Town of
Waterville Valley
New Hampshire 03215

Selectmen's Ordinance #21 – Municipal Solid Waste Dumpster Enclosures

In recognition that Waterville Valley is a resort and recreational community and its appearance must be neat, orderly, and attractive, this ordinance is intended to protect and enhance property values by assuring that solid waste dumpsters are properly screened and/or enclosed and that such enclosures are properly maintained and aesthetically pleasing. It is hereby enacted that:

1. No person or entity may place or use a **Municipal Solid Waste (MSW) Dumpster or other container** for outside storage of MSW pending collection unless that container is screened from sight and contained in an enclosure in accordance with regulations adopted by the Board of Selectman.
   a. Such regulations shall address location, visibility, construction requirements, and similar concerns appropriate to carrying out the purposes of this ordinance.
   b. A copy of such regulations may be obtained from the Town Office.
   c. Such enclosure to be constructed, installed **and maintained** by the owner, condominium association or other entity responsible for the maintenance and upkeep of the property.

2. The person or entity responsible for the maintenance and upkeep of the property at which any **MSW Dumpster** or container is required under paragraph 1, shall maintain the enclosure and appurtenant grounds
   a. Grounds shall be maintained in a clean, uncluttered condition including proper and timely snow, **ice** and litter removal.
   b. **Snow and ice shall be removed in a complete manner after each storm. Snow and ice removal shall include:**
      i. **Plowing and sanding the parking lot and access ways into the dumpster enclosure area**
      ii. **Cleaning the area at the front doors so they can be opened to service the dumpster**
      iii. **Cleaning around the dumpster to provide access**
      iv. **Clearing snow and ice from the top of the dumpster**
   c. **Litter shall be cleaned up around and inside the enclosure area and no bags or loose material shall prohibit or impede access to the sides and top of the dumpster.**
   d. The obligation to clean up litter shall extend to other property to the extent that such litter comes from the container on said person's property.
   e. **When a dumpster within an enclosure is full, the person or entity responsible for the maintenance or upkeep of the property shall ensure that excess trash is transported to the central trash collection site at**

Public Works (described in Paragraph 3. below) or is otherwise disposed of properly.

3. **The Town will construct, maintain and operate a central MSW collection site co-located with the Public Works Garage under regulations established by the Board of Selectmen.**

4. **The person or entity responsible for the maintenance or upkeep of the property shall maintain an updated point of contact with the Town Office. Point of contact information shall include a name, phone number and email address of an individual who may be contacted in the event Public Works Staff identify a maintenance issue at an MSW Dumpster enclosure.**

5. Any person who violates this ordinance shall, be guilty of a violation and shall be subject to a fine as follows:
    a. For a first offense, not more than $100.00
    b. For a second offense, not more than $200.00
    c. For a third or subsequent offense, pursuant to RSA 149-M:17 II (b), no more than $500.00

6. The enforcement authority for this ordinance shall be the Director of Public Safety and/or any duly sworn police officers under his command.
    a. For any fine of less than $500.00, the enforcing officer shall issue a summons to the violator along with a copy of this ordinance, which shall serve as the fine schedule required under RSA 502-A:19-b, and said violator shall have the option to pay the fine by mail.
    b. For any fine of $500.00, the enforcing officer shall issue a summons to the violator requiring the violator's appearance before the Plymouth District Court.

Adopted at Town Meeting March 10, 1998
Amended at Town Meeting March 12, 2019.