

ORDINANCE 1782
ADOPTED 11/18/2019
PUBLISHED 11/20/2019

AN ORDINANCE AMENDING SECTION 9-21(a)(3) OF THE NORWICH CODE OF ORDINANCES BY REPEALING AND RESTATING THE SAME, AND SECTION 9-35 OF THE NORWICH CODE OF ORDINANCES BY ADDING A NEW PARAGRAPH TO BE DESIGNATED “(f)” AND CHANGING THE DESIGNATION OF THE EXISTING PARAGRAPH “(f)” IN SUCH SECTION TO “(g)”

WHEREAS, the Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA) has proposed and approved Amendment No. 5 to the current Waste Disposal Agreement between SCRRRA and the City of Norwich; and

WHEREAS, Amendment No. 5 will require the City of Norwich to amend Sections 9-21(a)(3) and 9-35 of the existing Norwich Code of Ordinances pertaining to its Solid Waste Management Plan

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that Section 9-21(a)(3) of the Norwich Code of Ordinances be repealed and restated as set out as follows:

~~9-21(a)(3) The city has executed or may execute one or more solid waste management service contracts as determined by the city council, requiring it to cause all or a portion of the solid waste generated within its boundaries to be delivered to various locations as required by the contract; and~~

9-21(a)(3) The city has executed a Municipal Solid Waste Management Services Contract with Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA) including an Amendment No. 5 to such Municipal Solid Waste Management Services Contract (collectively with such Amendment No. 5, the MSA). The MSA defines the System (the SCRRRA system) to include the Solid Waste Disposal and Resources Recovery Facility located in Lisbon, Connecticut and operated by Wheelabrator Lisbon Inc. or its successors or assigns (the SCRRRA Facility) pursuant to a Solid Waste Disposal Agreement between SCRRRA and Wheelabrator Lisbon Inc. (the Wheelabrator Agreement), and designates the SCRRRA Facility as the “Facility” within the SCRRRA System. Pursuant to the MSA, the city has agreed to deliver or caused to be delivered all solid waste (as defined in the MSA) generated within the corporate boundaries of the city to the SCRRRA System as directed by SCRRRA for ultimate delivery to the SCRRRA Facility for disposal, subject to and in accordance with the Wheelabrator Agreement.

AND BE IF FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that Section 9-35 of the Norwich Code of Ordinances be amended by adding a new paragraph “(f)” to provide as follows:

9-35(f) All solid waste generated in the city shall be delivered or caused to be delivered to the SCRRRA System for so long as the MSA remains in effect, as directed by SCRRRA and for ultimate delivery to the SCRRRA Facility. To the extent any such solid waste is not acceptable for disposal at the SCRRRA Facility, such unacceptable solid waste shall be delivered or caused to be delivered to such other facility designated by SCRRRA, including the city landfill or other waste disposal area. After the MSA is no longer in effect, the city council or the director of public works shall designate the facility for the delivery of solid waste generated in the city. Any person delivering solid waste to the SCRRRA Facility or other designated place shall be responsible to pay any applicable disposal charge. All regulations of the city council or the director of public works and any direction or designation by the city council or the director of public works about the disposal of solid waste generated in the city shall be consistent with this paragraph (f) of Section 9-35;

and by re-identifying the existing paragraph (f) of Section 9-35 as paragraph (g) as follows:

~~(f)~~ (g) Violators of this section and any regulation or order pursuant hereto shall be subject to the penalties provided by Section 1-8 of the Code of Ordinances.

AND BE IF FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF NORWICH, that this ordinance shall take effect on the 10th day following its passage and publication as provided in Chapter V of the Charter of the City of Norwich.

Mayor Peter Albert Nystrom
Alderswoman Stacy Gould
Alderman Samuel Browning IV