Pursuant to City of Manchester Code of Ordinances, Chapter 91.62, the Public Works Director hereby promulgates the following additional rules and regulations pertaining to municipal curbside collection of trash, recyclables, and yard waste.

I. DEFINITIONS

In addition to those definitions provided in Chapter 91.63, the following definitions shall apply to these rules and regulations:

ASBESTOS-CONTAINING MATERIAL (ACM). Any material containing more than 1% asbestos, including chrysotile, amosite, crocidolite, tremolite asbestos, anthophyllite asbestos, actinolite asbestos, and any of these minerals that have been chemically treated and/or altered.

CONSTRUCTION AND DEMOLITION DEBRIS. Any waste generated from the construction, remodeling, repair or demolition of structures, including, but not limited to: brick, asphalt, concrete, roofing shingles, siding, fencing, lumber, sheetrock, plaster, insulation, flooring, doors, cabinets, plumbing fixtures, electrical wiring, and the like.

DEPARTMENT. The Department of Public Works.

PUBLIC STREET. Consistent with RSA 229:1, a public street is created in one of four ways: (1) by being laid out by the Board of Mayor and Aldermen or their predecessors; (2) by being dedicated by adjoining landowners and then accepted by the Board of Mayor and Aldermen; (3) by prescription, which generally means by public use for at least twenty years; or (4) by being constructed over government-owned land or easement for public use. All other streets are private ways.

RECYCLABLES. Items that may be recycled for curbside municipal collection are: container plastics #1 through #7, with the exception of Styrofoam and PVC; tin, steel and aluminum containers; glass bottles; paper; and cardboard.

II. UNIVERSAL RULES

Trash, recyclables and yard waste are collected only along public streets. They must be placed for collection in the public right-of-way without, in the determination of the Public Works Director or his/her designee, unduly inhibiting pedestrian or vehicular traffic. Department crews and contractors will not traverse private property or private ways to collect materials.

Municipal carts must be placed at the edge of the roadway with the lids closed. Customers must clear snow from around their carts to promote safe and efficient collection.
III. TRASH

(A) Acquisition of Trash Carts

As prescribed in Chapter 91.66, customers must place trash in a municipal cart approved for size, color, and durability by the Department. Customers are responsible for acquiring their own carts. All trash carts previously and currently sold by the Department shall be considered pre-approved. Customers wishing to use any other container for placement of trash must petition the Department for approval.

(B) Trash Volume Limitations

Chapter 91.67 of the ordinances establishes limitations on the volume of material that may be placed for collection. Appendix A of these departmental regulations delineates the number of trash carts associated with these limitations.

(C) Overflow Trash Collection

Owners/tenants of residential properties who have excess trash after having filled their trash cart(s) may place said trash for collection outside of their cart(s) – on their regular pickup day only – as follows:

December 26 through January 7

- Up to four standard plastic garbage bags may be placed per property
- The contents of each bag must weigh under 40 pounds
- Broken-down cardboard boxes may be stacked un-bagged

All Other Times of the Year

- Overflow trash must be placed within specially-marked Overflow Collection Bags, available exclusively from the Department*
- The contents of each bag must weigh under 40 pounds
- The maximum number of Overflow Collection Bags that may be placed for collection each calendar year is determined by property type:
  - Single-family homes: 4 bags
  - Two-family homes: 8 bags
  - Properties of three or more units: 12 bags

*Overflow Collection Bags may be obtained for free from the Department of Public Works, 475 Valley Street, during regular business hours. Proof of residency is required. Distribution of bags is restricted to the above-mentioned limits.

Residents may petition the Department for permission to place more than the standard limit of Overflow Collection Bags. Special consideration will be given to those affected by flooding or other disasters. The authority to grant or deny such petitions shall reside solely with the Public Works Director or his/her designee.
(D) Bulky Item Collection

Bulky items will be picked up curbside for a fee and by appointment only. The following restrictions apply.

 For safety reasons, glass items will NOT be picked up; items with trivial amounts of glass MAY be collected, at the driver’s sole discretion
 Per State law or local ordinance, bulky items falling into one or more of the following categories will NOT be picked up curbside:
  • Construction/demolition debris (including doors, cabinetry and bathroom fixtures)
  • Electronics (including televisions, monitors and any item with a video display)
  • Landscaping materials such as rocks, concrete, yard waste or wood containing creosote
  • Propane tanks, fire extinguishers or other pressurized containers

(E) Cart Placement for Automated Collection

For customers placing recyclables for collection in an area serviced by automated collection technology (i.e., all areas outside of the Downtown Collection Zone), and for customers placing trash for collection in an area serviced by automated collection technology, the following additional placement rules apply to the applicable cart(s):

 Cart(s) must be situated with the handle and wheels facing away from the street
 Cart(s) must be placed at the edge of the road, according to the following protocols –
  • Under normal circumstances, cart(s) should be placed on the street side of the curb line to prevent blockage by parked vehicles
  • During snow emergencies, on-street parking is not allowed and cart(s) should be placed on the property side of the curb line to allow snow plows to fully clear the street
 Cart(s) must be placed in a location that allows for access by collection equipment and crews:
  • at least two feet from other carts
  • at least two feet from all other objects, such as trees, mailboxes, parked cars, etc.
  • not behind vehicles, other carts, or misc. obstructions

When the availability of on-street parking is adversely affected, the Department may require that carts be placed in front of the owner’s driveway or along a nearby stretch of street where parking is prohibited.

(F) Asbestos Prohibition

All asbestos-containing materials, regardless of whether or not the asbestos is in a friable state, shall be considered hazardous and are prohibited from placement in the trash.
IV. RECYCLING

Only municipal trash service customers are eligible for recycling collection services.

In order to receive municipal recycling collection services, customers must place recyclables in designated carts acquired through the City of Manchester. Recycling carts remain the property of the City and may be repossessed at the discretion of the Public Works Director or his/her designee.

For areas outside of the Downtown Collection Zone, recycling carts are provided by the Department of Public Works, at no cost to the customer, on an as-needed basis. Need is determined by the Public Works Director or his/her designee.

Customers within the Downtown Collection Zone must purchase recycling carts from the Department.

Chapter 91.67 of the ordinances establishes limitations on the volume of material that may be placed for collection. Appendix A of these departmental regulations delineates the number of recycling carts associated with these limitations.

V. YARD WASTE

Municipal yard waste collection services are provided on an intermittent basis according to an annual schedule published by the Department of Public Works.

By law, yard waste must be separated from trash. Acceptable methods of placement are:

- Bags – biodegradable paper bags only
- Barrels – City yard waste stickers must be attached; barrels may not exceed 33 gallons in volume
- Bundles – no more than 3 feet long and 2 feet in diameter; ties must be biodegradable, not metal or plastic

The following limitations also apply:

- No individual branch or stump greater than 3 inches in diameter or 3 feet in length
- No individual bag, barrel or bundle exceeding 75 pounds

Christmas trees are collected curbside only during the two weeks in January designated each year by the Department in its annual schedule. Trees must be free of ornamentation. Artificial trees are not taken.

VI. PENALTIES AND CITATIONS

At properties where the departmental regulations contained herein are not followed, the Department may refuse to provide collection service and/or fine the property owner for non-compliance. No individual fine shall exceed the maximum allowed under RSA 47:17. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.
Appendix A

Following are the maximum number of trash and recycling carts that may be placed for collection, according to property type.

<table>
<thead>
<tr>
<th>Property Type</th>
<th>Maximum # of Trash Carts</th>
<th>Maximum # of Recycling Carts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family residential</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Two-family residential</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Three-family residential</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Residential of four dwellings or more</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>Residential planned development*</td>
<td>2 per unit; up to 8 total per development</td>
<td>2 per unit; up to 8 total per development</td>
</tr>
<tr>
<td>Manufactured home park</td>
<td>2 per home; up to 8 total per park</td>
<td>2 per home; up to 8 total per park</td>
</tr>
<tr>
<td>Commercial</td>
<td>2 per business; up to 8 total per property</td>
<td>2 per business; up to 8 total per property</td>
</tr>
<tr>
<td>Mixed-use</td>
<td>2 per unit of any type; up to 8 total per property</td>
<td>2 per unit of any type; up to 8 total per property</td>
</tr>
<tr>
<td>Non-profit organization</td>
<td>up to 8 total per property</td>
<td>up to 8 total per property</td>
</tr>
</tbody>
</table>

*Condominium complexes are a type of residential planned development and are considered a single property.

Residents, business owners, landlords and non-profit organizations may petition the Department for permission to place more carts for collection. Petitions will be evaluated per the following criteria:

- Demonstrated need for additional carts based on the number of people generating trash and recyclables at the subject property
- Availability of property frontage for placement of additional carts such that – in the opinion of the Public Works Director or his/her designee – street parking, traffic flow, and pedestrian safety are not unduly affected