

TOWN OF GRAND ISLE
ORDINANCE REGULATING DISPOSAL OF SOLID WASTE
AND OUTDOOR STORAGE OF JUNK AND JUNK VEHICLES

SECTION 1. AUTHORITY. This Ordinance is adopted by the Selectboard (“Selectboard”) of the Town of Grand Isle (“Town”) under the authority granted in 23 V.S.A. § 2157; 24 V.S.A. § 1971, § 2291(12) - (15), and § 2246; and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this Ordinance is to regulate the disposal of solid waste, the location and outdoor storage of junk, junk vehicles and abandoned motor vehicles in the Town of Grand Isle, Vermont, in order to protect the public health, safety, and well-being of the public and to protect their environment.

SECTION 3. DEFINITIONS. For purposes of this Ordinance, the following words and/or phrases will be defined as follows:

MOTOR VEHICLES

- A. “Motor vehicle” means any vehicle propelled or drawn by power other than muscular power, including trailers and campers.
- B. “Abandoned motor vehicle” means:
1. a motor vehicle that has remained on public or private property or on or along a town highway without the consent of the Town or 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
 2. a motor vehicle that has remained on public or private property or on or along a town highway without the consent of the Town 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
3. “Automobile graveyard” means a yard, field, or other outdoor area on a property owned or controlled by a person and used or maintained for storing or depositing four or more junk motor vehicles, except as provided in 24 V.S.A. § 2241(15)(A), (B), (C) or (D).
4. “Junk motor vehicle” means a discarded, dismantled, wrecked, scrapped, or ruined motor vehicle or parts thereof, or a motor vehicle, other than an on-premises utility vehicle, which is allowed to remain unregistered or uninspected for a period of 90 days from the date of discovery. 24 V.S.A. § 2241(6).
5. “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. “Salvage yard” also

means any outdoor area used for operation of an automobile graveyard. It does not mean a garage where wrecked or disabled vehicles are stored for less than 90 days for inspection or repairs. 24 V.S.A. § 2241(7)

WASTE

6. "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 or is a manufacturing or mining by-product and is normally discarded.
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. 24 V.S.A. § 2241(5)
8. "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 that are point sources subject to permits under the Vermont Water Pollution Control Act, chapter 47 of title 10. For the purpose of this Ordinance, solid waste s also includes marketable recyclables.
9. "Hazardous waste" means 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.
10. "Disposal" means 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 that enters the environment or is emitted into the air or is discharged into any ground or surface waters.

ADDITIONAL DEFINITIONS

11. "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.
12. "Abutting property owner" means any person who owns, leases, or in any other way uses or controls the real property abutting any portion of the property of another.
13. "Enforcement Officer" means any Town official, law enforcement officer, constable, police officer or other individual(s) appointed by the Selectboard to enforce the provisions of this Ordinance.
14. "Highway" means any highway as defined in 19 V.S.A. § 1(12). For purposes of this Ordinance, this definition also includes municipal trails as defined in 19 V.S.A. § 301.
15. "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.
16. "Notice" means written notice mailed by certified mail with return receipt requested or hand-delivered with a signed affidavit by the person hand delivering the Notice affirming the date and place of hand delivery and to whom they delivered the Notice.
17. "Secretary" means the Secretary of Natural Resources or the Secretary's designee.
18. "Solid waste order" means a directive issued by the Selectboard in accordance with the factors enumerated in 24 V.S.A. § 2297a(a) directing the respondent to take actions necessary to achieve compliance with this Ordinance, abate hazards created as a result of noncompliance, or restore the environment to the condition existing before the violation and may include a civil penalty of not more than \$800.00 for each violation and in the case of a continuing violation, not more than \$100.00 for each succeeding day.

SECTION 4. REQUIREMENTS.

- A. Hazardous Waste. It is a violation of this Ordinance to dispose of any hazardous waste without first obtaining certification from the Secretary for such facility, site or activity.
- B. Solid Waste. It is a violation of this Ordinance 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, on highways, or into any waters in the Town, with the following exceptions:

1. The composting of organic material;
 2. The disposal of solid waste in a privately owned or maintained waste container with the express consent of the owner of the container;
 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 the public building or on its grounds or generated during the use of said public building, or on such grounds; or
 4. The disposal of other materials as approved by the Vermont Department of Environmental Conservation, the Selectboard, and the Northwest Vermont Solid Waste Management District.
- C. **Junk and Junk Vehicles.** It is a violation of this Ordinance to place, dispose, discard, or abandon junk or junk vehicles on any property in Grand Isle. Per 24 V.S.A. § 2241(15) property owners are limited to no more than three junk vehicles on a single property, parcel or lot of land. More than three junk vehicles so placed, discarded or abandoned on a single property, parcel or lot of land is hereby declared to be a public nuisance and a violation of this Ordinance.

D.

Salvage Yards:

1. **Location.** No person may establish or initiate operation of a salvage yard.
- E. **Screening.** All places of outdoor storage of junk and junk vehicles must be effectively and completely screened from public view by a fence or vegetation at least six feet high. Any fence must be of sound construction, of solid vertical board or stockade type construction, and must be maintained neatly and in good repair. Such a fence may 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 must be of sufficient density to effectively screen the area from view. Failure to provide screening as required herein is a violation of this Ordinance.

SECTION 5. ENFORCEMENT AND PENALTIES.

A. **Violation of Requirements.**

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, and/or the owner of the property on which the junk, junk motor

vehicle, or abandoned vehicle is located, must remove any such items or vehicles from the property or screen the items or vehicles from view in accordance with Section 4(E), above. If the owner of the junk or junk motor vehicle(s) does not remove the items, or remove them from view, within 30 days from the date of mailing or hand delivery of the written notice by the Enforcement Officer, the Enforcement Officer may notify the appropriate state agencies or issue a municipal ticket and then commence an action in the Vermont Judicial Bureau or Vermont Superior Court. Failure to remove the items, or remove them from view, within 30 days from the date of mailing or hand delivery of the written notice by the Enforcement Officer is a violation of this Ordinance.

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 must dispose of the vehicle upon receiving written notice from the Enforcement Officer. If said vehicle is not removed

B. Abandoned Motor Vehicles.

1. An Enforcement Officer, including any 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 then Enforcement Officer that the vehicle is abandoned or based on a signed affidavit of an Enforcement Officer stating the vehicle is abandoned based on the Enforcement Officer's personal observation.
2. An Enforcement Officer, including any 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.
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 must immediately notify the Grand Isle County Sheriff. Notification must 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 cause the vehicle to be removed by a towing service without any civil liability to the owner of the property on which the abandoned vehicle was located.

- C. Other violations.** All violations of this Ordinance will be a civil matter which may be enforced in the Vermont Judicial Bureau or in the Grand Isle Unit, Civil Division of Vermont

Superior Court, at the election of the Selectboard. An Enforcement Officer does not need prior authorization from the Selectboard to issue a municipal complaint ticket that will be heard on-appeal by the Judicial Bureau, but the Selectboard may choose to dismiss such a municipal complaint and pursue a complaint in the Grand Isle Unit, Civil Division, Vermont Superior Court.

1. Violations enforced in the Judicial Bureau will be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer has the authority to issue tickets and represent the Town at any hearing.

2. The Enforcement Officer is authorized to recover civil penalties for violations of this Ordinance in the following amounts for each violation:

First offense	<i>\$100 full penalty / \$50 waiver penalty</i>
Second offense	<i>\$200 full penalty / \$100 waiver penalty</i>
Third offense	<i>\$400 full penalty / \$200 waiver penalty</i>
Fourth and subsequent offense	<i>\$800 full penalty / \$400 waiver penalty</i>

3. The Enforcement Officer is authorized to recover a waiver fee in lieu of a civil penalty, in the stated amount, from any person who declines to contest a municipal complaint and pays the waiver fee.

4. Each day that a violation continues constitutes a separate violation of this Ordinance.

5. Determining the sequences of offenses for violations of this Ordinance will be as follows: a subsequent violation that is identical to, and that occurs within twelve months of, a previous violation will be considered a higher offense (i.e., second, third, or subsequent offense). Any subsequent identical violation that occurs after twelve months of a previous identical violation will be considered a new first offense.

6. Violations enforced in the Superior Court will be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

D. Solid Waste Order and Enforcement. For any violations of this Ordinance the 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.

1. The Selectboard may seek enforcement of a final solid waste order in the Superior Court or before the Environmental Division. If a penalty is imposed and the respondent fails to pay the penalty within the time prescribed, the Selectboard may bring a collection action in the Superior Court.

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

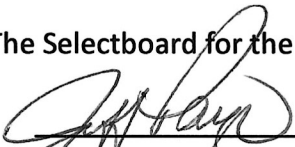
SECTION 6. OTHER LAWS. This Ordinance is in addition to all other ordinances of the Town and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.


SECTION 7. SEVERABILITY. If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding will not invalidate any other part of this Ordinance. If any statute referred to in this Ordinance is amended, this Ordinance will be deemed to refer to such amended statute.

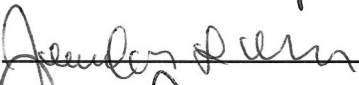
SECTION 8. EFFECTIVE DATE. This Ordinance will become effective sixty (60) days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute will govern the taking effect of this Ordinance.

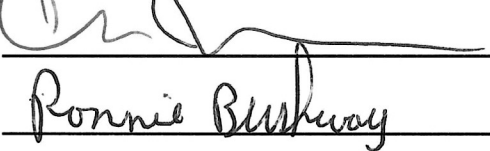
Adopted this 19 day of January, 2026.

The Selectboard for the Town of Grand Isle:









Date 1/19/26

Adoption History

1. Agenda item at Selectboard meeting held on 9/15/25.
2. Read and approved at Selectboard meeting on 1/19/26 and entered in the minutes of that meeting.

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.*]