

**Article 0807-9: SOLID WASTE ORDINANCE REGARDING ILLEGAL DUMPING**

Authority: 24 VSA §2291 (12), 2297 - 2297b

**Section I Illegal Dumping**

No person, corporation or business may dispose of any solid waste at any location or locations within the geographical limits of the Town of Morristown, except as provided in the Lamoille Regional Solid Waste Management's Solid Waste Plan.

**Section II Definitions**

- A. DISPOSE means to discharge, deposit, inject, dump, pour, spill, leak or place any solid waste into or on any land or water such that solid waste or any constituent thereof may enter the environment, be emitted into the air, or discharged into any ground or surface waters.
- B. RESPONDENT means any person alleged to have violated a solid waste ordinance.
- C. SOLID WASTE means any; discarded garbage, refuse, septage, and sludge from a waste treatment plant, water supply plant or pollution control facility, and other discarded material including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, commercial, mining, or agricultural operation, residential and from community activities, but does not include animal manure and absorbent bedding used for soil enrichment, or solid or dissolved materials in industrial discharges which are point sources subject to permits under the Water Pollution Control Act as defined in 10 VSA Chapter 47.

**Section III Penalties**

The Board of Selectmen may issue and enforce a solid waste order in accordance with 24 VSA §2297(a). A proposed solid waste order shall include:

- A. A statement that the respondent has the right to request a hearing before the legislative body on the proposed order and procedures for requesting the hearing;
- B. A statement that the respondent has the right to request a hearing before the environmental law division after the order has become final and a description of the procedures for requesting a hearing before the environmental law division;
- C. A statement that filing a request for hearing before the environmental law division will stop penalties from accruing in the case of a continuing violation;
- D. If applicable, a directive that the respondent takes actions necessary to achieve compliance with the ordinance, to abate hazards created as a result of noncompliance, or to restore the

environment to the condition existing before the violation;

- E. If applicable, a civil penalty of not more than \$500 for each violation and in the case of a continuing violation, not more than \$100 for each succeeding day.

ENACTED AND ORDAINED THIS 25TH DAY OF OCTOBER 1993.

Brian Greenia, Chair

Thomas Hirschak, Jr.

Ronald Stancliff

Donald Anderson

Steven Leach

ATTEST: Town Clerk Mary Ann Wilson

This ordinance is available for review at the Town Clerk's Office on Main Street in Morrisville. Questions concerning the ordinance may be directed to Gloria Wing, PO Box 748, Morrisville, VT 05661 or call 888-4040.

The voters of Morrystown have the right to petition for a vote on the proposed ordinance at an annual or special meeting as provided in Title 24 §1973. Said petition requires signature by five (5) percent of the registered voters of the Town of Morrystown and must be filed within forty-five (45) days following the date of adoption. In absence of a petition, this ordinance will take effect sixty (60) days from the date of adoption.