

Town of Corinth

Ordinance: Relating to regulating, the collection and
disposal of Solid Waste

Adopted by the Board of Selectmen April 25, 1994
Effective date: June 27, 1994

Revision adopted — April 9, 2001
Revision effective: June 11, 2001

ARTICLE I
PURPOSE¹

To protect the health and welfare of the citizens of the Town of Corinth and to promote the conservation of natural resources and wise use of the environment, the Board of Selectmen of the Town of Corinth hereby adopt this ordinance to regulate the separation, recovery, collection, removal, storage and deposition of solid waste, including recyclables, in the Town of Corinth, Vermont.

ARTICLE II
DESIGNATION

This ordinance is designated a civil ordinance pursuant to Title 24 V.S.A. § 1971 (b).

ARTICLE III
DEFINITIONS

- A. Authorization by the Town of Corinth means authorized by legal contract or other written authorization by the Board of Selectmen.
- B. Board shall mean the Town of Corinth Board of Selectmen.
- C. Building materials shall mean refuse from a demolished or remodeled building, or waste from new construction but specifically does not include any hazardous waste materials as defined by Vermont Statutes or environmental regulations.
- D. Bulky goods shall mean upholstered furniture including couches, recliners and chairs; mattresses and box springs; and other large non-metallic items.
- E. Commercial Hauler shall mean any person who hauls solid waste generated in the Town of Corinth for a fee.
- F. Commercial Enterprise shall mean any for-profit organization within the Town of Corinth.
- G. Incineration shall mean burning of solid waste in an enclosed indoor or outdoor container or structure.
- H. Open Fire Burning shall mean burning of solid waste in the open where the products of combustion are emitted directly into the atmosphere without passing through a stack, chimney or other enclosure.
- I. Person shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

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Authority From V.S.A. T.24 § 2291 (12)(14)

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- J. Recyclable shall mean recyclable material as specifically identified in regulations or contracts promulgated by the Board of Selectmen.
- K. Solid Waste shall mean any solid waste as defined in Title 10 V.S.A. § 6602.
- L. Fire Warden shall mean the person appointed to the office as defined under V.S.A. 10 § 2461.
- M. Industrial or Commercial waste shall mean any waste generated by any process or industry, manufacturing firm, trade or business. This does not include chemicals, oil, sludges, inflammable materials, or hazardous wastes as defined by Vermont Statutes or regulations.
- N. Landfill shall mean a site contracted with by the Town of Corinth for the disposal of certain solid wastes.
- O. Municipal Solid Waste means any solid waste as defined in Title 10 V.S.A. § 6602 or as defined by the contracted landfill owners, generated by the households of the Town of Corinth.
- P. Transfer Station shall mean a facility provided and designated by the Town of Corinth Board of Selectmen for the central collection of municipal solid waste with subsequent transport of the waste to an approved disposal site.
- Q. The Town shall mean the Town of Corinth, Vermont.

ARTICLE IV SOLID WASTE REGULATION

The disposal of all solid waste within the limits of the Town of Corinth shall be regulated by the Board of Selectmen of the Town of Corinth. The Board of Selectmen shall have the authority to establish times and days of collection and to promulgate any other rules or regulations which are necessary for the provision of orderly, economical waste collection and disposal as well as for the general health, welfare, and safety of the inhabitants of the Town in accordance with V.S.A. T.24 § 2202a. The Board of Selectmen shall have the authority to contract with Landfills in or out of State.

ARTICLE V ORIGIN OF MATERIALS

All solid waste collected within the Town of Corinth shall have been generated within the Town and shall be disposed of at a site designated by the Board of Selectmen in a manner consistent with the rules and regulations promulgated by that Board. Solid waste generated outside of the Town limits is specifically not approved for collection and disposal within the Town of Corinth unless specially authorized by the Board of Selectmen.

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ARTICLE VI
TRANSFER OF SOLID WASTE TO EXTERNAL FACILITIES

The Town of Corinth shall pay the tipping fees, excepting recycling fees, at external disposal sites only for solid waste processed through the Town of Corinth Transfer Station. No person or enterprise regardless of the fact that they may reside in or own property within the boundaries of the Town of Corinth, has authorization to have any disposal or tipping fees charged to the Town of Corinth unless there is specific, written pre-approval for each and every instance of such disposal from the Board of Selectmen. Any charges made without such approvals shall be the liability of the offending person or enterprise and such person or enterprise shall be subject to prosecution if appropriate.

ARTICLE VII
ILLEGAL DUMPING AND TRESPASS

It shall be illegal for any person to enter any Town of Corinth solid waste facility when said facility is not open unless specifically authorized by the Board of Selectmen to do so. Likewise, it shall be illegal for any persons to deposit, dump, or leave any solid waste of any kind in any such facility or adjacent thereto if said facility is not open.

It shall be illegal for any person to deposit, dump, or leave solid waste in any privately owned or maintained disposal container other than their own, nor on any other private property, without the consent of the owner, and only if in compliance with applicable state law.

It shall be illegal to deposit in a municipally owned or maintained disposal container any solid waste other than that created or originated in any public buildings, grounds, highways, rights-of-way.

It shall be illegal to deposit any solid waste in any public buildings, grounds, highways or rights-of way.

ARTICLE VIII
FEES

The Board of Selectmen shall solicit bids for collection and hauling of Municipal Solid Waste and Recyclables in accordance with the requirements of this ordinance. The Board shall select the contractor using the best selection practices, such as, taking into account previous experience, ability to perform, and price. Price may not be the sole determining factor for awarding the contract.

The Board of Selectmen shall include all proposed and estimated costs of disposing Municipal Waste in the annual budget to be presented at the annual Town Meeting.

The Selectmen shall set allowable volumes of solid waste acceptable per collection and fees for excess.

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ARTICLE IX PERMITS

Any resident of or non-resident taxpayer of the Town may use the transfer station facility, provided they are depositing solid waste generated from within the Town of Corinth. The vehicle in which the solid waste is delivered may be required to display a current Town of Corinth Transfer Station Sticker. If required, such sticker may be obtained at the Town Office or at other sites designated by the Board, after showing proper identification.

Transfer Station Permit Stickers remain the property of the Town of Corinth. The Town reserves the right to revoke the privilege of using the Transfer Station from any person who fails to properly display a current permit or who violates the rules and regulations pertaining to the facility.

Commercial haulers shall be required to obtain a commercial hauler permit from the Board of Selectmen. There shall be no fee for this permit. Commercial Haulers shall not deliver solid waste to the Transfer Station for collection unless authorized by the Board of Selectmen.

ARTICLE X RECYCLABLES

The Town of Corinth promotes the separation of recyclable materials from other solid waste and the deposit of same at the designated area. The standards for such separation of recyclables shall be set according to regulations promulgated by the Board pursuant to this ordinance.

ARTICLE XI HUMAN WASTES

The disposal of human or infectious wastes at the Transfer Station is specifically prohibited. Properly emptied disposable diapers are permitted to be disposed of at the Transfer Station.

ARTICLE XII OPEN BURNING

V.S.A. T.10 § 565, allows specific written permit be granted by the Fire Warden of the Town or his designee for the open burning of yard waste and garden debris including: trees, stumps, brush, untreated wood, and lawn clippings. Such permit shall be granted provided that the Fire Warden is satisfied that no hazardous condition will be created by such burning and the emission of air contaminants will not create a danger to the health and property of the citizens of the Town. Permits, which are issued under the provisions of this ordinance, shall be for a specified date and time and location and only for specified materials.

When snow is covering the ground, trees, stumps, brush, and untreated wood may be burned without a permit provided such burning is done in such a way as to not endanger persons or property.

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Burning as permitted by this ordinance shall be attended at all times and such fires shall be allowed to die out or be extinguished before sunset.

In any event, open burning of solid waste is prohibited.

ARTICLE XIII PUBLIC SAFETY

No person having the custody or control of residential, industrial, or business premises from which solid waste, including recyclables is collected for disposal shall permit or cause any solid waste, including recyclables, within their control to become a hazard to public travel, health or safety or to become a nuisance of any sort. Household Hazardous Wastes may only be disposed of in accordance with regulations adopted by the Board of Selectmen.

ARTICLE XIV PENALTIES & ENFORCEMENT

Any person violating any portion of this ordinance or regulations enacted hereunder shall be subject to the following schedule.

- A. First violation:
A letter from the Board of Selectmen calling attention to the violation of this ordinance and to consequences of future violation.

- B. Second and subsequent violations:
A municipal Complaint Ticket with the following penalties in effect:
 - Second violation \$25 fee with a \$15 waiver fee
 - Third violation \$50 fee with a \$35 waiver fee
 - Fourth and subsequent violation \$100 fee with a \$75 waiver fee

ARTICLE XV INCONSISTENT REPEAL

All ordinances or parts of ordinances, resolutions, regulations and other documents inconsistent with the provision of this ordinance are hereby repealed to the extent of such inconsistency.

ARTICLE XVI SEVERABILITY

This ordinance, and the various parts, sentences sections and clauses thereof, are hereby declared to be severable. If any part, sentence, section, or clause is adjudged to be invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

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ARTICLE XVII
EFFECTIVE DATE

This ordinance shall take effective on June 27, 1994, the sixty-second (62nd) day following the date of adoption by the Board of Selectmen.

ARTICLE XVIII
ADOPTION

This ordinance is adopted by the Board of Selectmen of the Town of Corinth this 25th day of April, 1994.

Revision adopted April 9, 2001.

_____ Selectman

_____ Selectman

_____ Selectman

Attest: _____ Date: _____
Town Clerk, Town of Corinth

Revision adopted – April 9, 2001
Effective date June 11, 2001

File: Solid Waste Revised