



TOWN OF FALMOUTH

ORDINANCE NO 145-2017

An Ordinance Amending the Code of Ordinances Regarding the servicing of commercial waste containers

Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that the Falmouth Code of Ordinances be amended to read as follows:

ART. II-8-13 COMMERCIAL WASTE HAULING

Sec. 8-377. Purpose.

The purpose of this ordinance is to increase the enjoyment of residential properties adjacent and near to commercial and industrial establishments by reducing the amount of noise associated with the servicing of commercial waste containers during certain times of day.

Sec. 8-378. Authority.

This Ordinance is adopted pursuant to the Town's home rule authority pursuant to 30-A M.R.S. § 3001 *et seq.*

Sec. 8-379. Applicability.

This ordinance shall apply to all business establishments that utilize commercial waste containers that are serviced by a solid waste hauler.

Sec. 8-380. Restrictions.

Commercial waste haulers are restricted from the servicing of waste containers between the hours of 10:00 pm and 6:00 am.

Sec. 8-381. Penalties and Enforcement.

The Town Manager or his/her designee(s) shall have the primary responsibility for enforcement of this Ordinance. If the Town Manager or his/her designee(s) determines that a violation of this Section has occurred, he/she shall issue a written warning notice to the business establishment that the violation has occurred. Subsequent violations of this Section shall be subject to the penalties set forth below.

Violations of this Section shall be punishable by fines as follows:

- a. A fine not exceeding \$250 for the first violation in a one-year period;
- b. A fine not exceeding \$500 for the second and each subsequent violation in a one-year period.

Attest:

Ellen Planer, Town Clerk
Town of Falmouth, Maine
May 22, 2017