residences and, within three years, including apartment complexes, homeowners' associations, businesses, and institutions.