

State of Vermont  
Department of Environmental Conservation  
Waste Management & Prevention Division  
1 National Life Drive – Davis 1  
Montpelier, VT 05620-3704

December 21, 2020

Jenn Bartleman  
Solid Waste Manager  
White River Alliance  
134 South Main St  
Bethel, VT 05032

**RE: Approval of Solid Waste Implementation Plan (SWIP)**

Dear Jenn,

The White River Alliance Solid Waste Implementation Plan, adopted on December 9, 2020, is approved. The Agency finds the SWIP conforms to the State of Vermont Materials Management Plan, adopted on November 19, 2019, and the requirements of 10 V.S.A Section 6604(a)(1) and 24 V.S.A. Section 2202a(c)(2).

If you have any questions regarding the implementation of this approved SWIP, please contact Mia Roethlein at [mia.roethlein@vermont.gov](mailto:mia.roethlein@vermont.gov) or 802-522-5926.

Thank you for your work to reduce the volume and toxicity of Vermont's waste as well as the State's other waste management priorities.

Sincerely,



Chuck Schwer  
Director  
Waste Management and Prevention Division

Cc:  
Mia Roethlein, Solid Waste Program, VT DEC

# 2019 Solid Waste Implementation Plan Template & Approval Process

## SWME Solid Waste Implementation Plan

<b>Name of SWME</b>	White River Alliance
<b>Year Chartered (if applicable)</b>	
<b>Mission for Sustainable Materials Management</b>	<b>Our mission is to efficiently collect and transfer municipal solid waste, recyclables and organic materials and to oversee the safe and proper disposal of Household Hazardous Waste, biosolids and pharmaceuticals throughout the Alliance.</b>
<b>Names of Member Town(s)</b>	Barnard, Bethel, Granville, Hancock, Pittsfield, Rochester, Royalton, Stockbridge.
	<b>Attach cover page once SWIP has been pre-approved with title and date adopted by SWME.</b>

### General

<b>G1</b>	<p><b>Disposal and Diversion Reporting.</b></p> <ol style="list-style-type: none"> <li><b>DISPOSAL RATE:</b> To track progress with state waste reduction goals, SWMEs must report their disposal rate in SWIP years one and five. SWMEs may use the method in the <i>ANR Data Guidance</i> to calculate their disposal rate or another method approved by ANR. Disposal rate reports must be based on calendar year data and be submitted to ANR via ReTRAC by July 1<sup>st</sup>. <b>DOCUMENTATION (only required in annual SWIP reports):</b> <ol style="list-style-type: none"> <li>First (1<sup>st</sup>) Year SWIP Report: report year 1 annual per person per year disposal rate.</li> <li>Fifth (5<sup>th</sup>) Year SWIP Report: report year 5 annual per person per year disposal rate.</li> </ol> </li> <li><b>DIVERSION RATE:</b> SWMEs are not required to report diversion rates to ANR; however, it is strongly recommended that SWMEs track their diversion efforts to determine the success of their programs and services.</li> </ol>
<b>Plan to submit data:</b>	<p>The Alliance will report their disposal rate in SWIP years one and five using the per capita method. Disposal rate reports will be submitted to ANR via ReTRAC by July 1<sup>st</sup>. Although SWME's are not required to report diversion rates to ANR, the Alliance will track their diversion rate using the ReTRAC program. This will assist the Alliance in determining the success of its programs.</p> <p>4,719.63 tons MSW disposal per year (2018)  9,439,260 pounds MSW disposal per year (2018)  3,154 seasonal population (2018)  12,378 total estimated population (2018)  762.58 estimated annual per capita MSW disposal rate (lbs./person/year).  2.09 estimated daily per capita MSW disposal rate (lbs./person/day).</p>

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<p><b>G2</b></p>	<p><b>SWIP Posting &amp; Publicity.</b> To ensure community members are aware of and can access the SWIP, each SWME must—within one month of their SWIP approval—<b>post their approved SWIP</b> on their website and <b>submit one press release</b> about their SWIP to local newspapers within two months of SWIP approval.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. First (1<sup>st</sup>) Year SWIP Report: supply website link of SWIP and attach press release along with date released and list of newspapers where it was sent.</li> </ol>
<p><b>Plan for Posting and Press Release:</b></p>	<p>The SWIP will be posted on the Alliance website: <a href="http://whiteriveralliancesolidwaste.org">whiteriveralliancesolidwaste.org</a> A press release will be published in “The Herald” of Randolph, VT.</p>

<p><b>G3</b></p>	<p><b>A-Z Waste &amp; Recycling Guide.</b> To ensure community members have access to local information on state disposal bans and how to reuse, recycle, donate, compost, and safely dispose of their unwanted materials, each SWME will develop and maintain an A-Z guide on their website that lists regional management options for various materials. This guide must be updated on the SWMEs website within the first SWIP year and remain accurate throughout the SWIP term. The list must contain, at minimum, information on how to manage, recycle, or divert all <u>state disposal</u> banned items in addition to information on where to recycle/reuse the following materials: clothing/textiles, asphalt shingles and drywall, sharps, pharmaceuticals, and food for donation.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. Provide A-Z website link in annual SWIP report.</li> <li>2. A-Z website link must be easily found from the district, alliance or town’s website within 2 clicks or fewer from the homepage.</li> <li>3. Publicize the A-Z Waste &amp; Recycling Guide with at least two forms of outreach annually throughout the SWIP term.</li> </ol>
<p><b>Plan for Updating Webpage:</b></p>	<p>The A-Z guide will be updated within the first 3 months of the first SWIP year and will be updated annually. The guide can be found at <a href="http://whiteriveralliancesolidwaste.org">whiteriveralliancesolidwaste.org</a> under “Recycling A-Z.”</p>
<p><b>Plan for Publicity:</b></p>	<p>The A-Z guide will be available for customers at the transfer station as a hand-out, shared with each town in the Alliance for posting on their individual webpages, available at Town Offices and available on Town Meeting Day.</p>

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<p><b>G4</b></p>	<p><b>Variable Rate Pricing.</b> SWMEs must implement a variable rate pricing system that charges for the collection of municipal solid waste from a residential customer for disposal based on the volume or weight of the waste collected.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, explain the method used to ensure haulers and facilities are charging residents for trash based on volume or weight.</li> </ol>
<p><b>Description of System:</b></p>	<p>All trash collected in the Alliance is charged for by weight or volume and is therefore compliant with variable rate pricing. Haulers in the Alliance are charging variable rate whereas the rate increases if the number of bags exceeds a set starting point (example: 3-30 gallon bags for \$12.00, additional bags \$5.00.) Fees at the Bethel-Royalton Transfer Station, for example are \$3 for a 13 gallon bag, \$5 for a 30 gallon bag and \$8 for a 42 gallon bag. In person spot checks at “quick drops” and transfer stations as well as surveying customers of local haulers ensures that haulers and facilities are in compliance. All member towns have passed VRP ordinances, copies of which are attached.</p>
<p><b>G5</b></p>	<p><b>Solid Waste Hauling Services.</b> To ensure community members have access to information on solid waste hauling services in their region or town, SWMEs must annually update the contact information and trash, recycling, and food scrap pickup services offered by all commercial solid waste haulers operating within their region on the SWME website. SWMEs may elect to establish licensing or registration programs to accomplish this requirement.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, provide website link to hauler contact list and services haulers provide.</li> </ol>
<p><b>Description of Updating Process:</b></p>	<p>Solid Waste Hauling Services are provided and updated annually on the Alliance website at <a href="http://whiteriveralliancesolidwaste.org">whiteriveralliancesolidwaste.org</a></p>

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## Outreach – Recycling, Organics, HHW/CEG, EPR Programs

01

**School Outreach.** To ensure all K-12 public and private school children, faculty and staff understand state disposal bans and how to reduce waste, reuse, recycle, compost, donate, and safely manage materials responsibly, **SWMEs must annually visit and work with K-12 public and private schools to implement school-wide waste reduction programs — covering, at minimum, disposal ban information, how to recycle correctly, how to separate food scraps for composting, how to reduce wasted food and donate what is appropriate, how to safely manage hazardous waste, and collection options available from Vermont’s Extended Producer Responsibility Programs for electronics, paint, batteries, mercury-containing bulbs and thermostats.** SWMEs must assist schools on a continual basis to ensure the effectiveness of waste reduction programs.

SWMEs must conduct in-person outreach and education assistance to at least 10% or 2 schools (whichever is greater) within their jurisdiction each year, ensuring that at least 50% of the schools are reached by the end of the SWIP term. SWMEs should prioritize outreach to schools that have not yet been visited. For SWMEs with fewer than 10 schools, assistance should be offered on an annual basis to at least 2 schools per year, with re-visits to schools if all schools in the jurisdiction are reached early in the SWIP term.

SWMEs may work with ANR’s Environmental Assistance Office to obtain information and technical assistance on HHW/CEG handling, disposal, waste reduction, recycling, and finding cost effective disposal options.

**DOCUMENTATION (only required in annual SWIP reports):**

1. Provide a list of schools contacted, dates visited, informational materials provided (such as VT Waste Not Guide), technical assistance or outreach offered, and status of recycling and food scrap diversion programs in annual SWIP report.

**Description of Outreach Plan:**

The Alliance has contracted with the Northeast Resource Recovery Association (NRRRA) who will provide school outreach to all K-12 students, faculty and staff located at the seven schools within our region. NRRRA will provide a wide range of programs with a curriculum that explains VT state disposal bans, how to reduce waste (both food and household items) by reusing, recycling properly or donating items and how to safely handle everyday items that are potentially hazardous waste. One program is dedicated entirely to composting and another to household toxins and chemicals. In addition to the NRRRA, the Alliance manager will work with the schools to ensure that they understand the Vermont Extended Producer Responsibility Program. In part, this program allows schools to recycle electronics, paint, batteries, mercury containing bulbs and thermostats at the Bethel-Royalton Transfer Station at no cost. The NRRRA will work with two schools per year and has a program in place to do so via video conferencing until the COVID-19 pandemic is resolved. The Alliance manager will assist schools on a continual basis to ensure the effectiveness of their waste reduction programs. In the annual SWIP report, the Alliance manager will provide a list of schools contacted, dates visited, informational materials provided, technical assistance or outreach offered and status of recycling and food scrap diversion programs using ReTRAC

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**O2**

**Direct Business Outreach.** To ensure businesses and institutions (hospitals, nursing homes, colleges, correctional facilities, and other large waste generators) understand how to meet State requirements and reduce waste, recycle, compost, donate food/goods, and safely manage materials responsibly, **SWMEs must annually conduct business outreach and education either in person or via phone — covering, at minimum, disposal ban information, how to recycle correctly, how to separate food scraps for composting, how to reduce wasted food, how to safely manage hazardous waste, and collection options available from Vermont’s Extended Producer Responsibility Programs for electronics, paint, batteries, mercury containing bulbs and thermostats.** SWMEs must provide business outreach and education on a continual basis to ensure the effectiveness of waste reduction programs.

SWMEs must conduct business outreach and education to at least 2% or 20 businesses/institutions (whichever is greater) within their jurisdiction each year and reach at least 10% of the businesses and institutions within their region by the end of the SWIP term. For SWMEs with fewer than 20 businesses, all businesses must receive outreach at least twice during the SWIP term.

SWMEs should prioritize outreach to businesses that have not yet been contacted or visited or those whose status is not yet known.

**DOCUMENTATION (only required in annual SWIP reports):**

1. In annual SWIP report, provide list of businesses/institutions contacted, date contacted, outreach materials provided (such as the VT Waste Not Guide), and the status of recycling and food scrap diversion programs and whether follow up is needed.

**Description of Outreach Plan:**

There are approximately 150 businesses and institutions located in the White River Alliance. The Alliance manager will conduct an outreach and education program (either in person or by phone) which reaches 20 businesses each year. At a minimum the program will cover disposal ban information, how to recycle correctly, how to separate food scraps for composting, how to reduce food waste and what is appropriate to donate and how to safely manage hazardous waste. Collection options related to the Vermont Extended Producer Responsibility Programs for electronics, paint, batteries, mercury containing bulbs and thermostats will also be presented. Details regarding the businesses contacted, dates, materials provided, status of programs and follow-up will be documented and reported in ReTRAC.

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<b>03</b>	<p><b>Waste Reduction at Events.</b> To ensure community members have resources to reduce waste, recycle, and divert food scraps from the trash at events, SWMEs must, <u>at minimum</u>, offer technical assistance which could include signage and coordination with local haulers and facilities accepting food scraps. Though not required, SWMEs are encouraged to host waste-sorting stations at events with SWME staff or volunteers or to loan community members basic supplies such as signage and collection bins.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"><li>1. Provide information on SWME or town website of event waste reduction and diversion resources and services and provide link in annual SWIP report.</li><li>2. In annual SWIP report, list events that have received assistance each year.</li></ol>
<b>Description of Assistance:</b>	<p>Waste Reduction Information specific to events such as family reunions, weddings, parties, etc. will be available on the Alliance website: <a href="http://whiteriveralliancesolidwaste.org">whiteriveralliancesolidwaste.org</a> by the end of SWIP year 1. Our goal is to ensure that community members have the resources available to reduce waste, recycle and divert food scraps from the trash at special events. We will offer technical assistance including signage and can offer referrals to local haulers and facilities that accept food scraps. Events that receive assistance will be listed in the annual SWIP report.</p>

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## HHW & CEG Hazardous Waste

<p><b>H1</b></p>	<p><b>HHW Collection Events and Facilities.</b> To ensure community members have convenient access to safely dispose of Household Hazardous Waste (HHW) and Conditionally Exempt Generator Hazardous Waste (CEG), SWMEs must provide a minimum of two (2) HHW/CEG hazardous waste collection events per year or access to a permanent HHW collection facility defined within this MMP as a facility that is open at least one day per week and open at minimum from May through October (ANR may consider approving requests for alternative operating days and seasonal openings and closures of permanent facilities when necessary). SWMEs that provide access to a permanent HHW collection facility in their region, are exempt from the requirement to offer all towns at least one annual collection event within 20 road-miles.</p> <p><b>Minimum Requirements for SWMEs utilizing Collection Events:</b> SWMEs must offer at least one event scheduled in the spring and one in the fall and events must operate for a minimum of 4 hours. SWMEs who only offer collection events or operate HHW facilities with operating hours similar to collection events must <u>annually</u> provide each of its towns with access to at least one collection event (or to a facility) within 20 road-miles; meaning a maximum distance of 20 road-miles from any point in the town. If a SWME provides additional events above the minimum requirement, waivers to the minimum duration for each event may be considered by ANR. To meet this 20 road-mile convenience requirement, certain regions may need to add collection events.</p> <p>SWMEs may share access to events and facilities provided a signed agreement confirming access by the SWME's community members is obtained; and provided that an event or facility is within 20 road-miles from any point in a town that would be using that event or facility.</p> <p>In the event an EPR Program is established for certain HHW materials, SWMEs would be required to ensure that collection exists for all <u>other HHW materials not covered</u> by the HHW EPR Program and to meet and maintain the above HHW collection and convenience standards.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, provide dates of events or link to facility hours on SWME website, number of participants and the amount of HHW/CEG hazardous waste collected.</li> </ol>
<p><b>Description of Collection Plan:</b></p>	<p>The Alliance will provide member towns with two HHW events per year. Typically, one event is held at the Bethel-Royalton Transfer Station and the other is held at the Rochester Town Office in order to satisfy the 20 road-mile requirement. Events are held on a Saturday from 8am-noon with one event in the Spring and one in the Fall. The Alliance manager will provide the number of participants (both residents and CEG businesses) and the amount of HHW/CEG hazardous waste collected in the HHW report in ReTRAC.</p>



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<p><b>H2</b></p>	<p><b>Collection of Landfill-Banned and Dangerous Materials.</b> Each SWME shall demonstrate that year-round collection options exist in their region for the following materials: <b>batteries, mercury containing lamps, mercury thermostats, 1- and 20-pound propane tanks, electronics, paint, tires, used oil, and white goods (including discarded refrigerators, washing machines, clothes dryers, ranges, water heaters, dishwasher, freezers).</b> Collection locations can be privately or publicly owned, such as auto parts stores collecting used oil, or hardware stores collecting paint and fluorescent lamps. However, if the only collection location for a required material closes during the SWIP term, then the SWME must provide a collection option for its residents. All collection locations must be open at least one weekday and one weekend day per week. In addition, all outreach promoting the collection of these materials must make clear that the collection of these materials is separate from curbside, or blue-bin, recycling.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, provide link to SWME's A-Z Guide's listings with name, location, phone number, and website (if available) of the locations, by material type.</li> </ol>
<p><b>Plan for Updating Collection Locations:</b></p>	<p>The Bethel-Royalton Transfer Station accepts all of these items during normal business hours which includes at least one weekday and one weekend day per week. Each collection area for these items has its own separate area away from blue-bin recyclables.</p> <p>The A-Z guide for these items will be updated annually. An additional flyer stressing that these items are separate from blue-bin recycling will be published with the A-Z guide and made available to each Town Clerk's office, posted on Front Porch Forum and as a handout at the Bethel-Royalton Transfer Station.</p>

## Food Donation

<p><b>F1</b></p>	<p><b>Food Rescue.</b> To ensure community awareness of food donation centers, SWMEs must, at minimum, list food donation groups on their website (this can be part of the A-Z Guide). SWMEs should contact and collaborate with local food redistribution groups to conduct outreach and education to food businesses and institutions about opportunities to donate quality food within the region to feed people. Related groups include Vermont Foodbank, hunger councils, food shelves, churches, schools, and other nonprofit and community organizations that accept and distribute donated food items.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, provide link to SWME's A-Z Guide's food donation listing, with name, location, phone number, and website (if available) of the food donation centers.</li> </ol>
<p><b>Plan for Updating Website:</b></p>	<p>Area food banks are listed on the Alliance website: <a href="http://whiteriveralliancesolidwaste.org">whiteriveralliancesolidwaste.org</a></p> <p>The A-Z entries will be updated annually.</p>

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## Textiles

<p><b>T1</b></p>	<p><b>Textile Reuse and Recycling.</b> To ensure community members have access to textile reuse and recycling centers where used clothing can be donated, SWMEs must <b>annually ensure that at least one collection location exists within their region.</b> Textile reuse/recycling locations can be either privately or publicly owned. However, if the only collection location closes or ceases collection during the SWIP term, then the SWME is responsible for providing a collection option for its residents or partnering with another group that may coordinate an annual drop and swap event. <b>Collection locations can also be shared amongst SWMEs</b> so long as the facility is within the same county or SWME region. SWMEs must <b>list where to donate and reuse/recycle “clothing/textiles” in their A-Z Guides.</b></p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, provide link to SWME’s A-Z Guide’s textiles reuse and recycling listing with name, location, phone number, and website (if available) of the textile reuse and recycling center.</li> </ol>
<p><b>Plan for Ensuring Collection Exists:</b></p>	<p>Area thrift stores are listed on the Alliance website: <a href="http://whiteriveralliancesolidwaste.org">whiteriveralliancesolidwaste.org</a> The A-Z guide which lists where to donate and reuse/recycle clothing/textiles will be updated annually.</p>

## Construction & Demolition (C&D)

<p><b>C1</b></p>	<p><b>Leaf, Yard, and Clean Wood Debris Recycling.</b> To ensure community members have options to recycle leaf, yard, and clean wood debris that are banned from landfill disposal, SWMEs must <b>annually ensure that at least one leaf, yard, and clean wood recycling collection location exists within their jurisdiction.</b> This location can be either privately or publicly owned; however, if the only collection location closes or ceases collection during the SWIP term, then the SWME must provide a collection option for its community members. SWMEs <b>must list where to drop off clean wood in their A-Z Guides.</b> Recycling options can include dimensional lumber that is reused, clean wood that is burned to produce heat and/or power for buildings (including wood stoves), clean wood that is chipped to create mulch or compost feedstocks, and other options listed in the state’s <a href="#">Leaf, Yard, and Clean Wood Debris Guide</a>. Collection locations should be co-located with solid waste facilities that collect C&amp;D and trash to make clean wood recycling convenient.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, provide link to SWME’s A-Z Guide’s clean wood recycling listing with name, location, phone number, and website (if available) of the collection location.</li> </ol>
<p><b>Plan for Ensuring Collection Exists:</b></p>	<p>These items are collected at the Bethel-Royalton Transfer Station. Information and pricing can be found on the Alliance website: <a href="http://whiteriveralliancesolidwaste.org">whiteriveralliancesolidwaste.org</a></p>

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<p><b>C2</b></p>	<p><b>Asphalt Shingles and Drywall Recycling.</b></p> <p><b>Asphalt Shingles Recycling:</b> To ensure community members have options to recycle asphalt shingles, SWMEs must ensure that at least one recycling collection location exists within their region. Collection locations can be privately or publicly owned. However, if the only recycling collection location closes during the SWIP term, then the SWME must provide a collection option. Collection locations may be shared amongst SWMEs. ANR may suspend this requirement upon finding that insufficient markets exist for these materials.</p> <p><b>Clean Drywall Recycling:</b> To promote the recycling of clean drywall, SWMEs must list where to drop off clean drywall for recycling in their A-Z Guides (even if drywall recycling collection locations are outside of the SWME region). To encourage development of options for drywall recycling collection, SWMEs must contact drywall recycling collectors once during the SWIP term to determine costs for obtaining drywall recycling collection services in their region.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. In annual SWIP report, provide link to SWME's A-Z Guide's asphalt shingles and drywall recycling listing with name, location, phone number, and website (if available) of these recycling collection locations.</li> <li>2. Fifth (5<sup>th</sup>) Year SWIP Report: describe contact made to drywall recyclers for costs for recycling option.</li> </ol>
<p><b>Plan for Ensuring Collection Exists:</b></p>	<p>The Alliance is committed to providing the region with asphalt shingle recycling choices by July 1, 2021. We continue to work with the VT DEC to find affordable options for our community members. At this time the nearest asphalt shingle recycler is Myers Recycling Center, 216 Red Can Drive, Colchester, VT Phone 802-655-4312.</p> <p>At this time there is no clean drywall recycling collection area in the region served by the Alliance. The Alliance will seek out collection areas in other parts of the state and surrounding areas. At least once in the SWIP term, the Alliance will determine the costs necessary for obtaining drywall collection services in the region.</p> <p>The A-Z entry for both Asphalt Shingles and Drywall will be updated annually as we gather more information.</p>

### Residuals – Biosolids, Wood Ash, Short Paper Fiber

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<p><b>R1</b></p>	<p><b>Residuals Recycling Meetings.</b> To promote the recycling of residual materials, each SWME must attend and help ANR Residuals Program staff host and coordinate at least one regional public meeting on residuals recycling during the SWIP term. ANR Residuals Program staff will help SWMEs organize the meetings, give a presentation, and identify speakers and invitees. SWMEs must reserve a space to hold the meetings and send invitations to water/wastewater and public works employees, town managers, select board members, septic and biosolids service providers, citizens, industrial waste generators, and others as appropriate. ANR Residuals Program staff will collaborate with SWMEs to develop a meeting agenda that best suits the needs or issues of the region and its towns. Meeting agendas could cover the benefits and challenges of recycling biosolids and other residual materials, like stabilized septage, wood ash, and short paper fibers, as well as education campaigns for the public on residual materials and keeping non-flushables and toxics out of the wastewater stream and septic systems.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>1. Collaborate with Residuals staff to host/coordinate regional public meeting on residuals recycling.</li> <li>2. Report date of meeting and list of attendees in 5<sup>th</sup> year SWIP report.</li> </ol>
<p><b>Plan for Assisting with Meeting Coordination:</b></p>	<p>The facility manager will attend and assist ANR Residuals Program staff host and coordinate at least one regional public meeting on residuals recycling during the SWIP term. The Town of Bethel would be an excellent location to hold such a meeting and has an outstanding Public Works Supervisor (Tim Mills) and supportive Town Manager (Therese Kirby) and Selectboard..</p>

### Additional SWIP Requirements Outlined in Overview

<p><b>Solid Waste Facility Siting Criteria</b></p>	<p>Describe siting criteria that will apply to solid waste facilities which may be proposed by any public or private entity in the SWME region. Siting criteria shall not be less stringent than the criteria in Vermont Solid Waste Management Rules.</p>
<p><b>Description:</b></p>	<p>Resident towns will defer to the criteria set forth by the Vermont Solid Waste Management Rules..</p>

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<p><b>Specify Facilities Included in SWIP &amp; How Proposed Facilities Will Be Reviewed</b></p>	<p>Explain the process and standards to be used to determine if newly proposed solid waste facilities would be included in the SWIP. The process may reference siting criteria and existing zoning ordinances, may require a host town agreement, or may defer to requirements in the Vermont Solid Waste Management Rules for some or all types of solid waste facilities. The standard(s) for being included in the SWIP should be clear. Under State law (10 V.S.A. §6605(c)), the Agency shall not issue a certification or recertification for a solid waste facility (except for a sludge or septage land application project) unless it is included in the municipal solid waste implementation plan. <i>Note: The plan should also include any known solid waste landfills which have been closed since 1989 so that they can receive post-closure certifications.</i></p>
<p><b>Facilities and Process:</b></p>	<p>Newly proposed solid waste facilities in the White River Alliance region would need to meet the requirements of the Vermont Solid Waste Management Rules for all types of solid waste facilities and would need a majority vote by the White River Alliance Solid Waste Management Board before being included in the SWIP. The plan includes the Royalton landfill which was closed after 1989 and currently receives post-closure certification. Attached is a list of all current and former solid waste facilities located within the towns comprising the White River Alliance.</p>

<p><b>Public Participation in the SWIP Approval Process</b></p>	<p>Describe the process to be used to ensure public participation in the development and implementation of the SWIP. The local community should be notified of opportunities to participate in the SWIP development and implementation. In accordance with state statute, SWMEs must hold at least two public meetings on the draft SWIP.</p>
<p><b>Description of Process:</b></p>	<p>Two public meetings are scheduled be held and will be warned in "The Herald" of Randolph, VT. The meetings are scheduled for Wednesday, August 5, 2020 and Wednesday, October 14, 2020.</p>

<p><b>Ordinances</b></p>	<p>Include copies of any solid waste related ordinances with the SWIP.</p>
<p><b>Copies of Ordinances:</b></p>	<p>Copies of Variable Rate Pricing Ordinances from each town in the White River Alliance are attached.</p>

<p><b>Conformance with Other Plans</b></p>	<p>Demonstrate that the SWIP is in conformance with any regional plan adopted in accordance with 24 V.S.A Chapter 117. Demonstration may be in the form of a letter from the applicable regional planning commission regarding conformance of the solid waste implementation plan with the regional plan(s), copies of pertinent sections of the regional plan(s), or other documentation that proves conformance.</p>
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**Letter or other  
Documentation:**

Letter from Two Rivers Regional Planning Commission is attached.

## Facilities Included in the Plan

Bethel-Royalton Transfer Station  
Recycling Center

122 Waterman Road  
Royalton, VT 05068

Barnard Transfer Station  
Recycling Center

157 Chateauguay Road  
Barnard, VT 05031

Bethel WWTF

Vermont Castings Road  
Bethel, VT 05032

Royalton Lagoon  
WWTF

South Windsor Street  
Royalton, VT 05068

Twitchel Landfill

Rochester, VT

Bethel-Royalton Landfill

Royalton, VT

Barnard Landfill

Barnard, VT

TOWN OF Rochester, VT  
CIVIL ORDINANCE

**VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION**

WHEREAS, the [Town(s) of Rochester, VT] has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2202a (d) of Act 148, Vermont's Universal Recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the [Town(s) of Rochester] is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection from residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, Variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid waste, increasing recycling and composting rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further Variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the Town of Rochester, VT here by adopts this ordinance requiring Variable rate pricing charges for collection of MSW from residential customers in the town of Rochester, VT.

**Article I: PURPOSE; TITLE**

**Purpose** This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

**Title** This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

**Article II: DEFINITIONS**

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.



- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a single or several treatment, storage, recycling, or disposal locations
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

#### **Article III: VARIABLE RATE PRICING**

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers; for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

#### **Article IV: FLAT FEE**

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Service Provider may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Service Provider may incorporate the cost of the Collection cost of mandated recyclables into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.

**Article V: FILING OF PRICING SYSTEM**

The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Alliance Solid Waste District or shall file such evidence along with their license application.

**Article VI: PENALTIES AND CIVIL ENFORCEMENT**

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning – demanding Variable rate pricing)		
	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

**Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL**

For the purposes of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

**Article VIII: REPEAL OF INCONSISTENT PROVISIONS**

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 IX: SEVERABILITY**

This ordinance and its various parts, sentences, sections, 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 X: EFFECTIVE DATE**

This ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 17 day of JUNE, 2015.

[Signature]  
Selectboard OR Board Member if from a District Board of Supervisors

[Signature]  
Selectboard OR Board Member if from a District Board of Supervisors

[Signature]  
Selectboard OR Board Member if from a District Board of Supervisors

Attest: Joanne McDonnell, Tom Clark

**TOWN OF Granville, VT**  
**CIVIL ORDINANCE**

**VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION**

WHEREAS, the [Town(s) of Granville, VT] has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2202a (d) of Act 148, Vermont's Universal Recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the [Town(s) of Granville] is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection from residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, Variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid waste, increasing recycling and composting rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further Variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces.

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the Town of Granville, VT here by adopts this ordinance requiring Variable rate pricing charges for collection of MSW from residential customers in the town of Granville, VT.

**Article I: PURPOSE; TITLE**

**Purpose.** This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

**Title.** This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

**Article II: DEFINITIONS**

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.

- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a single or several treatment, storage, recycling, or disposal locations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

### **Article III: VARIABLE RATE PRICING**

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers; for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

### **Article IV: FLAT FEE**

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Service Provider may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Service Provider may incorporate the cost of the Collection cost of mandated recyclables into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.

**Article V: FILING OF PRICING SYSTEM**

The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Alliance Solid Waste District or shall file such evidence along with their license application.

**Article VI: PENALTIES AND CIVIL ENFORCMENT**

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning -- demanding Variable rate pricing)

	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

**Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL**

For the purposes of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

**Article VIII: REPEAL OF INCONSISTENT PROVISIONS**

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 IX: SEVERABILITY**

This ordinance and its various parts, sentences, sections, 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 X: EFFECTIVE DATE**

This ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 10 day of JULY, 2015

Cheryl L. Sargent  
Selectboard OR Board Member if from a District Board of Supervisors

Michele Brown  
Selectboard OR Board Member if from a District Board of Supervisors

\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors

Attest: Kathy Werner  
Town Clerk/Treas

TOWN OF ROSELAND, VT  
CIVIL ORDINANCE

VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION

WHEREAS, the Town of Roseland, VT, has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 99, Section 1971), and 24 V.S.A. § 2402a (6) (Title 24, Chapter 61, Subchapter 9, Section 2402a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2402a (6) of Act 144, Vermont's Universal Recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the Town of Roseland is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection for residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid waste, increasing recycling and wrapping rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further, variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces.

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the Town of Roseland, VT, here by adopts this ordinance requiring variable rate pricing charges for collection of MSW from residential customers in the Town of Roseland, VT.

Article I: PURPOSE, TITLE

This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

Title

This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

Article II: DEFINITIONS

1. "Collection" shall mean the gathering, pickup, acceptance, and delivery to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.

- b. "Facility" shall mean any site or premises used for recycling, sorting, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a single or several treatment, storage, recycling, or disposal locations.
- c. "Hauler" shall mean any person that collect, transport, or delivers solid waste generated from a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW" means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

Article III: VARIABLE RATE PRICING

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each bag or unit of MSW, such as a 64-gallon container or a 30-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

Article IV: FLAT FEE

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items, except however, that no Service Provider shall charge a separate line item fee on a bill to a residential customer for the Collection of materials regardless after July 1, 2015, in accordance with state law. A Service Provider may incorporate the cost of the Collection cost of materials into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.



Article XI: EFFECTIVE DATE  
This ordinance shall become effective 90 days after the adoption date shown below.  
Adopted this 24 day of March, 2015.

[Signature]  
Solemnly OR Board Member if from a District Board of Supervisors  
[Signature]  
Solemnly OR Board Member if from a District Board of Supervisors  
[Signature]  
Solemnly OR Board Member if from a District Board of Supervisors  
Attest: [Signature]

Article V: FILING OF PRICING SYSTEM  
The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Albanese Solid Waste District or shall file such evidence along with their license application.

Article VI: PENALTIES AND CIVIL ENFORCEMENT  
a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial branch in accordance with 24 V.S.A. §§ 1979a et seq.  
b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning - decreasing variable rate pricing)	Waiver fee
2nd offense: Civil Penalty	\$100.00
3rd offense:	\$250.00
4th and subsequent offenses:	\$500.00

The waiver fee is paid by a violator who admits or does not contest the violation.

Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL  
For the purpose of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

Article VIII: REPEAL OF INCONSISTENT PROVISIONS  
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 IX: SEVERABILITY  
This ordinance and its various parts, sections, 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.

ROYALTON TOWN CLERK'S OFFICE  
This 25<sup>th</sup> day of March, 2015  
at 9 o'clock and 30 minutes A.M.  
Received for record the instrument of which the foregoing is a true copy.  
Attest: [Signature] [Signature]  
Town Clerk

## Certification for Evidence of Adoption

Pursuant to a motion by the Board of Selectmen of the Town of Bethel and in accord with V.S.A Title 24 Section 1972 the following was duly carried out in order to adopt an Ordinance for Variable Rate Pricing by Volume or Weight for Municipal Solid Waste Collection:

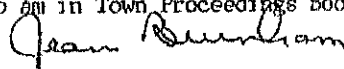
- The Ordinance for Variable Rate Pricing by Volume or Weight for Municipal Solid Waste Collection was delivered to the Town Clerk on Tuesday, April 14, 2015.
- Notice of Adoption was posted Tuesday, April 14, 2015 in five conspicuous places being: Town Manager's Office, Town Clerk's Office, Bethel Central Market, Mascoma Savings Bank, and Bethel Public Library.
- Notice of Adoption was published in the "Herald of Randolph" on Thursday, April 16, 2015.
- The Ordinance for Variable Rate Pricing by Volume or Weight for Municipal Solid Waste Collection was adopted by the Selectmen on Monday, April 13, 2015. Evidence of the amendment adoption is recorded in the meeting minutes of that same date.

Attest:

  
Jean Burnham, Town Clerk

Recorded in the Bethel Town Clerk's Office on June 30, 2015  
at 11:45 am in Town Proceedings Book 7 P. 407

Attest:

 Town Clerk

Recorded in the Bethel Town Clerk's Office on  
April 14, 2015 at 9:15 am in Town Records Vol. 7  
pages 405-406

Attest: Jean Beaudin Town Clerk

**TOWN OF Bethel, VT**  
**CIVIL ORDINANCE**

**VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION**

WHEREAS, the [Town(s) of Bethel, VT] has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2202a (d) of Act 148, Vermont's Universal Recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the [Town(s) of Bethel, VT] is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection from residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, Variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid waste, increasing recycling and composting rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further Variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces.

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the Town of Bethel, VT hereby adopts this ordinance requiring Variable rate pricing charges for collection of MSW from residential customers in the town of Bethel Vermont.

**Article I: PURPOSE; TITLE**

**Purpose.** This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

**Title.** This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

**Article II: DEFINITIONS**

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.

- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a single or several treatment, storage, recycling, or disposal locations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

### **Article III: VARIABLE RATE PRICING**

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers; for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

### **Article IV: FLAT FEE**

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Service Provider may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Service Provider may incorporate the cost of the Collection cost of mandated recyclables into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.

**Article V: FILING OF PRICING SYSTEM**

The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Alliance Solid Waste District or shall file such evidence along with their license application.

**Article VI: PENALTIES AND CIVIL ENFORCEMENT**

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning – demanding Variable rate pricing)

	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

**Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL**

For the purposes of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

**Article VIII: REPEAL OF INCONSISTENT PROVISIONS**

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 IX: SEVERABILITY**

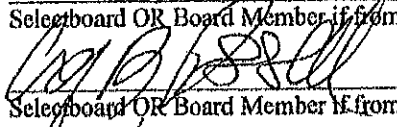
This ordinance and its various parts, sentences, sections, and clauses are hereby declared to be severable. If any part, sentence, section or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

**Article X: EFFECTIVE DATE**

This ordinance shall become effective 60 days after the adoption date shown below.  
Adopted this 12<sup>th</sup> day of APRIL, 2015.




\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors



\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors



\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors

Attest:  \_\_\_\_\_

TOWN OF Pittsfield, VT  
CIVIL ORDINANCE

RECEIVED  
JUN 09 2015  
T.T.

VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION

WHEREAS, the [Town(s) of Pittsfield, VT] has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2202a (d) of Act 148, Vermont's Universal Recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the [Town(s) of Pittsfield] is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection from residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, Variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid wastes, increasing recycling and composting rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further Variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces.

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the Town of Pittsfield, VT here by adopts this ordinance requiring Variable rate pricing charges for collection of MSW from residential customers in the town of Pittsfield, VT.

**Article I: PURPOSE; TITLE**

**Purpose.** This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

**Title.** This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

**Article II: DEFINITIONS**

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.

- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a single or several treatment, storage, recycling, or disposal locations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

### **Article III: VARIABLE RATE PRICING**

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers; for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

### **Article IV: FLAT FEE**

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Service Provider may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Service Provider may incorporate the cost of the Collection cost of mandated recyclables into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.



**Article V: FILING OF PRICING SYSTEM**

The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Alliance Solid Waste District or shall file such evidence along with their license application.

**Article VI: PENALTIES AND CIVIL ENFORCEMENT**

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning – demanding Variable rate pricing)		
	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

**Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL**

For the purposes of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

**Article VIII: REPEAL OF INCONSISTENT PROVISIONS**

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 IX: SEVERABILITY**

This ordinance and its various parts, sentences, sections, 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 X: EFFECTIVE DATE**

This ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 7<sup>th</sup> day of April, 2015.

7<sup>th</sup> day of June, 2015

Jerry Williams  
Selectboard OR Board Member if from a District Board of Supervisors

[Signature]  
Selectboard OR Board Member if from a District Board of Supervisors

Dan Rankin  
Selectboard OR Board Member if from a District Board of Supervisors

Attest: Patricia S. Hoskins

Handcock

- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A facility may consist of a single or several treatment, storage, recycling, or disposal locations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

**Article III: VARIABLE RATE PRICING**

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collector/drop-off disposal of each unit of MSW from residential customers; for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

**Article IV: FLAT FEE**

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Service Provider may charge a separate line item fee on a bill to a residential customer for the Collection of unsorted recyclables after July 1, 2015, in accordance with state statutes. A Service Provider may incorporate the cost of the Collection cost of unsorted recyclables into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.

**TOWN OF Hancock, VT  
CIVIL ORDINANCE**

**VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION**

WHEREAS, the [Town] of [Hancock, VT] has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2302a (a) (Title 24, Chapter 1, Subchapter 8, Section 2302a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2302a (d) of Act 148, Vermont's Universal recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the [Town] of Hancock is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection from residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, Variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid waste, increasing recycling and composting rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further Variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces.

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the [Town of Hancock, VT] here by adopts this ordinance requiring Variable rate pricing charges for collection of MSW from residential customers in the [Town of Hancock, VT].

**Article I: PURPOSE: TITLE**

This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

Title. This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

**Article II: DEFINITIONS**

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.

**Article X: EFFECTIVE DATE**  
 This ordinance shall become effective 60 days after the adoption date shown below.  
 Adopted this 7th day of August, 2018.

[Signature]  
 Subject OR Board Member if from a District Board of Supervisors

[Signature]  
 Selectboard OR District Member if from a District Board of Supervisors

[Signature]  
 Subject OR Board Member if from a District Board of Supervisors

Attest: [Signature]

**Article V: FILING OF PRICING SYSTEM**  
 The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Alliance Solid Waste District or shall file such evidence along with their license application.

- Article VI: PENALTIES AND CIVIL ENFORCEMENT**
- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
  - b. The penalties for violating this ordinance are as follows:
- |  |               |            |
|--|---------------|------------|
| 1st offense: Notice of Violation (written warning - demanding variable rate pricing) | Civil Penalty | Waiver Fee |
|  | \$100.00      | \$50.00    |
| 2nd offense:   | \$250.00      | \$125.00   |
| 3rd offense:   | \$500.00      | \$300.00   |
| 4th and subsequent offenses:   |               |            |

The waiver fee is paid by a violator who admits or does not contest the violation.

**Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL**  
 For the purposes of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

**Article VIII: REPEAL OF INCONSISTENT PROVISIONS**  
 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 IX: SEVERABILITY**  
 This ordinance and its various parts, sentences, sections, 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.

**TOWN OF Barnard  
CIVIL ORDINANCE**

**VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION**

WHEREAS, the [Town(s) of Barnard] has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2202a (d) of Act 148, Vermont's Universal Recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the [Town(s) of Barnard is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection from residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, Variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid waste, increasing recycling and composting rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further Variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces.

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the Town of Barnard here by adopts this ordinance requiring Variable rate pricing charges for collection of MSW from residential customers in the *town of Barnard*

**Article I: PURPOSE; TITLE**

**Purpose.** This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

**Title.** This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

**Article II: DEFINITIONS**

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.

- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a single or several treatment, storage, recycling, or disposal locations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

#### **Article III: VARIABLE RATE PRICING**

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge these customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers; for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

#### **Article IV: FLAT FEE**

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Service Provider may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Service Provider may incorporate the cost of the Collection cost of mandated recyclables into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.

**Article V: FILING OF PRICING SYSTEM**

The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Alliance Solid Waste District or shall file such evidence along with their license application.

**Article VI: PENALTIES AND CIVIL ENFORCEMENT**

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning – demanding Variable rate pricing)

	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

**Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL**

For the purposes of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

**Article VIII: REPEAL OF INCONSISTENT PROVISIONS**

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.

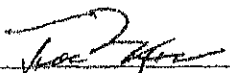
**Article IX: SEVERABILITY**

This ordinance and its various parts, sentences, sections, 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 X: EFFECTIVE DATE**

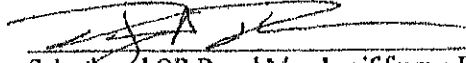
This ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 25 day of March, 2015.



\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors

\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors



\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors

Attest: \_\_\_\_\_

To: SOLIDWASTE83@YAHOO.COM



TOWN OF Stockbridge, VT  
CIVIL ORDINANCE

VARIABLE RATE PRICING BY VOLUME OR WEIGHT  
FOR MUNICIPAL SOLID WASTE COLLECTION

WHEREAS, the [Town(s) of Stockbridge, VT] has, by virtue of the authority granted in 24 V.S.A. § 1971 (Title 24, Chapter 59, Section 1971), and 24 V.S.A. § 2202a (a) (Title 24, Chapter 61, Subchapter 8, Section 2202a), the power to adopt, amend, repeal, and enforce ordinances, and to manage and regulate the solid waste disposal within its boundaries; and

WHEREAS, in accordance with 24 V.S.A. § 2202a (d) of Act 148, Vermont's Universal Recycling law, which requires municipalities implement a variable rate pricing system by no later than July 1, 2015; the [Town(s) of Stockbridge] is implementing and requiring variable rate pricing charges for municipal solid waste (hereinafter "MSW") collection from residential customers for disposal based on the volume or weight of the waste collected. This requirement to implement applies to all solid waste haulers and facilities that accept and collect MSW from residential customers.

WHEREAS, Variable rate pricing systems have been shown to be one of the most effective mechanisms for decreasing the disposal of solid waste, increasing recycling and composting rates, and increasing the diversion and reuse of valuable materials from the solid waste stream. Further, Variable rate pricing is more equitable or fair pricing for solid waste by charging based on the number of units of solid waste a residential customer produces.

NOW, THEREFORE, to encourage the responsible use of resources and the protection of the environment, the Town of Stockbridge, VT here by adopts this ordinance requiring Variable rate pricing charges for collection of MSW from residential customers in the town of Stockbridge, VT.

**Article I: PURPOSE; TITLE**

**Purpose.** This ordinance is enacted to encourage the responsible use of resources and the protection of the environment.

**Title.** This ordinance shall be known and may be cited as the "Ordinance Requiring Variable rate pricing."

**Article II: DEFINITIONS**

- a. "Collection" shall mean the gathering, pickup, acceptance, and allowance to drop off municipal solid waste by both solid waste haulers and solid waste facilities such as transfer stations where drop off of municipal solid waste is permitted.
- b. "Facility" shall mean any site or structure used for treating, storing, processing, recycling, transferring or disposal of municipal solid waste. A Facility may consist of a single or several treatment, storage, recycling, or disposal locations.
- c. "Hauler" shall mean any person that collects, transports, or delivers solid waste generated within a given area.
- d. "Municipal Solid Waste" hereinafter referred to as "MSW," means combined household, commercial, and industrial waste materials generated in a given area.
- e. "Variable rate pricing" means a fee structure that charges for MSW Collection based on its weight or volume.

#### Article III: VARIABLE RATE PRICING

Haulers and Facilities (hereinafter "Service Providers") that provide Collection and/or drop-off disposal services for MSW to residential customers shall charge those customers for this service on the basis of the volume or weight of the MSW they produce, which is a pricing system commonly referred to as Variable rate pricing.

Each Service Provider shall establish a unit-based price to be charged for the Collection/drop-off disposal of each unit of MSW from residential customers; for example, a price per pound or a price for each 30-gallon bag or 30-gallon container that is collected or disposed of by a resident. Each larger unit of MSW, such as a 64-gallon container or a 50-gallon bag, shall carry an increased price.

The provisions of this subsection shall not be construed to prohibit any Service Provider from establishing rules and regulations regarding the safe maximum weight of bags or containers of municipal solid waste materials. A Service Provider may refuse to collect or allow disposal of any bag or container which is overloaded or which contains a MSW greater than the rated or specified volume or weight of such bag or container, or shall account for and bill the customer for the Collection of such excess MSW.

#### Article IV: FLAT FEE

In addition to the unit-based price charged per unit of MSW, Service Providers may, but are not required to, charge a flat fee to residential customers for the purpose of covering operational costs for collecting, transporting, and disposing of MSW.

In the event that a Service Provider elects to establish a flat fee, all bills for services provided to residential customers shall clearly show both the flat fee and the unit-based price to maintain transparency.

Nothing herein shall prevent or prohibit a Service Provider from charging additional fees for the Collection of materials such as food and yard residuals or bulky items; except however, that no Service Provider may charge a separate line item fee on a bill to a residential customer for the Collection of mandated recyclables after July 1, 2015, in accordance with state statutes. A Service Provider may incorporate the cost of the Collection cost of

mandated recyclables into the cost of the Collection of solid waste and may adjust the charge for the Collection of solid waste.

**Article V: FILING OF PRICING SYSTEM**

The Service Provider shall file and submit evidence of their variable rate pricing system, including a breakdown of any and all fees including any flat fees, to the White River Alliance Solid Waste District or shall file such evidence along with their license application.

**Article VI: PENALTIES AND CIVIL ENFORCEMENT**

- a. This ordinance is a civil ordinance and enforcement shall be brought in the judicial bureau in accordance with 24 V.S.A. §§ 1974a et seq.
- b. The penalties for violating this ordinance are as follows:

1st offense: Notice of Violation (written warning - demanding Variable rate pricing)		
	<u>Civil Penalty</u>	<u>Waiver Fee</u>
2nd offense:	\$100.00	\$50.00
3rd offense:	\$250.00	\$125.00
4th and subsequent offenses:	\$500.00	\$300.00

The waiver fee is paid by a violator who admits or does not contest the violation.

**Article VII: DESIGNATION OF ENFORCEMENT PERSONNEL**

For the purposes of this ordinance, the Selectboard may designate any combination of the following persons as enforcement personnel: members of the Selectboard, the Town Health Officer, the Town Attorney, the Town Constable(s) and any official with law enforcement authority under Vermont law.

**Article VIII: REPEAL OF INCONSISTENT PROVISIONS**

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 IX: SEVERABILITY**

This ordinance and its various parts, sentences, sections, 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 X: EFFECTIVE DATE**

This ordinance shall become effective 60 days after the adoption date shown below.

Adopted this 2nd day of April, 2015.

  
\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors

  
\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors

  
\_\_\_\_\_  
Selectboard OR Board Member if from a District Board of Supervisors

Attest:   
\_\_\_\_\_

October 6, 2020

Ms. Jenn Bartleman, Manager  
Bethel Royalton Transfer Station  
White River Alliance  
134 South Main Street  
Bethel, VT 05032

RE: draft SWIP and TRORC Regional Plan conformance

Dear Ms. Bartleman:

This letter serves to confirm that the White River Alliance's 2019 draft Solid Waste Implementation Plan is in conformance with the goals and policies contained in the Two Rivers-Ottawaquechee Regional Commission's (TRORC) Regional Plan, adopted on July 15, 2020 and effective August 19, 2020. All towns within your Solid Waste Alliance, Barnard, Bethel, Granville, Hancock, Pittsfield, Rochester, Royalton and Stockbridge, are part of TRORC and covered by both Plans:

Please let me know if you have any questions.

Sincerely,



Peter G. Gregory, AICP  
Executive Director

cc: Paul Vallee, TRORC Board Commissioner  
Therese Kirby, Town Manager