

Town of Canaan, Vermont

Ordinance Regulating the Collection, Disposal, and Management of Solid Waste

Article I. Authority –

This ordinance is adopted pursuant to 24 V.S.A. §§ 1971, 1974a, 2201, 2202a, and 2291(12), and 10 V.S.A. Chapter 159, including the Vermont Solid Waste Management Rules.

Article II. Purpose –

The purpose of this ordinance is to protect public health, safety, and welfare; prevent illegal dumping and environmental harm; regulate the collection, storage, transport, and disposal of solid waste; ensure compliance with the Town of Canaan Solid Waste Implementation Plan (SWIP); and establish a fair and equitable system of waste management, including variable rate pricing.

Article III. Definitions –

- a. Solid Waste: Any discarded material, including garbage, refuse, sludge, and other materials, as defined in 10 V.S.A. § 6602.
- b. Illegal Dumping: The placement, deposit, disposal, or abandonment of any solid waste at any location not authorized by the Town, including disposal at Town facilities outside authorized hours, disposal of unauthorized materials, or disposal in violation of this ordinance or Selectboard policy.
- c. Transfer Station: A facility designated and operated or authorized by the Town for the collection, handling, and transfer of solid waste and recyclables.
- d. Stump Dump: A Town-designated facility for the disposal of limited woody debris and natural materials, operated in accordance with Town policy and state regulations.
- e. Resident: Any person who owns, occupies, or maintains property within the Town of Canaan, including full-time residents and seasonal or second homeowners.
- f. Commercial or Contractor Waste: Waste generated from construction, demolition, land clearing, or other activities performed for compensation, or waste generated in quantities exceeding typical residential or small business levels.
- g. Hauler: Any person or entity engaged in the collection, transport, or delivery of solid waste for disposal.

Article IV. Administration –

The Selectboard shall have authority to:

- a. administer and enforce this ordinance;
- b. may designate facilities for collection, handling, recycling, and disposal of solid waste;
- c. may adopt, amend, and enforce policies, rules, procedures, and directives;
- d. may establish and modify fees, including variable rate pricing;
- e. may grant waivers or variances where appropriate and consistent with state law;
- f. Authority may be delegated to the Road Agent, facility operators, or other authorized personnel.

Article V. General Requirements –

- a. No person shall dispose of solid waste except in accordance with this ordinance, Selectboard policy, and applicable law.

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- b. No person shall dispose of solid waste except at facilities designated or approved by the Selectboard.
- c. Solid waste shall be handled, stored, transported, and disposed of in a manner that does not create a hazard.
- d. No person shall deposit, abandon, or accumulate solid waste in a manner that constitutes illegal dumping or a nuisance.
- e. Household Hazardous Waste –
 - i. Household hazardous waste (HHW) shall not be disposed of in municipal solid waste, recycling, or at Town facilities except as specifically authorized.
 - ii. The Town may provide for the collection and proper disposal of HHW through: Scheduled collection events, regional programs, and or other approved methods.
 - iii. Residents shall manage HHW in accordance with Vermont Solid Waste Management Rules and Town policy and program requirements
 - iv. Disposal of HHW outside authorized programs shall constitute a violation of this ordinance.

Article VI. Collection and Hauling –

- a. No person shall collect or transport solid waste except in compliance with this ordinance and applicable state law.
- b. All haulers shall deliver solid waste only to facilities designated or approved by the Selectboard.
- c. The Selectboard may require registration, licensing, or regulation of haulers.
- d. No person shall transport or dispose of solid waste in a manner that circumvents Town requirements.

Article VII. Transfer Station –

The Town may own, operate, or designate a transfer station for solid waste disposal and recycling. The following rules shall apply:

- a. Use is limited to residents, including second homeowners;
- b. Small businesses may use the facility in limited quantities as determined by the Selectboard or its designee;
- c. Contractor or commercial disposal of C&D or land clearing debris generated for compensation is prohibited unless authorized by policy;
- d. The facility may accept C&D and other materials as determined by Selectboard policy;
- e. The Selectboard may establish rules for hours, materials, fees, separation, and operations;
- f. All users must follow posted rules and operator instructions;
- g. The operator may reject any load that is non-compliant, excessive, or commercial in nature.

Article VIII. Stump Dump Facility –

The Town may own, operate or designate a “stump dump” for limited clean wood debris, ashes, asphalt, cement, and yard waste. The following rules shall apply:

- a. Use is limited to residents and second homeowners only unless authorized by policy;

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- b. Disposal of stumps of any size is prohibited;
- c. Disposal of construction, demolition, or land clearing debris is prohibited;
- d. Contractor or commercial use is prohibited unless authorized by policy;
- e. The stump dump shall not accept C&D under any circumstances;
- f. The Selectboard may establish policies for materials, size limits, load limits, and operations;
- g. All users must follow posted rules and operator instructions;
- h. The operator may reject any load that is non-compliant, excessive, or suspected to be contractor-generated;
- i. All burning must comply with Vermont Air Pollution Control Regulations and require Fire Warden authorization.

Article IX. Variable Rate Pricing –

- a. The Town shall implement a pay-as-you-throw system.
- b. Approved bags, tags, or systems shall be required for municipal solid waste.
- c. Fees shall be established by the Selectboard, to include the pay-as-you-throw system and construction and demolition refuse.
- d. No person shall circumvent the system.
- e. All haulers must comply with this system.

Article X. Prohibited Acts –

- a. Illegal dumping including use of Town facilities outside authorized hours.
- b. Disposal of prohibited materials.
- c. Violation of Selectboard policies or operator instructions.
- d. Improper burning of materials.
- e. Interference with Town personnel.

Article XI. Public Safety and Nuisance –

Waste shall not create hazards, odors, nuisances; and shall not attract vermin or create unsafe conditions.

Article XII. Enforcement and Penalties –

- a. **Enforcement Authority –**
 - i. Enforced by Selectboard, Road Agent, Constable, or authorized Enforcement Officer.
 - ii. May issue warnings, notices of violation, or municipal complaints.
 - iii. May require corrective action.
 - iv. May refuse access to facilities or reject materials.
- b. **Notice of Violation –**
 - i. May issue written notice describing violation and required corrective action.
 - ii. May establish reasonable time for compliance.
 - iii. Failure to comply constitutes a separate violation.
 - iv. Notice is not required prior to issuing a ticket when immediate enforcement is warranted.
- c. **Violations –**
 - i. Illegal dumping including after-hours use of Town facilities.
 - ii. Disposal of unauthorized or prohibited materials.

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- iii. Circumvention of variable rate pricing system.
 - iv. Disposal of contractor or commercial waste where not permitted.
 - v. Failure to follow posted rules, policies, or operator instructions.
- d. **Civil Enforcement –**
- i. Violations may be enforced by direct billing and cost recovery by the Town or by issuance of a municipal complaint in the Vermont Judicial Bureau pursuant to 24 V.S.A. § 1974a.
 - ii. The preferred method of enforcement for routine or first-time violations shall be direct billing or notice through the Town Office.
 - iii. The Selectboard or its designee may determine enforcement method based on severity, compliance, and whether the violation is repeated or contested.
 - iv. The Town is not required to issue a municipal complaint prior to billing or cost recovery.
- e. **Civil Penalties and Waiver Fees –**
- i. Waiver fees apply only to violations enforced through issuance of a municipal complaint and do not apply to violations resolved through direct billing.
 - ii. Each violation is subject to a civil penalty.
 - iii. Each day constitutes a separate violation.
 - iv. Penalty Amounts:
 - First offense: \$100 penalty / \$75 waiver
 - Second offense: \$200 penalty / \$150 waiver
 - Third and subsequent offenses: \$400 penalty / \$300 waiver
- f. **Determination of Offenses –** Similar violations within twelve (12) months escalate offense levels.
- g. **Cost Recovery –** The Town may recover costs of removal, cleanup, remediation, and administrative expenses. Unpaid costs may be recovered through civil action or property liens.

Article XIII. Appeals –

Any person issued a civil violation may appeal pursuant to 24 V.S.A. § 1974a.

Article XIV. Policies –

The Selectboard may adopt policies governing operations, including transfer station and stump dump operations, material acceptance, and load limits. Such policies shall have the force of this ordinance.

Article XV. Relationship to SWIP –

This ordinance is intended to implement and be consistent with the Town of Canaan Solid Waste Implementation Plan.

ARTICLE XVI. Other Laws –

This ordinance is in addition to all other ordinances of the Town and all applicable laws of the State of Vermont. 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.

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Articles XVII. Severability –

If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding will not invalidate any other part of this ordinance.

Article XVIII. Effective Date –

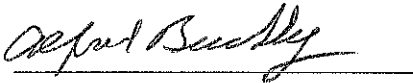
This ordinance will become effective 60 days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute will govern the taking effect of this ordinance.

Adopted this 11th day of June, 2026.

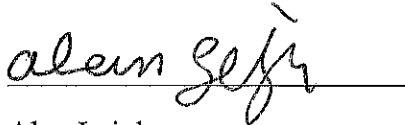
SIGNATURES:



Dillon Begin, Chair



Alfred Buckley



Alan Leigh

Adoption History

1. Agenda item at regular Selectboard meeting held on April 13, 2026.
2. Read and approved at regular/special Selectboard meeting on June 11, 2026 and entered in the minutes of that meeting which were approved on June 25, 2026.
3. Posted in public places on June 12, 2026.
4. Notice of adoption published in the Canaan Chronicle newspaper on June 26, 2026 with a notice of the right to petition.
5. Other actions [*petitions, etc.*].

