



# GEORGIA VERMONT

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## Review of Ordinances Monday, January 01, 2024

### Agenda

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#### Zoom Details:

**<https://us02web.zoom.us/j/6165843896?pwd=STduU2JzTmpiVmE1MXZSaWZWLzVadz09>**

**Meeting ID:** 616 584 3896 | **Passcode:** 5243524

**Dial by your Location:** 1 929 205 6099 (New York)

#### 1. OTHER

**A.** re-adoption of ordinances - Action

**TOWN OF GEORGIA  
MOTOR VEHICLE AND TRAFFIC REGULATION ORDINANCE**

WE, THE SELECTBOARD OF THE TOWN OF GEORGIA HEREBY ORDAIN:

The Town of Georgia Motor Vehicle and Traffic Regulation Ordinance is hereby amended as follows:

**ARTICLE I  
DEFINITIONS**

The definitions of 23 V.S.A. §4 are incorporated by reference.

**ARTICLE II  
AUTHORITY AND SCOPE:**

This ordinance is adopted pursuant to the provisions of 19 V.S.A. §§304(a) and 1110, 23 V.S.A. §§1007 and 1008 and 24 V.S.A. §§1971 and 2291(1)(4) and (5), and such other general enactments as may be material hereto. This ordinance shall be a civil ordinance and establishes special traffic regulations on public highways within the Town of Georgia, Vermont.

**ARTICLE III  
TRAFFIC CONTROL DEVICES**

**Section 1.** It shall be unlawful for any person to disobey the direction of a traffic control device except in response to the direction of a law enforcement officer.

**Section 2.** It shall be unlawful for any person to intentionally remove, injure, obstruct, deface, alter or tamper with any traffic control device.

**Section 3.** It shall be unlawful for any person to install any sign or device which may resemble or be mistaken for an official traffic control device, without the prior approval of the Town of Georgia Board of Selectmen.

**ARTICLE IV  
SPEED REGULATIONS**

The following speed limits are hereby established.

Class II Highways

SA 1	Arrowhead Lake Road	35 MPH
SA 2	Plains Road	35 MPH
SA 3	Georgia Middle Road	40 MPH
SA 4	Oakland Station Road	40 MPH
SA 6	Mill River Rd	40 MPH
SA 3 & 5	From Rock Maple Dr. to St. Albans line	35 MPH
SA 5	From Rock Maple Dr. south to 2201 Georgia Shore Rd	25 MPH
SA 5	From 2201 Georgia Shore Rd., south to the Milton line	35 MPH

Class III Highways

TH 5	Carpenter Hill Road	35	MPH
TH 6	Sandy Birch and Sodom Road	35	MPH
TH 7	Kissane Road	25	MPH
TH 8	Bronson Road	35	MPH
TH 10	Cline Road	35	MPH
TH 11	Falls Road	25	MPH
TH 13	Conger Road	35	MPH
TH 14	Polly Hubbard Road (TH 14 & TH 3)	40	MPH
TH 15	Robert Newton Road & Cary Road	25	MPH
TH 17	Reynolds Road	35	MPH
TH 18	Cadieux Road	35	MPH
TH 20	Bullock Road and Montcalm Rd. (TH 20)	35	MPH
TH 21	Pattee Hill Road	35	MPH
TH 23	Town Common Road S	25	MPH
TH 24	Bovatt Road	35	MPH
TH 25	Silver Lake Road	35	MPH
TH 26	Blake road	35	MPH
TH 27	Bradley Hill Road (TH # 27 20 and 32)	35	MPH
TH 28	Decker Road	35	MPH
TH 29	Ballard Road (from rte 7 to rte 7 TH 29 & TH6)	35	MPH
TH 31	Skunk Hill Road (from Rte 7 to Rte 104a)	35	MPH
TH 33	Sand Hill Road	35	MPH
TH 34	Hibbard Road	35	MPH
TH 35	Old Stage Road	35	MPH
TH 36	Georgia Mountain Road	35	MPH
TH 37	Trayah Road	25	MPH
TH 39	Bates Road	25	MPH
TH 40	Sand Hill Extension	35	MPH
TH 41	Connector - Carpenter Hill Oakland Station Roads	35	MPH
TH 43	Stonebridge Road	35	MPH
TH 46	Heritage Drive/Musket Circle	25	MPH
TH 48	Cedarwood Terrace	25	MPH
TH 49	Manor Drive	25	MPH
TH 52	Jed Shepard Road	25	MPH
TH 53	Sunset Circle	25	MPH
TH 54	Fontaine Road	25	MPH
TH 55	Red Barn Hill Road.	25	MPH
TH 56	Rounds Road	25	MPH
TH 57	Meadowridge Lane	25	MPH
TH 58	Rhodeside Acres (TH 58 & TH 62)	25	MPH
TH 59	Nottingham Dr & Robin Lane (TH 59 & 67)	25	MPH
TH 60	Industrial Park	25	MPH
TH 61	Birch Hill Drive	25	MPH
TH 63	Meadowood Dr	25	MPH
TH 64	Mahalo Drive	25	MPH
TH 65	Ridgeview Dr	25	MPH
TH 66	Ridgeview Dr Ext	25	MPH
TH 68	Fox Haven Ln.	25	MPH
TH 69	Austin Rd	25	MPH
TH 70	Maxfield Rd	25	MPH
TH 71	Waller Road	25	MPH
TH 72	Quarry Rd	25	MPH
TH 73	Gabaree Rd	25	MPH
TH 74	Blatchley Rd	25	MPH
TH 75	Woods Hollow Drive	25	MPH
TH 76	Ledgewood Drive	25	MPH

The above speed limits shall be posted and shall be in effect when so posted.

ARTICLE V  
STOP AND YIELD INTERSECTIONS

Section 1. The following intersections shall be designated as STOP intersections, and shall be so signed:

- SA 2 Plains Road - U.S. Route # 7 intersection Plains Road - Georgia Middle Road intersection
- SA 3 Polly Hubbard Road - Georgia Shore Road intersection
- SA 4 Oakland Station Road - U.S. Route # 7 intersection and Rte 104 intersection
- TH 5 Carpenter Hill Road - Oakland Road intersection  
Carpenter Hill Road - U.S. Route # 7 intersection
- SA 6 Mill River Road - U.S. Route # 7 intersection  
Mill River Road - Georgia Shore Road intersection
- TH 6 Sandy Birch Road - Ballard Road intersection
- TH 7 Kissane Road - Georgia Shore Road intersection
- TH 8 Bronson Road - Mill River Road intersection
- TH 10 Cline Road - Georgia Middle Road intersection  
Cline Road - Georgia Shore Road intersection
- TH 11 Falls Road - Mill River Road intersection
- TH 13 Conger Road - U.S. Route # 7 intersection  
Conger Road - Oakland Road intersection
- TH 14 Polly Hubbard Road - U.S. Route # 7 intersection  
Polly Hubbard Road - Georgia Shore Road intersection  
Polly Hubbard Road - Middle Road intersection
- TH 15 Robert Newton Road - U.S. Route # 7 intersection  
Cary Road - Oakland Road intersection
- TH 17 Reynolds Road - U.S. Route # 7 intersection  
Reynolds Road - Georgia Middle Road intersection
- TH 18 Cadieux Road - U.S. Route # 7 intersection
- TH 21 Bradley Hill Road - Bullock Road intersection  
Pattee Hill Road - Plains Road intersection
- TH 23 Pattee Hill Road - Georgia Middle Road intersection  
Town Common N - U.S. Route # 7 intersection
- TH 24 Town Common S- Carpenter Hill Road intersection
- TH 25 Bovat Road - Skunk Hill Road intersection
- TH 27 Silver Lake Road - Skunk Hill Road intersection  
Bradley Hill Road - Stonebridge Road intersection
- TH 28 Bradley Hill Road - Bullock Road intersection  
Decker Road - Plains Road intersection
- TH 29 Decker Road - Sodom Road intersection  
Ballard Road - U.S. Route # 7 intersection (both ends)
- TH 31 Sodom Road - Ballard Road intersection  
Skunk Hill Road - U.S. Route # 7 intersection
- TH 32 Skunk Hill Road - U.S. Rte 104 A intersection
- TH 33 Bradley Hill Road - Georgia Shore Road intersection
- TH 34 Sand Hill Road - Sodom/Sandy Birch Road intersection
- TH 35 Hibbard Road - Sand Hill Road intersection
- TH 36 Old Stage Road - Ballard Road intersection  
Georgia Mountain Road - Arrowhead Lake Road intersection  
(2 way at bridge)
- TH 37 Arrowhead Lake Road - U.S. Route 104A intersection (by bridge)
- TH 39 Trayah Road - U.S. Route 104A (2 intersections)
- TH 40 Bates Road - Sodom Road intersection  
Connector - Sand Hill/Stonebridge Road (2 intersections)

- TH 41 Connector - Carpenter Hill/Oakland Station Road (2 intersections)
- TH 46 Heritage Drive - U.S. Route # 7 intersection Musket Circle - Heritage Drive intersection Heritage Drive -Musket Circle/Meadow Ridge Lane intersection
- TH 48 Cedarwood Terrace - Manor Drive intersection
- TH 49 Manor Drive - U.S. Route # 7 intersection Manor Drive - Ballard Road intersection
- TH 52 Jed Shepard Road - U.S. Route 104A intersection
- TH 53 Sunset Circle - U.S. Route # 7 intersection
- TH 54 Fontaine Drive - Ballard Road (2 intersections)
- TH 55 Red Barn Hill Road - Heritage Drive intersection
- TH 56 Rounds Farm - Sandy Birch Road (2 intersections)
- TH 57 Meadow Ridge Lane - red Barn Hill Road intersection
- TH 58 Rhodeside Acres - Stonebridge Road (2 intersections)
- TH 59 Nottingham Dr - Sandy Birch Road intersection Nottingham Drive - Robin Lane intersection (2 intersections)
- TH 60 Industrial Park - Skunk Hill Road intersection
- TH 61 Birch Hill Drive - Sandy Birch Road intersection
- TH 63 Meadow Wood Dr - U.S. Route # 7 intersection
- TH 64 Mahalo Drive - Sandy Birch Road intersection
- TH 68 Fox Haven Ln. - Cline Road
- TH 69 Austin Road - Waller Road intersection (2 intersections)
- TH 70 Maxfield Road to Waller Road
- TH 71 Waller Road - Ballard Road intersection Waller Road - Sandy Birch Road intersection
- TH 72 Quarry Road to Mill River Road intersection
- TH 73 Gabaree Road to Waller Road intersection
- TH 74 Blatchley Road - Waller Road intersection
- TH 75 Woods Hollow Drive - Old Stage Road intersection

Section 2. The following intersections are designated YIELD intersections and shall be so signed:

- TH 33 Sand Hill Road to Stonebridge Road (3 Intersections)
- TH 43 Traveling north on TH 43 to the intersection of Sand Hill Road (by the bridge)

ARTICLE VI  
PARKING REGULATIONS

Section 1.No vehicle shall be parked on any public highway in a location or manner that interferes with snow removal or highway maintenance, or creates hazards to the traveling public.

Section 2. Any vehicle parked in violation of the provisions of this Article may be summarily removed at the owner's expense, by order of any law enforcement officer, road commissioner, or selectman.

Section 3. If the owner of a vehicle summarily removed under section 2 hereof does not claim such vehicle and pay all towing and storage expenses within thirty (30) days of the date of such removal, such vehicle may be disposed of in any manner authorized by law.

Section 4. Nothing in this Article shall be construed to make unlawful, vehicular stops in obedience to the direction of a law enforcement officer or for causes beyond the control of the operator.

**ARTICLE VII  
LOADED & OVERWEIGHT VEHICLES**

**Section 1:** No vehicle shall be driven or moved on any street unless such vehicle is so constructed or loaded so as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom.

**Section 2:** Any vehicles subject to overweight permit requirements traveling on town highways shall be required to obtain and carry in the vehicle such permits from the Town, annually.

**Section 3:** A violation of this Article shall be a civil matter enforced in accordance with the provisions of 24 VSA Section 1974a and 1977 et seq. A civil Penalty of \$100.00 may be imposed for the initial violation of this section. The penalty second offense within 6 months shall be \$150.00 and for each subsequent offense within a six month period shall be \$200.00 The waiver penalty shall be set at \$50.00 for the initial offense \$75.00 for the second offense and \$100.00 for each offense thereafter within a six month period. Each day that the violation continues shall constitute a separate offense

**ARTICLE VIII  
POSTING TOWN HIGHWAYS**

**Section 1.** The Selectboard may, by resolution adopted at a meeting of the board, temporarily restrict the use of any town highway to protect the highway from damage. Such restrictions may, in the discretion of the board, limit the weight of vehicles allowed to use the highway or close the highway to motor vehicles.

Section 2. Copies of any resolution adopted by the Selectboard shall be posted in two public locations in the Town within three business days of adoption and shall remain posted until the Selectboard rescinds the resolution.

Section 3. The Selectboard shall post signs informing motor vehicle operators of any restriction imposed on any highway at each end of any highway or portion of a highway that is restricted.

Section 4. A person who violates any restriction imposed on use of a town highway shall be guilty of a traffic offense under 23 V.S.A. chapter 23, for which he or she shall be fined not more than \$100.00, and shall be liable to the Town for all damages to the highway to be recovered in a civil action.

**ARTICLE IX  
GENERAL PROVISIONS**

**Section 1.** All terrain vehicles, snowmobiles, or any other unregistered vehicles are prohibited from all Town roads, except Class IV roads and legal trails.

**Section 2. Separate Offenses:** Each violation of a provision of this ordinance shall be deemed a separate offense.

**Section 3. Penalties:** Except as otherwise provided above, the provisions of this ordinance shall be cumulative to the fullest extent permitted by law with respect to all other statutes or ordinances now or hereafter adopted regardless of their order of passage or enactment.

**Section 4. Severability:** The provisions of this ordinance are declared to be severable and if any provision hereof be adjudged invalid such judgment shall not affect the validity of any other provision.

Adopted by the Board of Selectmen, Town of Georgia, Vermont originally on August 10, 2009, and amended at its meeting held on the 25<sup>th</sup> day of September, 2023.

\_\_\_\_\_  
Devon Thomas, Chair

\_\_\_\_\_  
Shannon Jenkins

\_\_\_\_\_  
Carl Rosenquist

\_\_\_\_\_  
Nicholas Martin

\_\_\_\_\_  
Jamie Comstock

Town Clerk's Certificate of Adoption

I, Cheryl Letourneau, hereby certify that the above ordinance was duly adopted by the Selectboard at their September 25, 2023 meeting.

Furthermore, Notice of Adoption was properly posted on September \_\_\_\_, 2023 in five places, as follows:

A Notice of Ordinance Amendment was published in the \_\_\_\_\_ newspaper on \_\_\_\_\_, 2023, as per requirements of 24 VSA Section 1972.

Attest: Cheryl Letourneau, Town Clerk \_\_\_\_\_

Received for Recording:

Effective Date:

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Devon Thomas, Chair

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Attest: Cheryl Letourneau, Town Clerk \_\_\_\_\_

Received for Recording:

Effective Date:



**Style Definition:** Heading 3, TOG LVL 3: Indent: Left: 0.31"

Town of Georgia  
Ordinance Regulating the  
Disposal of Solid Waste  
and the Outdoor Storage of  
Junk and Junk Vehicles

Town of Georgia  
Approved ~~xx August 2020~~October 2023 Ordinance Regulating the  
Disposal of Solid Waste and the Outdoor Storage of Junk and Junk  
Vehicles

\_\_\_\_\_ Approved ~~xx August~~  
~~2020~~October, 2023

Town of Georgia  
2020 ~~October~~ 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk  
and Junk Vehicles

Approved xx August

**Table of Contents**

1	Authority .....	1
2	Purpose .....	1
3	Definitions .....	1
4	Requirements .....	3
4.1	Hazardous Waste .....	3
4.2	Solid (non-hazardous) Waste .....	3
4.3	Junk and Junk Vehicles .....	43
4.4	Salvage Yards .....	4
4.5	Permits and Certificates .....	54
5	Enforcement and Penalties .....	65
5.1	Violation of Screening Requirements .....	65
5.2	Abandoned Motor Vehicles .....	65
5.3	Other violations .....	75
6	Enforcement .....	76
6.2	Penalties .....	76
7	Other Laws .....	86
8	Severability .....	87
9	Effective Date .....	87



Town of Georgia  
2020 October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk and Junk Vehicles

Approved xx August

**The Selectboard of the Town of Georgia does hereby ordain:**

**1 Authority**

1.1.11.1 This ordinance This Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk and Junk Vehicles (the "Ordinance") is enacted pursuant to the authority granted to the Town of Georgia to adopt, amend, repeal, and enforce ordinances by 24 V.S.A. §§ 1971, *et seq.*; to promote the public health, safety, and welfare, to regulate or prohibit the storage or dumping of solid waste, and to compel the cleaning of any premises in which the judgment of the legislative body is dangerous to the health and safety of the public by 24 V.S.A. § 2291(12), (13), (14); the power to prohibit the throwing, depositing, burning, and dumping of refuse by 24 V.S.A. § 2201(b); the power to manage and regulate solid waste disposal within its boundaries by 24 V.S.A. § 2202a; the power to enforce a solid waste ordinance by 24 V.S.A. §§ 2297, *et seq.*; the power to regulate abandoned motor vehicles under 23 V.S.A. § 2157; to regulate salvage yards under 24 V.S.A. § 2246; and the power to provide for penalties for violations of any ordinance adopted by 24 V.S.A. § 2291(15).

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1.1.21.2 This ordinance Ordinance shall be a civil ordinance within the meaning of 24 V.S.A. chapter 59.

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**2 Purpose**

2.1.12.1 It is the purpose of this ordinance Ordinance to regulate the disposal of solid waste, the location and outdoor storage of junk, junk vehicles, abandoned motor vehicles, and salvage yards in the Town of Georgia in order to protect the public health, safety, welfare and well-being of the public and inhabitants of the Town and to protect the environment.

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**3 Definitions**

3.1.13.1 For purposes of this ordinance Ordinance, the following words and/or phrases shall apply:

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3.1.13.1.1 "Abandoned vehicle" means a motor vehicle that has remained on public or private property or on or along a highway without the consent of the owner or person in control of the property for more than 48 hours, and has a valid registration plate or public vehicle identification number which has not been removed, destroyed, or altered; or a motor vehicle that has remained on public or private property or on or along a highway without the consent of the owner or person in control of the property for any period of time if the vehicles does not have a valid registration plate or the public vehicle identification number has been removed, destroyed, or altered. This does not include a vehicle or other equipment used or to be used in construction or operation or maintenance of highways or public utility facilities, which is left in a manner that does not interfere with the normal movement of traffic.

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Town of Georgia  
2020 October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk and Junk Vehicles

Approved xx August

~~3.1.1.23.1.2~~ "Abutting property owner" means any person or persons that owns, leases, or in any other way uses or controls the real property abutting any portion of the property of another, including but not limited to those which would be abutting to the real property but for the interposition of a highway or other public or private right-of-way.

~~3.1.1.33.1.3~~ "Disposal" shall mean the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any ground or surface waters.

~~3.1.1.43.1.4~~ "Enforcement Officer" means any ~~[insert relevant officials such as constable, police officer]~~ Law Enforcement Officer, Town Official, or other individuals appointed by the Selectboard to enforce the provisions of this ~~ordinance~~ Ordinance.

~~3.1.1.53.1.5~~ "Hazardous waste" shall mean any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form, including those which are toxic, corrosive, ignitable, reactive, strong sensitizers, or which generate pressure through decomposition, heat, or other means, which in the judgment of the Secretary may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters of the State. All special nuclear, source, or by-product material, as defined by the Atomic Energy Act of 1954 and amendments thereto, codified in 42 U.S.C. § 2014, is specifically excluded from this definition.

~~3.1.1.63.1.6~~ "Highway" means any highway as defined in 19 V.S.A. § 1(12). This definition shall include municipal trails as defined in 19 V.S.A. § 301.

~~3.1.1.73.1.7~~ "Junk" means old or scrap copper, brass, iron, steel, and other old or scrap or nonferrous material including, but not limited to, rope, rags, batteries, glass, rubber debris, waste, trash, or any discarded, dismantled, wrecked, scrapped, or ruined motor vehicle or parts thereof.

~~3.1.1.83.1.8~~ "Junk motor vehicle" means a discarded, dismantled, wrecked, scrapped, or ruined motor vehicle or parts thereof, or a motor vehicle, other than an on-premise utility vehicle, which is allowed to remain unregistered or uninspected for a period of 90 days from the date of discovery.

~~3.1.1.93.1.9~~ "Main traveled way" means the portion of a highway designed for the movement of motor vehicles, shoulders, auxiliary lanes, and roadside picnic, parking, rest, and observation areas and other areas immediately adjacent and contiguous to the traveled portion of the highway designated as a roadside area for the use of highway users and generally but not necessarily located within the highway right-of-way.

~~3.1.1.103.1.10~~ "Motor vehicle" means any vehicle propelled or drawn by power other than muscular power, including trailers.

Town of Georgia  
2020 October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk  
and Junk Vehicles

Approved xx August

~~3.1.1.113.1.11~~ "Notice" means written notice mailed by certified mail ~~with return receipt requested or~~, hand-delivered with signature proof of receipt ~~or tacked to the entrance to the principal structure on the property or premises.~~

~~3.1.1.123.1.12~~ "Person" means any individual, partnership, company, corporation, association, unincorporated association, joint venture, trust, municipality, the State of Vermont, or any agency, department or subdivision of the state, federal agency, or any other legal or commercial entity.

~~3.1.1.133.1.13~~ "Salvage yard" means any place of outdoor storage or deposit for storing, keeping, processing, buying, or selling junk or as a scrap metal processing facility as defined in 24 V.S.A. § 2241(12). "Salvage yard" also means any outdoor area used for operation of an automobile graveyard as defined in 24 V.S.A. § 2241(15). It does not mean a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs, or a private transfer station or sanitary landfill which is licensed in compliance with the Vermont Statutes Annotated.

~~3.1.1.143.1.14~~ "Secretary" means the Secretary of Natural Resources or the Secretary's designee.

~~3.1.1.153.1.15~~ "Solid waste" means any discarded garbage, refuse, septage, 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 and from community activities but does not include animal manure and absorbent bedding used for soil enrichment; high carbon bulking agents used in composting; or solid or dissolved materials in industrial discharges which are point sources subject to permits under the Water Pollution Control Act, chapter 47 of title 10. For the purpose of this ~~ordinance~~ Ordinance, solid waste shall also include marketable recyclables.

~~3.1.1.163.1.16~~ "Solid waste order" means a directive issued by a legislative body that the respondent take 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 and may include a civil penalty.

~~3.1.17~~ "Town" means the Town of Georgia, Vermont.

~~3.1.1.173.1.18~~ "Waste" means a material that is discarded or is being accumulated, stored, or physically, chemically, or biologically treated prior to being discarded or has served its original intended use and is normally discarded.

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## 4 Requirements

### 4.1 Hazardous Waste.

4.1.1 It shall be unlawful to dispose of any hazardous waste except for in a facility certified or approved by the State of Vermont to accept such hazardous ~~wastes~~ waste.

### 4.2 Solid (non-hazardous) Waste.

4.2.1 It shall be unlawful for any person or persons to dump, deposit, throw or leave solid waste, or to cause or permit the dumping, depositing, placing or leaving of solid waste on any public or private property or into any waters in the Town of Georgia, except as follows:

Town of Georgia  
2020 October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk and Junk Vehicles

Approved xx August

- 4.2.1.1 The composting of organic material if authorized by the Vermont Solid Waste Management Rules provided no nuisance is caused;
- 4.2.1.2 The disposal of solid waste in a privately owned or maintained waste container with the express consent of the owner of the container;
- 4.2.1.3 The disposal of solid waste in a publicly-owned or maintained waste container in a public building, or on public grounds provided such solid waste was created or originated in a public building or on its grounds or generated during the use of said public building, or grounds on such grounds; or
- 4.2.1.4 The disposal of other materials as approved by the Vermont Department of Environmental Conservation, the Town of Georgia Selectboard, and the ~~insert name of applicable solid waste management district~~ Northwest Solid Waste Management District.

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- 4.2.2 Waste is not to accumulate except in enclosed suitable storage containers. ~~The~~Any person, including but not limited to the occupants and/or owners of all properties, shall place or cause to be placed all solid waste and recyclable material in suitable enclosed containers and shall not permit any accumulation or deposit of such substances in or about the land, water, or any premises except in such suitable containers.
- 4.2.3 Accumulation or depositing of solid waste and recyclables on land, water or any properties shall constitute a violation of this ~~ordinance~~Ordinance.

4.3 Junk and Junk Vehicles.

- 4.3.1 It shall be unlawful to place, dispose, discard, or abandon junk or junk vehicles in a place where any such item is visible from the main traveled way of a highway or visible from an abutting property owner's land. Any such item so placed, discarded or abandoned is hereby declared to be a public nuisance and a violation of this ~~ordinance~~Ordinance.

- 4.3.2 All places of outdoor storage of junk and junk vehicles shall be effectively screened from public view by a fence or vegetation at least six (6) feet high. Any fence shall be of sound construction, of solid vertical board or stockade type construction, and shall be maintained neatly and in good repair. Such a fence shall not be used for advertising signs or other displays which are visible from the main traveled way of a highway. Any vegetation used for screening shall be of sufficient density to effectively screen the area from view. Failure to provide screening as required herein shall be considered a violation of this Ordinance.

Commented [DWR1]: Six-foot high fence is recommended, and the Town may want to check with the Zoning Administrator to confirm that this is allowed for most uses in most, if not all, zoning districts

4.4 Salvage Yards.

- 4.4.1 Location. No person shall establish or initiate operation of a salvage yard after July 1, 2009 within one hundred (100) feet of the nearest edge of the right-of-way of a public highway or within two hundred (200) feet of a navigable water, as that term is defined in 10 V.S.A. § 1422. Additionally, no person shall establish or initiate operation of a salvage yard within one hundred (100) feet from property lines, wetlands, and other waterways.



Town of Georgia Approved xx August  
2020October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk and Junk Vehicles

4.3.24.4.2 Screening Required. ~~insert number~~ feet high. All salvage yards shall be effectively screened from public view by a fence or vegetation at least eight (8) feet high. Any fence shall be of sound construction, of solid vertical board or stockade type construction, and shall be maintained neatly and in good repair. Such a fence shall not be used for advertising signs or other displays which are visible from the main traveled way of a highway. Any vegetation used for screening shall be of sufficient density to effectively screen the area from view. Failure to provide screening as required herein shall be considered a violation of this ordinanceOrdinance.

Commented [DWR2]: See comment above in Section 4.3.2

4.4.1.1 Salvage Yards.

4.4.1 Location. ~~No person shall establish or initiate operation of a salvage yard after July 1, 2009 within insert number no less than one hundred feet of the nearest edge of the right-of-way of a public highway or within insert number no less than one hundred feet of a navigable water, as that term is defined in 10 V.S.A. § 1422.~~

4.4.2 Screening Required. ~~All salvage yards shall be effectively screened from public view by a fence or vegetation at least insert number feet high. Any fence shall be of sound construction, of solid vertical board or stockade type construction, and shall be maintained neatly and in good repair. Such a fence shall not be used for advertising signs or other displays which are visible from the main traveled way of a highway. Any vegetation used for screening shall be of sufficient density to effectively screen the area from view. Failure to provide screening as required herein shall be considered a violation of this ordinance.~~

4.5 Permits and Certificates.

4.5.1 Permits are required. It shall be unlawful for a person or landowner within the Town to own or operate or allow the operation of a salvage yard on land within the municipalityTown unless it is being operated in compliance with 24 V.S.A. Chapter 61 and this ordinanceOrdinance. Any salvage yard operating without the necessary permit and approvals as herein specified is declared to be a public nuisance and a violation of this ordinanceOrdinance.

4.5.2 A person who wishes to operate a salvage yard within the municipality is required to obtain a certificate of approval for the location of the salvage yard from the insert name of legislative bodySelectboard of the Town of Georgia and obtain a certificate of registration issued by the Secretary to operate, establish, or maintain a salvage yard pursuant to 24 V.S.A. §§ 2241 et seq.

4.5.3 Local Certificate of Approved Location. Application for a certificate of approved location shall be made in writing to the insert name of legislative bodySelectboard. The application shall contain a description of the land to be included within the salvage yard, which description shall be by reference to so-called permanent boundary markers. The certificate of approved location is valid for insert number not to exceed five (5) years. The conditions and procedures to be followed after an application has been made are those specified in 24 V.S.A. §§ 2251-2257, as from time to time amended.

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Town of Georgia  
2020 October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk and Junk Vehicles

Approved xx August

4.5.4 [NOTE TO MUNICIPALITIES: If your municipality has a zoning ordinance and a zoning board of adjustment or development review board established under 24 V.S.A. Chapter 117, include the following: "The application shall be accompanied by a certificate from the [ZBA or DRB] Development Review Board that the proposed location is not within an established zoning district restricted against such uses or otherwise contrary to such zoning ordinance." the Town's land development regulations,

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4.5.5 State Salvage Yard Certification. The procedures for obtaining a salvage yard certification from the Secretary are those specified in 24 V.S.A. Chapter 61, as from time to time amended.

## 5 Enforcement and Penalties

### 5.1 Violation of Screening Requirements.

5.1.1 Upon receiving written notice from the Enforcement Officer to do so, the owner of any junk, junk motor vehicle, or abandoned motor vehicle discovered in violation of Section 4 of this ordinance shall remove any such items or vehicles from the property or screen the item(s) or vehicle(s) from the view of the main traveled way of the highway. If the owner of the junk or junk motor vehicle(s) does not remove or screen the items from view within 30 days from the date of mailing of the written notice by the Enforcement Officer, the Enforcement Officer may notify the appropriate state agencies. Failure to remove or screen the items from view within 30 days from the date of mailing of the written notice by the Enforcement Officer shall be a violation of this ordinance.

5.1.2 If the owner of the land on which a junk motor vehicle is discovered in violation of Section 4 of this Ordinance does not hold title or disclaims title to the vehicle, and the true owner of the vehicle is known or can be ascertained, the true owner shall move, screen, or dispose of the vehicle upon receiving written notice from the Enforcement Officer.

### 5.2 Abandoned Motor Vehicles.

- 5.2.1 A law enforcement officer is authorized to remove or cause removal of an abandoned motor vehicle from public property and may contract a towing service for removal of such motor vehicle, based upon personal observation by the officer that the vehicle is abandoned, as defined in 23 V.S.A. § 2151.
- 5.2.2 A law enforcement officer is authorized to remove or cause removal of an abandoned motor vehicle from private property and may contact a towing service for removal from private property of such vehicle, based upon complaint from the owner or agent of the property on which the vehicle is located that the vehicle is abandoned.

Town of Georgia Approved xx August  
2020 October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk and Junk Vehicles

5.2.3 An owner or agent of an owner of private property is authorized to remove or cause removal of an abandoned motor vehicle from that property and may contact a towing service for removal from that property of an abandoned vehicle. If an owner or agent of an owner removes or causes removal of an abandoned motor vehicle, the owner or agent shall immediately notify the [insert local law enforcement serving the Town] from which the vehicle is removed. Vermont State Police and the Town's Selectboard. Notification shall include identification of the registration plate number, the vehicle identification number, make, model, and color of the vehicle. The owner or agent of an owner of property upon which a motor vehicle is abandoned may remove the vehicle from the place where it is discovered to any other place on any property owned by him or her, or cause the vehicle to be removed by a towing service without any civil liability to the owner of the abandoned vehicle.

5.3 Other violations.

5.3.1 Any other violation of this ordinance Ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau or in the Civil Division of Vermont Superior Court, at the election of the [insert name of legislative body]. Town Selectboard. Each day that the violation continues shall constitute a separate violation of this ordinance Ordinance.

5.3.2 Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. A civil penalty of not more than [insert amount up to \$800] per violation may be imposed for violation of this ordinance Ordinance.

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5.3.3 A municipal ticket will be issued by the Enforcement Officer if the violation has not been corrected in accordance with this ordinance Ordinance.

6 Enforcement

6.1.1 For purposes of enforcement in the Judicial Bureau, the designated Enforcement Officer shall issue tickets and may be the appearing officer at any hearing. The municipal attorney may also be the appearing officer at the hearing at the direction of the [insert name of legislative body]. Town Selectboard.

6.1.2 An Enforcement Officer is authorized to recover civil penalties in the following amounts, or as established by the Judicial Bureau, for each violation of this ordinance Ordinance:

6.2 Penalties

6.2.1 First offense [del \$100] \$50 full penalty / [del \$50] \$25 waiver penalty

6.2.2 Second offense [del \$200] \$100 full penalty / [del \$100] \$50 waiver penalty

6.2.3 Third offense [del \$400] full penalty / [del \$200] waiver penalty

6.2.4 Subsequent offense [del \$800] full penalty / [del \$400] waiver penalty

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6.2.5 [NOTE: The above amounts are samples amounts only. Municipalities may adjust these penalties and waiver fees so long as they do not exceed \$800.]

6.2.6.2.5 Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Enforcement Officer or [insert name of legislative body] Town Selectboard may pursue all appropriate injunctive relief. In addition, a civil penalty of not more than [insert amount up to \$800] per violation may be imposed for violation of this ordinance Ordinance.

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Town of Georgia Approved xx August  
2020 October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk  
and Junk Vehicles

6.2-76.2.6 Solid Waste Order and Enforcement. For any violations of this ordinance not including salvage yards, or screening requirements, the ~~insert name of legislative body~~ Town Selectboard may also use the procedures set forth in 24 V.S.A. Chapter 61, Subchapter 12 to issue a solid waste order to enforce any of the provisions of this ordinance. Such order may include civil penalties for each violation and, in the case of a continuing violation, a penalty for each succeeding day.

6.2-86.2.7 The ~~insert name of legislative body~~ Town Selectboard may seek enforcement of a final solid waste order in the ~~superior court~~ Civil Division or before the Environmental Division of Vermont Superior Court. If a penalty is imposed and the respondent fails to pay the penalty within the time prescribed, the ~~selectboard~~ Town Selectboard may bring a collection action in the superior court.

6.2-96.2.8 Imposition of a penalty by the Town of Georgia through a solid waste order under 24 V.S.A. Chapter 61, Subchapter 12 precludes imposition by Town of Georgia of any other administrative or civil penalty under any other provision of law for the same violation.

7 Other Laws.

7.1.1 This ordinance is in addition to all other ordinances of the Town of Georgia and all applicable laws of the State of Vermont. 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.

8 Severability.

8.1.1 If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance. If any statute referred to in this ordinance shall be amended, this ordinance shall be deemed to refer to such amended statute.

9 Effective Date.

9.1.1 This ordinance shall become effective 60 days after its adoption by the Selectboard or at such time following the expiration of the 60 days from the date of its adoption as is determined by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Selectboard for the Town of Georgia

~~Matt Crawford~~ Devon Thomas, Chair

~~Steve Lamos~~, Vice Chair

~~Tara Wright~~ Shannon Jenkins, Board Member



Town of Georgia Approved xx August  
2020October 2023 Ordinance Regulating the Disposal of Solid Waste and the Outdoor Storage of Junk  
and Junk Vehicles  
Jason BurtCarl Rosenquist, Board Member

\_\_\_\_\_  
Scott St-OngeNicholas Martin, Board Member

\_\_\_\_\_  
Jamie Comstock, Board Member

\_\_\_\_\_  
Attest: Cheryl Letourneau, Town Clerk

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ADOPTION HISTORY:

1. Agenda item at a [insert regular or special] meeting of the Selectboard held on \_\_\_\_\_.
2. Read and approved at that meeting of the Selectboard on \_\_\_\_\_ and entered in the minutes of that meeting which were approved on \_\_\_\_\_.
3. Posted in public places on \_\_\_\_\_.
4. Notice of adoption published in the \_\_\_\_\_ newspaper on \_\_\_\_\_ with a notice of the right to petition.
5. Other actions [petitions, etc.]

## STUMP DUMP ORDINANCE

**PREAMBLE:** It is the intent of this ordinance to manage and regulate the stump dump in order to preserve and perpetuate the stump dump area in a manner consistent with environmental health standards and to preserve the longevity of available landfill.

THE SELECTMEN OF THE TOWN OF GEORGIA HEREBY ORDAIN:

- Section 1: No material whatever may be deposited in the stump dump unless same originated within the Town of Georgia.
- Section 2: Residents and property owners or businesses of the Town of Georgia may transport their own waste materials (wood, leaves, furniture, appliances) to the stump dump and deposit them therein.
- Section 3: No burning, salvaging, discharging of firearms, soliciting of business, advertising or any other activity shall be permitted with the stump dump area except by specific approval of the Town.
- Section 4: Any person, firm, corporation, or partnership violating this ordinance or willfully failing to deposit in the proper location or according to the direction of the attendant at the stump dump may have any permit suspended or revoked, and may be ordered from the stump dump by the attendant on duty, and failure to leave when so ordered shall constitute a violation of this ordinance. Any such violation may be additionally punishable by a fine of not more than fifty dollars for each violation.
- Section 5: The violation of any section of this ordinance shall be punishable by a fine of Fifty (\$50.00) Dollars for each violation.

This Ordinance shall become effective upon passage.

TOWN OF GEORGIA  
TRAVEL ON TOWN LEGAL TRAILS ORDINANCE  
TRAILS #1,#3,#4, and #5 (NO TRAIL #2)

**SECTION 1. AUTHORITY.** This is a municipal Ordinance under authority of 19 V.S.A. §§ 301(8) A and 24VSA111971 & 2291(14)

**SECTION 2. PURPOSE.** The purpose of this travel on Town Legal Trails Ordinance (the "Ordinance") is to protect public safety, and prevent environmental damage and pollution caused by vehicular traffic on trails. Such damage and pollution are hereby deemed to be a public nuisance.

**SECTION 3. DEFINITIONS.** For purposes of this ordinance, the following definitions shall apply:

- A. **Motor Vehicle**, means any power-driven vehicle which is normally used for carrying persons or goods by road including cars, trucks, motorcycles, and ATV's.
- B. *Operate, operating or operated* as applied to motor vehicles shall include drive, driving and driven and shall also include an attempt to operate, and shall be construed to cover all matters and things connected with the presence and use of motor vehicles, whether they be in motion or at rest.
- C. *Owner* shall include any person, corporation, partnership or association, holding legal title to a motor vehicle, or having exclusive right to the use or control thereof, or an individual seeking to use and work on a Trail.
- D. Trails shall mean all Trails within the meaning of 19 V.S.A. Section 301(8) in the Town of Georgia (the "Town").
- E. Use and Work shall include all excavation or digging within the right-of-way limits of a Legal Trail.

**SECTION 4. ACTIVITY PROHIBITED.** Use and work on all trails and the operation of a motor vehicle on all Legal Trails are prohibited unless the owner has either a valid permit issued by the Town, or has entered into a license agreement with the Town. The discharge of firearms on Legal Trails is also prohibited. **Personal mobility devices such as motorized wheelchairs and scooters are not banned, but the trails are not maintained to specifically accommodate these devices.**

**SECTION 5. PERMITS**

- A. Permits shall be issued to persons owning property abutting the trail, or persons residing on property abutting the trail with permission of the landowner, or persons who in the judgment of the Select Board, have been found to have a legitimate need to operate a vehicle on a Trail. (Visitors to the property owners will not require a permit)
  
- B. The only acceptable permit shall be one entitled "TOWN OF GEORGIA PERMIT TO OPERATE A MOTOR VEHICLE ON THE \*NAMED\* TRAIL" and signed by the members of the Georgia Selectboard. One copy of the permit shall be issued to the permittee and one copy shall be filed with the Georgia Town Clerk. The Town may also enter into License Agreements with Owners who propose either improvements to a Trails, use a Trail for access to private properties, or for other private purposes allowed in the reasonable exercise of the Georgia Select Board's discretion pursuant to its authority to control Trails in the Town.
  
- C. Permits issued as a means for primary access to land shall be valid for property owners and residents as long as they continue to be property owners or residents. All other permits shall be renewed annually.

**SECTION 6.** Permission for the use of legal trails to access properties for logging and surgaring activities shall not be unreasonably withheld by the Select Board. The trail shall be left in as good or better condition as when permission was granted. The Select Board may require that the logger or property owner provide an adequate amount of funds into an escrow account to be available in the event that the logger or property owner fails to restore the trail to an acceptable condition.

**SECTION 7. SEVERABILITY.** If any portion of this Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected.

**SECTION 8. ENFORCEMENT:** Penalties. Any violation(s) of this ordinance is subject to a civil penalty of \$100 a day. Each day the violation continues shall constitute a new offense.

**SECTION 9. EFFECTIVE DATE:** This Ordinance shall become effective 60 days from the date of adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

GEORGIA SELECT BOARD

\_\_\_\_\_

Devon Thomas Chair Shannon Jenkins Vice Chair

\_\_\_\_\_

Carl Rosenquist Jamie Comstock

\_\_\_\_\_

Nicholas Martin

Received for record

\_\_\_\_\_ day \_\_\_\_\_ 2023 Attest: Cheryl Letourneau, Town Clerk \_\_\_\_\_

\_\_\_\_\_

TOWN OF GEORGIA

PERMIT TO OPERATE A MOTOR VEHICLE ON TRAIL# \_\_\_\_\_

PURSUANT TO THE TRAVEL ON TOWN LEGAL TRAILS ORDINANCE,

THE \_\_\_\_\_ TRAIL, as defined in the Ordinance, the Georgia Select board hereby issues this permit to operate a motor vehicle on the trail to:

- A. \_\_\_\_\_ (Landowner/resident of the trail and his/her invited guests); such permit to be valid so long as he/she is an owner/resident; or
- B. \_\_\_\_\_, a person determined by the Georgia Select board to have a legitimate need to operate a motor vehicle on the trail, such permit to expire one year from this date.

\_\_\_\_\_

Date For the Select board