

# Town of Coventry

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## **Solid Waste Implementation Plan**

**Sherry Bradley**  
SWIP Committee Chair

**Select Board:**  
Scott Briere / Chair  
David Gallup  
Phil Marquette

# Town of Coventry - 2019 Solid Waste Implementation Plan

## SWME Solid Waste Implementation Plan

<b>Name of SWME</b>	<b>Town of Coventry</b>
<b>Year Chartered (if applicable)</b>	<b>1992</b>
<b>Mission for Sustainable Materials Management</b>	<b>The town’s mission to manage materials will be accomplished by promotion of sustainable material management through proper re-use of materials, minimization of landfilling solid waste materials and minimization of adverse environmental impacts.</b>
<b>Names of Member Town(s)</b>	<b>Coventry</b>
<input type="checkbox"/>	<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> <p>1. <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></p> <ol style="list-style-type: none"> <li>1. First (1<sup>st</sup>) Year SWIP Report: report year 1 annual per person per year disposal rate.</li> <li>2. Fifth (5<sup>th</sup>) Year SWIP Report: report year 5 annual per person per year disposal rate.</li> </ol> <p>2. <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.</p>
<b>Plan to submit data:</b>	The Town of Coventry will acquire annual solid waste and recycling disposal data via Re-TRAC and other sources, the SWIP Annual Report will be submitted via Re-TRAC by July 1 annually.
<b>G2</b>	<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>
<b>Plan for Posting and Press Release:</b>	An introduction to the SWIP will be published in the Newport Daily Express, and The Chronicle along with a complete copy of the SWIP posted on the Town’s website. Hard copies will be available at the Town Office.

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<b>G3</b>	<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 <a href="#">state disposal</a> 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>
<b>Plan for Updating Webpage:</b>	The A-Z Waste & Recycling guide is located at the Town website <a href="http://www.coventryvt.org/">http://www.coventryvt.org/</a> . The list will be updated as necessary when outlets or handling requirements change.
<b>Plan for Publicity:</b>	The Town website is listed in various town bulletins, tax bills etc. The website will also be listed in any outreach materials sent as a part of SWIP requirements.

<b>G4</b>	<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>
<b>Description of System:</b>	Article III of the 2015 Civil Ordinance requires haulers to establish VRP on a unit-based pricing system. Haulers are required to register with the town and the town will monitor non-compliance with the system.

<b>G5</b>	<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 <b>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</b> 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>
<b>Description of Updating Process:</b>	A list of haulers is provided at <a href="http://www.coventryvt.org/">http://www.coventryvt.org/</a> , this list will be updated as necessary per permitting from VTDEC and if any business changes are made.

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

<b>O1</b>	<p><b>School Outreach.</b> 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, <b>SWMEs must annually <u>visit and work with</u> 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.</b> SWMEs must assist schools on a continual basis to ensure the effectiveness of waste reduction programs.</p> <p>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.</p> <p>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.</p> <p><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>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.</li> </ol>
<b>Description of Outreach Plan:</b>	<p>The only school within the Town is the Coventry Village School. Outreach is conducted in person with students and staff annually. The school has an all-in-one recycling program as well as waste reduction plan. Outreach will continue how to properly recycle and compost.</p>

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<b>02</b>	<p><b>Direct Business Outreach.</b> 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, <b>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.</b> SWMEs must provide business outreach and education on a continual basis to ensure the effectiveness of waste reduction programs.</p> <p>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.</p> <p>SWMEs should prioritize outreach to businesses that have not yet been contacted or visited or those whose status is not yet known.</p> <p style="text-align: center;"><b>DOCUMENTATION (only required in annual SWIP reports):</b></p> <ol style="list-style-type: none"> <li>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.</li> </ol>
<b>Description of Outreach Plan:</b>	<p>There are an estimated 40 businesses in the Town of Coventry. The town will contact a rolling list of 20 businesses or institutions within the town by either conventional or electronic mail to reinforce their knowledge of existing and potential recycling and reuse options. The idea of the rolling list is to prevent every business or institution from being contacted every year, while still meeting the notification requirements noted above.</p>
<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 style="text-align: center;"><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>Assistance from members of the town’s Solid Waste Advisory Committee, including lists of haulers that can provide bins and pick-up services for the events will be offered to groups and organizations in order to promote recycling efforts.</p>

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## HHW & CEG Hazardous Waste

<b>H1</b>	<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>
<b>Description of Collection Plan:</b>	<p>The town will hold the required number of HHW collection events per ANR annually. Events are likely to be held at the NEWSVT Landfill in Coventry.</p> <p>NEWSVT will assist in coordination of these events and contract with a HHW collection vendor for handling/disposal. HHW data will be submitted annually via Re-TRAC.</p>

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<b>H2</b>	<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>
<b>Plan for Updating Collection Locations:</b>	<p>A list of permanent collection locations is available on the town website, <a href="http://www.coventryvt.org/">http://www.coventryvt.org/</a> and information on these items is listed in the A-Z Guide also located at the same website. Updates will be made as necessary if locations/outlets change.</p>

### Food Donation

<b>F1</b>	<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>
<b>Plan for Updating Website:</b>	<p>Food Rescue information is located within the A-Z Guide at <a href="http://www.coventryvt.org/">http://www.coventryvt.org/</a>, this information will be updated as necessary if outlets change.</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. Collection <b>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>Textile reuse and recycling information is located within the A-Z Guide at <a href="http://www.coventryvt.org/">http://www.coventryvt.org/</a>, this information will be updated as necessary if outlets change.</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>Leaf and yard waste information is located within the A-Z Guide at <a href="http://www.coventryvt.org/">http://www.coventryvt.org/</a>, including the option to take this waste to any facility that accepts trash. This information will be updated as necessary if outlets change.</p>



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<b>C2</b>	<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 <b>must ensure that at least one recycling collection location exists within their region.</b> 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, <b>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).</b> 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>
<b>Plan for Ensuring Collection Exists:</b>	Asphalt Shingles & Drywall information is located within the A-Z Guide at <a href="http://www.coventryvt.org/">http://www.coventryvt.org/</a> , this information will be updated as necessary if outlets change.

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

<b>R1</b>	<p><b>Residuals Recycling Meetings.</b> To promote the recycling of residual materials, each SWME must <b>attend and help ANR Residuals Program staff host and coordinate at least one regional public meeting on residuals recycling during the SWIP term.</b> 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>
<b>Plan for Assisting with Meeting Coordination:</b>	The Town will attend a regional Residuals Recycling Meeting and will provide information on the appropriate invitees from their town. Date and attendee list of this meeting will be included in the Year 5 SWIP Annual Report submitted via Re-TRAC.

# Town of Coventry - 2019 Solid Waste Implementation Plan

## Additional SWIP Requirements Outlined in Overview

<b>Solid Waste Facility Siting Criteria</b>	Describe siting criteria that will apply to solid waste facilities which may be proposed by any public or private entity in the SWME region. <u>As required by 10 V.S.A. §6605(c)</u> , siting criteria shall not be less stringent than the criteria in Vermont Solid Waste Management Rules.
<b>Description:</b>	Siting criteria in the Town of Coventry will follow 10 V.S.A. §6605© of the VT Solid Waste Management Rules.

<b>Specify Facilities Included in SWIP &amp; How Proposed Facilities Will Be Reviewed</b>	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.
<b>Facilities and Process:</b>	The Town of Coventry will require the new owner of any new facility to prepare a host community agreement that would be the mechanism for plan inclusion. A new facility must have obtained all VTANR approvals along with a land use permit, if necessary.

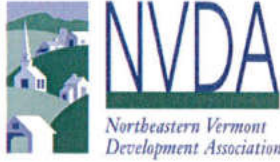
<b>Public Participation in the SWIP Approval Process</b>	Describe the process to be used to ensure public participation in the development and implementation of the SWIP. The local community should be notified of opportunities to participate in the SWIP development and implementation. In accordance with state statute, SWMEs must hold at least two public meetings on the draft SWIP.
<b>Description of Process:</b>	Draft versions of the SWIP will be published in the Newport Daily Express, comments on prior drafts would be available at the town offices for review. The final draft will be presented to the Select Board at a warned public hearing before being officially adopted.

<b>Ordinances</b>	Include copies of any solid waste related ordinances with the SWIP.
<b>Copies of Ordinances:</b>	Copies of ordinances pertaining to solid waste or materials management attached.

<b>Conformance with Other Plans</b>	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.
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Town of Coventry - 2019 Solid Waste Implementation Plan

<b>Letter or other Documentation:</b>	See attached letter from the Northern Vermont Development Authority.



June 29, 2020

Town of Coventry  
c/o Town Administrator  
168 Main Street, P.O. Box 8  
Coventry, VT 05825

Dear, Ms. Carlson:

Congratulations to Coventry solid waste committee members on completing the Solid Waste Implementation Plan (SWIP) for the Town of Coventry. As you know, the updated plan will help the community remain in compliance with state law and meeting its solid waste requirements.

The updated SWIP for the Town of Coventry conforms to the following goals and strategies of the 2018 *Regional Plan for the Northeast Kingdom*:

#### SOLID WASTE MANAGEMENT GOALS

- Municipal and regional solid waste disposal systems should be cost-effective, environmentally sound, and promote reduction, reuse, and recycling, and will support the statewide goal of reducing the disposal rate of municipal solid waste.
- Hazardous wastes shall be disposed of at secure, environmentally sound disposal sites permitted by the Agency of Natural Resources.

#### STRATEGIES

- Promote recycling, re-use, and waste reduction efforts throughout the region.
- Support public education to promote proper waste disposal efforts.
- Encourage communities to meet the waste management and recycling goals established by the Solid Waste Management District and municipal waste management plans.
- Encourage communities to create or expand local recycling facilities.

On behalf of NVDA, I would like to express our support for the Town of Coventry's Solid Waste Implementation Plan.

Sincerely,

A handwritten signature in black ink that reads "David Snedeker". The signature is written in a cursive, flowing style.

David Snedeker  
Executive Director

**TOWN OF COVENTRY  
CIVIL ORDINANCE  
REGULATING THE COLLECTION & DISPOSAL OF SOLID  
WASTES,  
RECYCLABLES AND COMPOSTABLES**

WHEREAS, the Town of Coventry, hereinafter sometimes referenced as COVENTRY, has, by virtue of the authority granted to it pursuant to the provisions of 24 V.S.A. §§ 1971 and 2202a(a), the power to adopt, amend, repeal and enforce ordinances, and the power to manage and regulate solid waste management and disposal within its boundaries;

NOW THEREFORE, COVENTRY, pursuant to the authority set forth above and the provisions of Title 24, Chapter 61 of the Vermont Statutes Annotated hereby adopts a Civil Ordinance entitled TOWN OF COVENTRY, CIVIL ORDINANCE REGULATING THE COLLECTION & DISPOSAL OF SOLID WASTES, RECYCLABLES AND COMPOSTABLES

The purpose of this Ordinance is to provide for the regulation of the waste generated in COVENTRY in order to assure that management and disposal are accomplished in a lawful manner and that the requirements of the laws of the State of Vermont are met; to determine the quantities and types of waste generated within COVENTRY so that waste may be properly managed and any surcharges may be fairly assessed; and to set forth the means of enforcing the requirements of this Ordinance, and to establish the penalties for violations of the provisions of this Ordinance.

**ARTICLE I. DEFINITIONS**

Unless specifically defined herein, all words used in this Ordinance shall have the meanings as defined in Chapter 159 of Title 10 of the Vermont Statutes Annotated.

A. AGENT shall mean the individual elected or appointed, as the case may be, pursuant to the provisions of Title 17, § 2646 (11) of the Vermont Statutes Annotated.

B. BUSINESS or FINANCIAL RECORDS shall include those records kept and/or made by a PERSON in connection with the collection, storage, and transportation reasonably related to the verification of the source and disposition of Solid Waste generated within COVENTRY.

C. BOARD shall mean the COVENTRY Selectboard.

MAY & DAVIES

ATTORNEYS AT LAW

BOX 303

BARTON, VERMONT 05822

802-525-3766

D. COMPOSTABLES shall mean any combination of FOOD RESIDUALS and/or LEAF AND YARD RESIDUALS suitable for composting.

1. FOOD RESIDUAL means source separated and uncontaminated material that is derived from processing or discarding of food and that is compostable. FOOD RESIDUAL may include preconsumer and postconsumer food scraps. FOOD RESIDUAL does not mean meat and meat-related products when the FOOD RESIDUALS are composted by a resident on site.

2. LEAF AND YARD RESIDUAL means source separated, compostable untreated vegetative matter, including grass clippings, leaves, Kraft paper bags, and brush, which is free from noncompostable materials.

E. FACILITY shall mean any landfill, transfer station, recycling facility, incinerator or other facility located in COVENTRY which has been certified by the State of Vermont to receive, process or dispose of solid waste (as hereinafter defined) originating within COVENTRY.

F. GENERATOR shall mean anyone who produces Solid Waste by any means including, but not limited to, residential, commercial, institutional, and industrial activities.

G. HAULER shall mean any person that transports regulated quantities of hazardous waste or solid waste for compensation.

H. MANDATED RECYCLABLES shall mean those materials designated as mandatory recyclables, required to be diverted from the waste stream pursuant to the provisions of 10 V.S.A. § 6002(29) as amended from time to time and/or by rules adopted by the Vermont Agency of Natural Resources.

I. MARKETED shall mean delivered to a broker or end user, but in either case, to be used in manufacture or for beneficial reuse.

J. PERSON shall mean any individual, corporation or partnership or their agents, employees, servants or designees who or which collects, transfers or transports, composts, recycles, processes or disposes of any Solid Waste in COVENTRY for remuneration in money or for other benefit, and shall include all municipalities located in COVENTRY. PERSON shall not include anyone whose only activity in COVENTRY is to transport SOLID WASTE which is not generated within COVENTRY or processed at a FACILITY within COVENTRY.

K. SERVICE PROVIDERS shall include FACILITIES and HAULERS that provide collection and/or drop-off services for SOLID WASTE.

L. SOLID WASTE shall mean Solid Waste as the term is defined in 10 V.S.A. §6602 (2) as the same may from time to time be amended.

M. TRANSFER STATION shall mean any site or structure which is used for the consolidation and transfer of SOLID WASTE for which a payment is made for the right to deposit SOLID WASTE.

N. VARIABLE RATE PRICING or UNIT-BASED PRICING shall mean a fee structure that charges for SOLID WASTE collection based on its weight or volume.

## ARTICLE II. REGISTRATION

A. All PERSONS shall register annually, on or before December 31, with COVENTRY upon such terms and conditions as may be established from time to time by the BOARD, on an annual basis, by filing with COVENTRY such completed application or applications as shall from time to time be required by the BOARD. All conditions required by the State of Vermont and/or by the BOARD for the transportation of SOLID WASTE must be satisfied before registration shall issue. Failure of a PERSON to satisfy and continue to maintain any such condition during the period of registration will result in immediate suspension of registration which suspension shall remain in force and effect until the condition or conditions have been satisfied.

B. Any PERSON required to register pursuant to the provisions of paragraph A of this Article shall be required to register all vehicles used by said PERSON in the collection and transportation of recycling or SOLID WASTE within COVENTRY. Registration shall occur prior to use of any such vehicle.

C. Each vehicle so registered shall be required to display thereon an identification sticker or stickers in such form and affixed at such location or locations on said vehicle as may from time to time be directed by the BOARD. Stickers shall not be obstructed, removed or defaced and shall be maintained in a clean and visible fashion at all times.

D. Any PERSON operating, or causing to be operated, any vehicle required to be registered pursuant to the terms and conditions of this Ordinance, who fails to display the identification sticker or stickers in such manner as required by the BOARD, shall be deemed to be in violation of this Ordinance.

E. Notwithstanding anything to the contrary herein, no PERSON shall be required to register a vehicle if such vehicle is not collecting, transporting or storing SOLID WASTE generated within COVENTRY or disposing or leaving SOLID WASTE for

processing at a FACILITY located in COVENTRY.

### ARTICLE III. FEE STRUCTURE

A. SERVICE PROVIDERS that provide collection and/or drop-off disposal services for SOLID WASTE to residential customers shall charge these customers for this service on the basis of the volume or weight of the SOLID WASTE they produce, which pricing system is commonly referred to as VARIABLE RATE PRICING or UNIT-BASED PRICING.

B. Each SERVICE PROVIDER shall establish a UNIT-BASED PRICE to be charged for the collection/drop-off disposal of each unit of SOLID WASTE 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, with each larger unit, such as a 64-gallon container or a 50-gallon bag, carrying an increased price.

C. The provisions of this Article shall not be construed to prohibit any SERVICE PROVIDER from establishing rules and regulations regarding the safe maximum weight of bags or containers of SOLID WASTE materials. A SERVICE PROVIDER may refuse to collect or allow disposal of any bag or container which is overloaded or which contains SOLID WASTE 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 SOLID WASTE.

D. In addition to the UNIT-BASED PRICE charged per unit of SOLID WASTE, 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 SOLID WASTE.

E. In the event 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 for the purpose of maintaining transparency.

F. Nothing herein contained 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 the laws and regulations of the State of Vermont. 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 IV. DISPOSAL IN CERTIFIED FACILITIES**

No PERSON shall recycle, process or dispose of SOLID WASTE generated within COVENTRY, except in a FACILITY that has been certified by the State of Vermont for storing, transferring, recycling, processing or disposing of SOLID WASTE generated within COVENTRY, and except in accordance with the statutory and regulatory requirements of the State of Vermont.

#### **ARTICLE V. INSPECTION OF WASTE**

In order to assure the health and safety of the inhabitants of COVENTRY and for purposes of ensuring compliance with the terms and conditions of this Ordinance, every SERVICE PROVIDER shall be subject to inspection without notice by such individual or individuals as may from time to time be authorized by the BOARD to conduct such inspection or inspections for the purpose of insuring that the SERVICE PROVIDER is in full compliance with the terms of this Ordinance and such other rules and regulations as may from time to time be adopted by the BOARD.

A. Every vehicle used by a SERVICE PROVIDER for the handling of SOLID WASTE generated in COVENTRY may be inspected, either in COVENTRY or outside COVENTRY.

B. Any PERSON who fails to stop a vehicle required to be registered pursuant to the terms of this Ordinance, when directed to do so by an authorized individual, shall be deemed to be in violation of this Ordinance.

C. Whenever it is determined by the BOARD to be necessary, the BOARD may initiate enforcement proceedings in order to assure that no violation of a provision of this Ordinance occurs without a penalty being imposed upon the offender.

#### **ARTICLE VI. ACCEPTABLE MATERIALS AND DISPOSAL**

A. COVENTRY shall, by virtue of such rules and regulations as shall be adopted from time to time by the BOARD, designate such materials as are unacceptable for collection, storage, processing, recycling, composting, or disposal. A list of unacceptable materials and the acceptable means of their disposal

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shall be maintained at COVENTRY'S town office, and shall be posted at all FACILITIES located within COVENTRY, will be posted on COVENTRY'S website once the same is established, and will be distributed to all registered HAULERS.

B. No SOLID WASTE shall be burned within COVENTRY, and no SOLID WASTE shall be disposed of in COVENTRY except at any FACILITY located within COVENTRY, and then only in accordance with the rules and regulations of the FACILITY.

#### **ARTICLE VII. RECYCLABLES AND COMPOSTABLES**

A. All GENERATORS within COVENTRY shall separate their SOLID WASTE in accordance with the provisions of this Ordinance and any policies, procedures or practices adopted by the BOARD in its implementation of this Ordinance.

B. Except as provided hereinafter in Section F of this Article, any PERSON who generates SOLID WASTE within COVENTRY shall separate MANDATED RECYCLABLES; organics suitable for composting; leaf and yard waste; and other landfill banned items in accordance with the provisions of 10 V.S.A. § 6621a from such SOLID WASTE. Recyclables shall be free of food or other residues and non-recyclable parts. This Section shall not be construed to prohibit or restrict the composting, reuse, or recycling of materials by a PERSON, or by a PERSON as part of such PERSON'S normal commercial, manufacturing, or industrial process.

C. MANDATED RECYCLABLES shall not be disposed with other SOLID WASTE. Except as provided hereinafter in Section F of this Article, all GENERATORS shall separate MANDATED RECYCLABLES from other SOLID WASTE, place the MANDATED RECYCLABLES in containers designated for Recycling, and handle them as specified in Section B of this Article.

D. Any MANDATED RECYCLABLES or SOLID WASTE destined for disposal not properly separated, placed, hauled, or disposed in accordance with the terms and conditions of this Ordinance are the responsibility of the GENERATOR, and shall be retrieved and properly managed by such GENERATOR within twenty-four (24) hours of notice thereof being provided to said GENERATOR.

E. Separation and/or placement requirements for SOLID WASTE may be waived by COVENTRY on a case-by-case basis. Requests for waivers must be submitted in writing to the BOARD and will be considered by the BOARD at its next regularly scheduled meeting.

F. After proper separation of MANDATED RECYCLABLES from

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SOLID WASTE, each GENERATOR shall either set such SOLID WASTE in a designated area for collection by a HAULER or deliver such SOLID WASTE to a designated area at a FACILITY that is legally authorized and permitted to accept such SOLID WASTE. All such SOLID WASTE placed in a designated area shall be placed in the area in a manner such that each component may be collected separately. This Section shall not be construed to prohibit or restrict the composting by a GENERATOR of his or her own organic material suitable for composting and/or leaf and yard waste, or the recycling or reuse of any materials by anyone, or the burning of clean wood for fuel.

G. All Drop-Off FACILITIES located in COVENTRY must obtain and abide by all required local, regional, Vermont State and Federal permits, and must, at a minimum, accept and recycle all MANDATED RECYCLABLES.

H. SOLID WASTE generated by GENERATORS who are renting property remains the responsibility of such GENERATORS. However, if the collection costs for SOLID WASTE destined for disposal are included in the rent charged to tenants, the owners of rental properties must collect or provide for the collection and recycling of MANDATED RECYCLABLES at least once monthly.

I. A list of materials suitable for composting, along with instructions for their separation, and where they will be accepted, and the procedures for acquiring the compost produced, will be available at the COVENTRY Town office.

J. Items acceptable for recycling and the procedures required for making them acceptable at FACILITIES, along with the hours of operation, will be maintained at the COVENTRY Town Office.

#### **ARTICLE VIII. REGULATIONS**

The BOARD shall from time to time adopt such rules, procedures and regulations implementing the terms of this Ordinance as it, from time to time, shall deem appropriate, which said rules, procedures and regulations may include, but are not limited to, regulating and governing the manner in which SOLID WASTE is collected, stored, transported, processed, recycled and disposed.

#### **ARTICLE IX. HEALTH AND SAFETY**

No PERSON having custody, control or ownership of residential, industrial or business premises within COVENTRY shall permit or cause any SOLID WASTE, MANDATORY RECYCLABLES,

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COMPOSTABLES or materials defined as unacceptable pursuant to Article IV of this Ordinance, within such PERSON'S control, to become a hazard to public travel, health or safety or to become a nuisance of any sort or knowingly to be disposed of in contravention to the terms of this Ordinance.

#### **ARTICLE X. PAYMENT OF SURCHARGE**

A. Any PERSON required to be licensed or certified by the State of Vermont to transport SOLID WASTE shall cause such SOLID WASTE to be weighed, by or on behalf of COVENTRY, at a FACILITY, or at a weighing facility registered with COVENTRY, as the BOARD shall specify by regulation.

B. Any PERSON transporting SOLID WASTE generated within COVENTRY, or processed, deposited or disposed of at a FACILITY within COVENTRY, where such transportation is the final transportation prior to disposal or processing at a FACILITY, shall pay a surcharge on each ton of SOLID WASTE so transported, in an amount and at such times as shall be established from time to time by the BOARD. No surcharge shall be paid on MANDATORY RECYCLABLES or COMPOSTABLES which are actually marketed. No SOLID WASTE shall be surcharged by COVENTRY more than once. The surcharge levied by COVENTRY shall be paid on or before the last day of the month following the close of the month being reported on forms to be provided by COVENTRY.

C. All PERSONS shall make their BUSINESS OR FINANCIAL RECORDS available to COVENTRY upon request by the BOARD to the registered office of the PERSON. This provision shall constitute a condition for obtaining and holding any registration from COVENTRY.

D. In the event any PERSON shall refuse to allow any inspection, sampling, or copying as provided pursuant to the terms of this Section, the AGENT or such other individual who shall be so authorized by COVENTRY, may apply for and obtain a warrant or subpoena to allow such entry, inspection, sampling or copying in the manner established by the Vermont Rules of Criminal or Civil Procedure.

#### **ARTICLE XI. REPORTING**

A. All PERSONS that deliver SOLID WASTE generated within COVENTRY or left within COVENTRY at a FACILITY shall be required to report to the BOARD the tonnage delivered during the previous month, which report shall be delivered by the 15th day following the close of the month being reported, on forms to be provided by the BOARD. Determination of weight by the HAULER must be in a

manner acceptable to the BOARD.

B. Any information obtained hereunder relating to customer lists, shall be maintained by COVENTRY as confidential information not subject to release as a public record and shall be considered a trade secret pursuant to the provisions of 1 V.S.A. § 317, except that in the event of criminal or civil litigation between COVENTRY and any registrant, the information may be released.

#### **ARTICLE XII. RECIPROCAL ASSISTANCE AGREEMENTS**

A. A reciprocal assistance agreement may be entered into between COVENTRY and any other municipality or union municipal solid waste district or districts, and with the chief investigative officer of any Vermont municipality not a member of a union municipal solid waste district.

B. The authority of a duly authorized and certified municipal law enforcement officer, or solid waste district agent, employee, servant or designee shall extend to another union district or municipality within the State of Vermont.

C. A reciprocal assistance agreement shall remain in full force and effect until terminated as to one member or all by mutual consent of the parties to the agreement.

#### **ARTICLE XIII. ENFORCEMENT**

Enforcement of this Ordinance and any regulations enacted hereunder shall be by the AGENT, by any State prosecuting officer, or any certified police officer, or other individual authorized by the BOARD or by the laws of the State of Vermont to enforce this Ordinance.

#### **ARTICLE XIV. PENALTIES**

A. This Ordinance is designated as a civil ordinance pursuant to the provisions of 24 V.S.A. § 1971(b).

B. The following civil penalties and waiver penalties are hereby imposed for violations of this Ordinance. Civil penalty amounts will be imposed in cases where violations are brought in the Vermont Judicial Bureau. Where the violation is admitted or not contested, the waiver penalty amounts will be imposed in lieu of the civil penalty amounts.

	<u>Civil Penalty</u>	<u>Waiver Penalty</u>
First Violation	Warning	Warning

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Second Violation	\$100	\$ 50
Third Violation	\$200	\$100
Fourth & subsequent violations	\$500	\$250

C. Actions by employees or agents of a corporation, limited liability company or partnership shall be deemed to be an action by both the agent/employee and the corporation, limited liability company or partnership

D. Each violation of this Ordinance or any regulation adopted hereunder shall be considered a separate offense. COVENTRY may issue separate citations for each violation of this Ordinance.

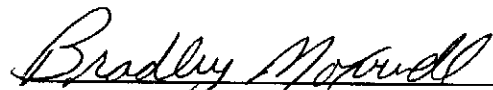
E. After notice and hearing, the BOARD may suspend or revoke or refuse to renew a registration for non-compliance with this Ordinance or any regulations adopted hereunder. Upon conviction for a violation of this Ordinance, without notice or further hearing, the BOARD may suspend or revoke or refuse to renew a PERSON'S registration.

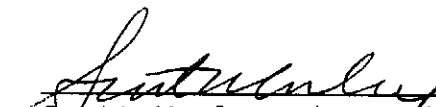
#### ARTICLE XV. SEVERABILITY

In the event any portion of this Ordinance shall be found by a court of competent jurisdiction to be unconstitutional or invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect. In the event any statute referred to in this Ordinance shall be amended, this Ordinance shall be deemed to refer to such amended statute.

Dated at the Town of Coventry in the County of Orleans and State of Vermont this 8<sup>th</sup> day of January, A.D. 2016.

  
Michael Marcotte, Chair

  
Bradley Maxwell

  
Scott Morley, its Selectboard  
duly authorized

The above ordinance was adopted by the Selectboard for the Town of Coventry on January 8, 2016, and shall become effective,

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pursuant to the provisions of 24 V.S.A., § 1971, et seq, sixty days from the date of its adoption, to wit, on March 8, 2016, unless a petition for a vote on the question of disapproving the same shall be filed in accordance with the provisions of Section 1973(6) of Title 24, Vermont Statutes Annotated, which section provides that a petition for a vote on the question of disapproving an ordinance or rule shall be signed by not less than five percent of the qualified voters of the municipality, and presented to the legislative body or the clerk of the municipality within forty five (45) days following the date of adoption of the ordinance or rule by the legislative body.

Questions regarding the foregoing adopted ordinance may be directed to Cynthia Diaz, Town Clerk, P.O. Box 104, Main Street, Coventry, Vermont 05825, whose telephone number is 802-754-2288.

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## TOWN CLERK'S CERTIFICATION

Notice of the adoption of within and foregoing ordinance, and an outline of its provisions, was published in the Orleans County Record on January 19, 2016, a date within 14 days of the date of adoption, and a copy of the ordinance was posted in the following public places within the Town of Coventry on January 12, 2015:

Coventry Town Clerk's Office  
Coventry Post Office  
Martha's Diner  
Coventry Village School  
Royer's Mini Mart

Dated at the Town of Coventry, Vermont this 9<sup>th</sup> day of March, 2016.

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Cynthia Diaz, Coventry Town  
Clerk

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