

MEMORANDUM

TO: Board of Commissioners
FROM: Joey Catania, Compliance & Safety Manager
DATE: January 28, 2026
RE: Proposed Changes to the Solid Waste Management Ordinance

SYNOPSIS

Compliance staff have identified three sections of the Solid Waste Management Ordinance (Ordinance) that they would like to amend. These changes close an identified loophole in section 3.10, an expansion of education requirements for landlords of commercial properties, and a technical change for hauler licensing.

CURRENT SITUATION

Section 3.10 of the Ordinance has two key areas that staff have identified as troublesome in practice when working to educate and enforce compliance. The proposed amended language to section 3.10(A)(1) would close a loophole that allows owners of properties with five or more units to comply with Food residual collection requirements by offering services at a separate location: thereby providing Food residual services in a technical sense. Staff want to discourage this practice and require such property owners to provide Food residual collection service on site, and in the same manner as they provide Solid Waste and Recyclable collection services.

Additionally, Section 3.10(D) leaves a gap in the education requirement for property owners of commercial businesses. Staff have identified this as a weakness the Ordinance's ability to hold accountable business that are out of compliance with the Ordinance. Many generators place blame on the property owner when there is a waste management issue. The proposed amended language would help Staff to ensure all parties have received the necessary information to comply with Ordinance requirements.

Finally, section 4.8(A) of the ordinance requires an amendment due to outdated language. Staff used to create individualized Hauler licensing stickers with unique numbers on them. That is no longer the practice. Staff now create an annual, generic, Hauler licensing sticker and uses vehicle license plate numbers to ensure all Commercial Hauler vehicles are properly registered.

NEXT STEPS

Staff will inform all licensed haulers, as well as the public, of the proposed ordinance changes and provide the opportunity for public comment.

Public comments will be open from January 29, 2026, through February 19, 2026, and will be compiled and presented to the Board at the February 2026 Board meeting, where the request for Board approval of the proposed Ordinance changes will be submitted.

Should the Board approve the proposed changes at the February meeting, in accordance with 24 V.S.A. § 1972, Staff will post the proposed Ordinance changes at town offices within the municipality and will send out a press release to at least one local paper that serves the municipality informing them of the proposed changes. CSWD's website will also feature information about the changes. Information about citizens' rights to petition for a vote on the ordinance change will be included in all notices. The amended Ordinance will go into effect on April 27, 2026, pending any petitions, per 24 V.S.A. § 1973.

MOTION to request CSWD staff seek public comment on proposed changes to sections 3.10 & 4.8 of the Solid Waste Management Ordinance.

Proposed Ordinance Changes

3.10 Rental and Multi-Unit Property Requirements.

A) Residential Properties

- 1) Responsibility for collection – Owners of properties that include 5 or more residential units must provide for the collection of Food residuals, Mandatory Recyclables, and Solid Waste destined for Disposal. Receptacles for Food residuals, Mandatory Recyclables, and Solid Waste must be in the same “Designated Area” and must be within, or reasonably close to, the property limits they are servicing. For all other properties, the responsibility for the collection of Solid Waste, Recyclables, and/or Food Residuals shall be demonstrated through a contract. If no contract exists, the owner of the activity shall be considered responsible.
- 2) Frequency of collection – Mandatory Recyclables shall be collected at least as often as Solid Waste for Disposal. Food Residuals shall be collected weekly.

B) Commercial Properties

- 1) Responsibility for collection – The responsibility for the collection of Solid Waste, Recyclables, and/or Food Residuals shall be demonstrated through a contract. If no contract exists, the owner of the activity shall be considered responsible.
- 2) Frequency of collection – Mandatory Recyclables shall be collected at least monthly. Food Residuals shall be collected weekly.

C) Exemptions - Exemptions to Mandatory Recycling and Food Residual collection may be approved by the District on a case-by-case basis provided the owner is managing Recyclables and/or Food Residuals in another District-approved manner.

D) Instructions for Tenants - Property Owners of residential single-family and multi-family rental units, as well as owners of commercial rental properties, will provide instructions on the proper management of Mandatory Recyclables, Special Wastes, Unregulated Hazardous Waste, and Compostables to new tenants and to all tenants at least once per year. The District will provide guidance to property owners or managers. Rental and Multi-Unit Property Owners will provide instructions on the proper management of Mandatory Recyclables, Special Wastes, Unregulated Hazardous Waste, and Compostables to new tenants and to all tenants on an annual basis at a minimum. The District will provide standard instructions to property owners or managers.

4.6. Commercial Hauler Requirements. Commercial Haulers must abide by the following requirements:

- A. Every vehicle used by the Commercial Hauler or on the Commercial Hauler's behalf in the collection, Transfer, Transport, or Disposal of Solid Waste shall be prominently labeled with an identification ~~number~~ decal provided by the District. For each such vehicle, the District shall provide to the Hauler a decal bearing the CSWD Hauler's License ~~number for that vehicle~~ insignia for the year registered. The decal shall be affixed to the driver's side front door or at such other locations on the vehicle as the District may designate. The Commercial Hauler shall maintain the decal in a clean and legible condition. Failure to label a vehicle or maintain the decal as set forth in this Section shall constitute Unlawful Conduct.