

Bethlehem Local Control and Waste Reduction Ordinance

Anatomy of the Proposed Ordinance:

Section 1. **Name** – the name by which the ordinance will be referred.

Section 2. **Purpose** – summarizes the reasons the ordinance is needed.

Section 3. **Goals** – lays out the goals the ordinance is designed to achieve in order to meet its purpose.

Section 4. **People’s Right to Self-Government** – asserts the superior right of the People of Bethlehem to local self-government over attempts by corporations to preempt lawmaking by the People of Bethlehem.

Section 5. **Findings** – explains in detail why the Ordinance is necessary, and how waste law has been made by waste corporations in the United States.

Section 6. **Interpretation** – controls how courts will interpret the Ordinance if challenged.

Section 7. **Statements of Law** – statements of law– the core of the Ordinance.

7.1 - 7.4 Prohibit corporations, individuals or corporate officers from using a corporation to engage in the disposal or transportation of waste.

7.5 Strips corporations of certain legal rights and protections that would normally be used to challenge the Ordinance.

7.6 Protects residents from pollution caused by waste management activities within the Town.

7.7 Provides for protection of the natural environment within Bethlehem.

7.8 Prevents corporations from shielding themselves from liability for harms caused.

7.9 Provides that waste corporations will be held responsible for violating the Ordinance.

7.10 Invalidates permits issued by state and federal agencies to legalize activities that the Ordinance makes illegal, holds waste corporations responsible for violating the constitutional rights of Bethlehem residents and ecosystems within the Town.

7.11 Asserts that the People of Bethlehem are passing this Ordinance, and that their use of the municipal government to pass the Ordinance does not diminish their role as the primary governing authority within the Town.

Section 8. **Enforcement** – provides for monetary fines for violation of the Ordinance, and provides a mechanism for citizen enforcement of the Ordinance.

Section 9. **Civil Rights** – imposes penalties on those using or assisting corporations to deprive the rights of citizens or natural communities within Bethlehem.

Section 10. **Authority** – outlines NH and U.S. constitutional authority for the adoption of this Ordinance.

Section 11. **Definitions** – defines key terms within the Ordinance.

Section 12. **Administration** – identifies the role of the Town in administering the Ordinance.

Section 13. **Severability** – provides that striking of one section by a court will not invalidate other sections of the law.

Section 14. **Repealer** –repeals provisions of prior local laws that would conflict with this new law.

Section 15. **Effect** – provides for implementation 60 days after adoption of the Ordinance.