

**TOWN OF LITCHFIELD  
SPECIAL TOWN MEETING  
June \_\_\_, 2021**

**ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF  
LITCHFIELD, CHAPTER 12 "SOLID WASTE MANAGEMENT"**

**Section 1. Authority.**

This ordinance is adopted under General Statutes General Statutes §§ 7-148(c)(4)(H) and 7-148(c)(8), and Chapter 446d.

**Section 2. Amendments to Code of Ordinances.**

The Code of Ordinances of the Town of Litchfield, Chapter 12 "Solid Waste Management", is amended as follows:

**Sec. 12-2**

Section 12-2, "Definitions" is amended to as follows:

**"Sec. 12-2. Definitions.**

This Chapter shall incorporate the definitions used in General Statutes § 22a-207, 'Definitions' (or any successor statute thereto). The following terms shall have the following meanings: ..."

The definitions contained thereafter in Section 12-2 are affirmed and shall remain unchanged.

**Sec. 12-5(d)**

Section 12-5, "Registration forms and fees for refuse collectors", subsection (d) is amended to read as follows:

"(d) The initial registration fee shall be two-hundred and fifty dollars (\$250.00). The annual registration shall be effective from July first to June thirtieth of the following year. Registration fees shall not be prorated."

**Sec. 12-9**

Section 12-9, "Refuse collector vehicle permits", is amended to read as follows:

**"Sec. 12-9. Refuse collector vehicle / hauler permits.**

The Director of Public Works shall issue hauler permits for each vehicle identified on a refuse collection / hauler registration application to be used by a refuse collector / hauler whose application is approved. Such hauler permits shall not be transferable from vehicle to vehicle, provided however, the Director may allow a temporary transfer of hauler permits in hardship situations. Hauler permits shall be conspicuously displayed in the window of each vehicle.

**Sec. 12-13**

Section 12-13, "Licensing of private individuals.", is amended to read as follows:

**"Sec. 12-13. Refuse Collector / Hauler licensing of private individuals.**

The disposal of refuse or recyclable materials at municipal facilities by private individuals acting as a refuse collector / hauler shall require a valid permit issued by the Town of Litchfield Department of Public Works. The Director of Public Works shall determine the eligibility of each applicant to receive such a hauler permit. Such permit shall be displayed in the manner prescribed by the Litchfield Public Works Department. Such permit may be revoked or suspended as set forth in this article and appeals therefrom may be taken in the manner set forth in this article."

**Sec. 12-14(a)**

Section 12-14, "Penalties for offenses, remedies, sovereignty.", subsection (a), "Penalty", is amended to read as follows:

*"(a) Penalty.* Whoever violates the provisions of this article shall, upon conviction, be fined not more than two-hundred and fifty dollars (\$250.00) for each offense. Each and every day such violation shall continue shall be deemed a separate offense."

**Sec. 12-47**

Section 12-47, "Permit", is amended to read as follows:

**"Sec. 12-47. Permit for use of recycling center.**

A permit shall be required for the delivery of materials to the recycling center. Said permit will be for a specific period of time, will include the paying of a charge set from time to time by the Board of Selectmen through the Recycling Center Rules and Regulations, and will be administered by the Director of Public Works. Such permit will be administrated as prescribed by the Litchfield Public Works Department using Recycling Center Rules and Regulations adopted by the Board of Selectman pursuant to Section 12-46 of the Town of Litchfield Code of Ordinances. Such permit may be revoked or suspended as prescribed in the Public Works Department Recycling Center Rules and Regulations."

**Sec. 12-49**

Section 12-49, "Penalties for offenses, remedies, severability", is hereby added to the Code of Ordinances of the Town of Litchfield, to read as follows:

**"Sec. 12-49. Penalties for offenses, remedies, severability**

(a) *Penalty.* Whoever violates the provisions of this article, or any provision of the Recycling Center Rules and Regulations, shall, upon conviction, be fined not more than two-hundred and fifty dollars (\$250.00) for each offense, without warning and may be held liable for civil restitution.

(b) *Removal of material and other remedies.* In addition to the foregoing penalty, the town may require any user of the recycling center to remove material such user has deposited at the recycling center in violation of the Town of Litchfield Code of Ordinances or the Recycling Center Rules and Regulations. The town reserves all equitable and legal remedies in cases where material is deposited at the recycling center in violation of such Code of Ordinances and Rules and Regulations.

(c) *Severability.* If any provisions, section, sentence, clause, or part of this article shall be held invalid, illegal, or unconstitutional, such invalidity, illegality, or unconstitutionality shall not affect or impair any remaining part of this article, it being the intent of the town that such remained shall remain in full force and effect."

**Section 3. Effective Date.**

This ordinance shall take effect fifteen (15) days after publication of a summary of its provisions in accordance with Connecticut General Statutes §7-157(b).

Adopted by town meeting on \_\_\_\_\_, \_\_\_\_\_, 2021.

Published in the \_\_\_\_\_, on \_\_\_\_\_, \_\_\_\_\_, 2021.

Effective date: \_\_\_\_\_, \_\_\_\_\_, 2021.

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