

TOWN OF WASHINGTON
ORDINANCE REGULATING
THE DISPOSAL OF SOLID WASTES

WHEREAS, The Town of Washington has, by virtue of Vermont State Statute Title 24, Chapter 59, the authority to adopt, amend, repeal, and enforce ordinances, and by virtue of Vermont State Statute Title 24, Chapter 61, Subchapter 8, the authority to regulate rubbish and garbage;

NOW, THEREFORE, to promote the responsible use of resources and the protection of the environment, the Selectboard of the Town of Washington hereby adopt this ordinance to regulate the separation, collection, and disposal of solid waste in the Town of Washington, Vermont.

ARTICLE I
DEFINITIONS

“Air Contaminants” shall mean dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substances, or any combination thereof.

“Emission” shall mean a release into the outdoor atmosphere of air contaminants.

“Incineration” shall mean the burning of solid waste in an enclosed outdoor container.

“Household hazardous waste” shall mean products that contain toxic, corrosive, reactive, explosive, or flammable ingredients.

“Open fire” shall mean any person, firm, partnership, association, corporation, company, or organization of any kind.

“Recyclable” shall mean recyclable material as specifically identified in regulations promulgated by the Selectboard.

“Solid Waste” shall mean garbage, refuse, discarded materials including recyclable, hazardous wastes, and organic debris, and any solid waste as defined in Title 10 V>S>A> Section 6602.

ARTICLE II

It shall be unlawful for any person to deposit, dump, or leave solid waste of any kind, including recyclables and hazardous waste, on private property or in any privately owned or maintained disposal container other than their own, without the consent of the owner.

It shall be unlawful for any person to deposit in a municipally owned or maintained disposal container any solid waste other than that created or originating in any public buildings/ grounds/ highways, or generated on the premises by a user of said public buildings/ grounds/ highways.

It shall be unlawful to dispose of any solid waste, including recyclables and hazardous waste on one's own property, except in a waste container designated for transportation to a permitted solid waste facility, as designated by the Selectmen.

ARTICLE III

OPEN FIRES AND INCINERATION

Except as provided by this article, the burning of any solid waste, including yard and garden debris, recyclables, and hazardous wastes, either by open fire or incineration is prohibited in the Town of Washington.

A specific written permit may be granted by the Fire Warden for the open burning of yard and garden debris including trees, stumps, brush, untreated wood, dry lawn clippings, and leaves; provided 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 of Washington. Permits, which are issued under the provision of this ordinance shall be for a specific date, time and location, and only for specified materials. The Selectboard may establish a fee for the issuance of such permits.

As authorized by The State of Vermont, The Town reserves the right to burn yard and garden debris including trees, stumps, brush, untreated wood, dry lawn clippings, and leaves under the conditions set out in State of Vermont Air pollution Control Regulations, Section 5-202 and 5-203.

ARTICLE IV
PENALTIES AND ENFORCEMENT

Any person violating any provision of this ordinance or the regulations enacted hereunder shall be fined not more than \$500 for each offense.

Unless otherwise provided for herein, each day that a violation shall continue to exist shall constitute a separate offense.

ARTICLE V
INCONSISTENT REPEAL

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

ARTICLE VI

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

ARTICLE VII
EFFECTIVE DATE

ADOPTED: (August 10, 1993)

EFFECTIVE: (October 11, 1993)