



Town of Castleton

TRANSFER STATION ORDINANCE

In accordance with 24 VSA 1971 and 2202a, the Castleton Board of Selectmen hereby establishes an Ordinance regulating the disposal of solid waste within the Castleton Town limits.

ARTICLE 1. DEFINITIONS

The following terms when used in this Ordinance shall have the following meanings.

Transfer Station. The Castleton Transfer Station; located on Staso Road, owned and operated by the Town of Castleton for the use of its citizens in the disposal of all garbage, refuse and solid waste more specifically described in Article 6.

Town(s). The Town of Castleton and the Town of Hubbardton.

Board of Selectmen. The Board of Selectmen of the Town of Castleton.

Acceptable Waste. Solid waste as defined in 10 VSA 6602(2) of Vermont's Solid Waste Management Law. Acceptable waste shall not include radioactive or hazardous waste or economic poison or vehicles.

User. Any permitted person who brings Acceptable Waste generated within the Town of Castleton or Town of Hubbardton to the Transfer Station including but not limited to the Town(s), any school or other municipal corporation within the Town(s), any resident of the Town(s), any seasonal dweller in the Town(s), any business located in the Town(s), any Church or other non-profit organization located in the Town(s), and any commercial hauler and/or multi-user.

Commercial Hauler and Multi User. An individual, partnership or corporation engaged in the hauling of garbage for profit; an individual, partnership or corporation engaged in the hauling of garbage for multiple dwellings owned by said individual, partnership or corporation.

Tipping Fee. Fee charged to a person by the Town for depositing solid waste at the Transfer Station.

ARTICLE 2. OPERATIONS

- 2.1 The Town of Castleton shall:
- a. provide the Transfer Station for the purpose of receiving Acceptable Waste from Users of the Town(s);
 - b. provide all equipment and labor necessary to perform all solid waste handling storage functions at the Transfer Station;
 - c. refuse to accept any hazardous or radioactive waste at the Transfer Station.
- 2.2 The Town of Castleton shall:
- a. obtain and maintain required licenses, permits and other approvals necessary to construct, maintain and operate the Transfer Station;
 - b. be responsible for observing all federal, state and local permits, ordinances, laws, standards and regulations in continuing operation of the Transfer Station.
- 2.3 The Town of Castleton may implement reasonable procedures to regulate access to and use of the Transfer Station.
- 2.4 The Town of Castleton may establish penalties for infractions of this Ordinance.
- 2.5 The Town of Castleton shall require Users to separate Acceptable Waste as specified in Article 6 and to place such materials in designated locations at the Transfer Station.
- 2.6 The Town of Castleton shall retain scavenger rights.

ARTICLE 3. PERMITTING

- 3.1 All persons, corporations or partnerships wishing to use the Castleton Transfer Station must obtain a permit prior to use of the facility.
- 3.2 Applicants for permits must be able to show proof of residence in either the Town of Castleton or the Town of Hubbardton. Such proof may include listing on checklist or a driver's license. The Town Manager shall determine residence.
- 3.3 No permit is issued for undeveloped property.
- 3.4 Permit fees are set annually by the Board of Selectmen.

- 3.5 Permits are valid for one year, commencing each year on July 1.
- 3.6 Permit applicants shall provide a separate vehicle for each permit sought. Each permit shall be attached to the vehicle by a Transfer Station worker at the time of purchase.
- 3.7 A permit will be replaced free of charge if part of the permit with the number on it is returned to the Transfer Station operator.
- 3.8 The Transfer Station operator shall spot check vehicles against permit numbers.
- 3.9 The Transfer Station operator shall periodically inspect disposed waste.

ARTICLE 4. USAGE

- 4.1 All Users shall be required to obey the directions of the Transfer Station operator. Failure to obey such instructions may, by decision of the Town Manager, result in revocation of permit.
- 4.2 Commercial Haulers and Multi Users shall be subject to the following additional provisions.
 - a. They shall be required to register with the Town Office and to obtain a Transfer Station Permit that identifies the vehicle as a commercial vehicle subject to commercial rates.
 - b. They shall submit a customer list not later than July 1 and January 1 each year. Failure to comply will result in revocation of Transfer Station privileges until requirements are met.
 - c. They shall be required to pay such tipping fees as may be established by the Board of Selectmen from time to time. Said fees must be paid by September 30 of each year. Except as otherwise provided in Article 5.5, Transfer Station privileges will be revoked until fees are paid in full. All regulations regarding charge accounts (Article 5.5) will apply. (Amended 1/13/06)
 - d. They shall be prohibited from disposing of any waste that does not originate within the town limits of Castleton or Hubbardton. Violation of this provision shall result in revocation of rights to use the Transfer Station. Action to revoke the right to use the Transfer Station will be initiated by Transfer Station operator by report to Town Manager. Decision concerning revocation and duration shall be made by the Town Manager.

e. Compactor vehicles are not permitted. Mixed solid waste must be loose.

4.3 Days & Hours of Operation

a. The Transfer Station shall be open for the deposit of Acceptable Waste by Users three (3) days per week. Days of operation shall be Tuesday, Thursday and Saturday.

b. Schedule of operation may be changed by the Town of Castleton Board of Selectmen and will be posted at least two (2) weeks in advance.

c. No person shall deposit or cause to be deposited any waste at the Transfer Station at any time other than during the hours of operation, excepting as follows.

d. Commercial Haulers and Multi Users may be asked by the Transfer Station operator to make deposits at other than regularly posted hours.

ARTICLE 5. COMPENSATION AND TIPPING FEES

5.1 The Castleton Board of Selectmen shall establish compensation to be paid, which equals operating and capital expenses of the Transfer Station.

5.2 The Town of Hubbardton shall pay a per capita fee based on a combination of United States Census and State of Vermont Department of Health figures on population and seasonal dwellings.

5.3 Castleton State College shall pay a per capita fee based on both residential and commuter students. Population statistics are established by the College Business Office after all enrollment data have been compiled.

5.4 Fees shall be imposed uniformly and without discrimination and no User making a deposit to the Transfer Station shall be required to pay more than any other in the same classification.

5.5 Fees are due at the time a deposit is made to the Transfer Station. No charging is allowed without a written agreement on file at the Town Office. Charging is limited to contractors and commercial haulers (not to include multi users). Except as provided below, a charge account holder who is more than thirty (30) days in arrears will have all Transfer Station privileges suspended until current account is paid in full. Payment plans for overdue accounts in excess of five hundred dollars (\$500.00) may be authorized at the sole discretion of the Select Board in a case-by-case basis. (Amended 1/13/06)

ARTICLE 6. TYPE OF REFUSE

- 6.1 All Users shall have the right to deposit ordinary household and business waste material. The following items shall not be acceptable at the Transfer Station:
- a. Septic Tank Materials
 - b. Hazardous materials and radioactive waste
- 6.2 The following items, if generated in the Town(s) of Castleton or Hubbardton, shall be accepted subject to the specified conditions.
- a. Building materials, including broken cement, bricks, lumber, sheetrock, plywood, and other like materials such as result from the demolition of building which require special handling by the Town.
 - b. Large appliances and other bulky metallic waste shall be kept separated from other refuse and shall be placed in areas designated by the Town.
 - c. Brush shall be kept separate from other refuse and shall be placed in areas designated by the Town.
 - d. Newspaper and cardboard, or other recyclables which may be designated from time to time, shall be kept separate from other refuse and shall be placed in containers designated by the Town.
 - e. Any new waste containing materials that require special handling or might have deleterious effects on Transfer Station equipment shall be acceptable only with prior consent from the Transfer Station operator.
 - f. Bulky waste, including but not limited to furniture, carpet, televisions, porcelain, mattresses.

ARTICLE 7. APPEALS

Any appeals to the revocation of rights to utilize the Transfer Station shall be made to the Board of Selectmen in writing. The Board shall take action on the appeal at its next regularly scheduled meeting.

ARTICLE 8. VALIDITY OF ORDINANCE

If for any reason, any provision, section, sentence, clause or paragraph, or any part of this Ordinance shall be declared unconstitutional or otherwise illegal, the validity of the

remainder of the said Ordinance shall not, in any way, be affected by such determination and the remainder of this Ordinance shall be deemed valid and effective.

ARTICLE 9. EFFECTIVE DATE

This Ordinance shall take effect sixty (60) days from and after its passage, recording and publication according to law.

November 13, 1984
Date of Adoption

January 19, 1985
Effective Date

January 8, 1985
Amended Date

March 8, 1985
Amended Effective Date

August 23, 1999
Amended Date

January 4, 2000
Amended Effective Date

June 11, 2001
Amended Date

August 11, 2001
Amended Effective Date

November 14, 2005
Amended Date

January 13, 2006
Amended Effective Date