

**TOWN OF THOMASTON  
SPECIAL TOWN MEETING  
FEBRUARY 11, 2026**

**SOLID WASTE ORDINANCE**

**Section 1.**

This ordinance is adopted pursuant to Chapter 446d and Sections 7-148(c)(4)(H), 7-148(c)(7)(E), and 7-148(c)(7)(H)(xi), of the General Statutes, as amended, which authorize a municipality to provide for and regulate the sorting, collection, hauling, and disposal of solid waste and recyclable materials.

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**Section 2.**

Sections 235-1 through 235-19 of the Code of the Town of Thomaston are hereby repealed and replaced with the following revised sections:

**ARTICLE I  
Storage and Disposal**

**§ 235-1. Purpose.**

The Town of Thomaston, acting pursuant to Connecticut General Statutes, §§ 7-148(c)(4)(H) and 22a-220a *et seq.*, as amended, hereby adopts the following rules and regulations governing the storage, collection and disposal of solid waste generated for which the Town is responsible for the transportation and disposal within its political boundaries. To carry out that purpose, the Town of Thomaston shall enter necessary or convenient written agreements with solid waste disposal contractor(s) to dispose of solid waste generated within the Town and to enact ordinances, regulations, and rules to implement those agreements.

## **§ 235-2. Definitions.**

The following terms shall have the following meanings:

**CONTRACT FOR SOLID WASTE DISPOSAL SERVICES** – The contract duly executed by the Town of Thomaston and the applicable contractor(s) to provide for municipal solid waste transportation and disposal services as approved by the Board of Finance, Board of Selectmen, and Town Meeting, and as may be from time-to-time amended. Such contract may be of single- or multi-year duration. Multi-year contracts shall require town meeting approval.

**CONTRACTUAL STANDARDS** – Those criteria for acceptable solid waste to be delivered to the designated disposal site as established in the town's contract for solid waste disposal services with the designated solid waste disposal contractor(s).

**DESIGNATED DISPOSAL CONTRACTOR** – The contractor(s) selected by the Town of Thomaston, through its Board of Finance, Board of Selectmen, and Town Meeting, to perform solid waste disposal services, as designated in the municipal contract for solid waste disposal services.

**DESIGNATED DISPOSAL SITE** – The site(s) for disposal of acceptable solid waste as set forth in the contract for solid waste disposal services between the Town and the designated disposal contractor(s), as amended.

**DISPOSAL CHARGE** – That charge per ton levied under the applicable municipal contract for disposal of solid waste delivered to the designated disposal contractor and the designated disposal site.

**HAZARDOUS/REGULATED WASTE** – Sewage, sludge, and residue from a water treatment or water pollution control facility, pathological or biological remains, radioactive or toxic waste, or any waste which requires special handling under the municipal disposal contract, or federal, state or local regulations, including those wastes regulated under applicable federal and state law, and including but not limited to cleaning fluids, crankcase oils, cutting oils, solvents, paints, acids, caustics, poisons, drugs, asbestos-containing materials, PCBs, fine powdery earth used to filter cleaning fluid or waste of a similar nature.

**SOLID WASTE** - Unwanted or discarded materials as defined by Connecticut General Statutes, § 22a-207, as amended, excluding sewage, sludge, and residue from a water treatment or water pollution control facility.

**§ 235-3. Authorization to Contract; Designated disposal facility.**

- A. Pursuant to Chapter 446d of the Connecticut General Statutes, the Town of Thomaston hereby authorizes its Board of Finance, Board of Selectmen, and First Selectman to enter into written agreements with contractors for the disposal of solid waste generated within the political borders of Town. Such contracts may include the exportation of solid waste to disposal sites outside the boundaries of the Town, State of Connecticut, or United States. Such contracts may be of single-year or multi-year duration. A copy of such contract shall be made available for photocopying and inspection by the public in the Town Clerk's office. The Town Clerk's customary fee for photocopies shall apply.
- B. The Town of Thomaston hereby designates such solid waste disposal sites and disposal contractors as specified in municipal contract(s) for solid waste disposal services as the designated disposal areas and recipients for solid waste generated within the political boundaries of the Town and meeting the applicable contractual standards defined in the contract for solid waste disposal services, whether residentially, commercially or otherwise generated. On or after the effective date of this article, each person, firm or corporation collecting, or disposing of, solid waste generated within the Town shall deliver all such waste to the Thomaston Transfer Station or directly to the designated solid waste disposal site or facility, unless otherwise directed by the Board of Selectmen, and shall pay the disposal charge therefor to the Town Treasurer.
- C. The Town of Thomaston hereby authorizes its Water Pollution Control Authority (WPCA), Board of Finance, Board of Selectmen, and First Selectman to enter into written agreements with contractors for the hauling and disposal of waste from the Water Pollution Control Facility (WPCF). Such contracts may be of single-year or multi-year duration. A copy of such contract shall be made available for photocopying and inspection by the public in the Town Clerk's office. The Town Clerk's customary fee for photocopies shall apply.

#### **§ 235-4. Acceptable solid waste.**

In order to comply with the provisions of the Town's contract for disposal services with the designated disposal contractor(s), all solid waste delivered to the designated disposal site and designated disposal contractor must meet all contractual standards in the contract for disposal services, including but not limited to the following:

- A. It must be solid waste emanating from within the political boundaries of the Town of Thomaston. It shall be a violation of this ordinance to import solid waste from outside Thomaston and put such waste into Thomaston's solid waste stream.
- B. It must not be of such a quantity, quality or other nature as to violate any term of the municipal contract for solid waste disposal services.
- C. It must not include any hazardous/regulated waste as defined by applicable federal, state, or Thomaston municipal law. Notwithstanding the foregoing, the Thomaston WPCF may, on occasion and in the sole discretion of the WPCF Manager or said Manager's designee, accept septic loads that may come from another town.

### **§ 235-5. Rules and regulations.**

After due notice, public hearing, and publication, the Board of Selectmen is authorized to adopt, and from time to time amend, rules and regulations concerning the following, provided that such regulations are consistent with federal and state law and the purposes of this article and are reasonably related to public health, safety or welfare:

- A. The licensing of refuse collectors within the Town;
- B. The establishment of fees to be charged all generators of solid waste within the Town;
- C. The method and manner of collecting, storing and disposing of solid waste, including but not limited to categorizing such activity for differing properties such as residential, commercial, industrial, condominiums, and apartments;
- D. Source separation of types of solid waste and recycling measures; and
- E. The use of the Thomaston Transfer Station.

**§ 235-6. Penalties for offenses.**

Any person, firm or corporation violating the provisions of this article, or any rule or regulation adopted pursuant thereto, may be fined not more than \$100 per occurrence in addition to any other penalty provided by law.

**ARTICLE II**  
**Recycling; Refuse**  
**Collection**

**§ 235-7. Purpose; statutory authority; authorization to contract; designation of disposal site.**

- A. This article is adopted by the Town of Thomaston as part of a comprehensive program to provide for the safe and sanitary disposal of solid waste and recyclable materials (also called "acceptable recyclables") generated within the Town, to ensure compliance by the Town's residents and solid waste collectors with the requirements of Connecticut General Statutes, Chapter 446D, providing for the separation, collection, processing and marketing of recyclable solid waste, and is adopted pursuant to Connecticut General Statutes §§ 7-148(c)(4)(H), 22a-220 and 22a-220a, *et seq.*, as amended.
- B. Pursuant to Chapter 446d of the Connecticut General Statutes, the Town of Thomaston hereby authorizes its Board of Finance, Board of Selectmen, and First Selectman to enter into written agreements with contractors for the disposal of recyclable materials (also known as "acceptable recyclables") within the political borders of Town. Such contracts may include the exportation of recyclable materials to disposal sites outside the boundaries of the Town, State of Connecticut, or United States. Such contracts may be of single-year or multi-year duration. A copy of such contract shall be made available for photocopying and inspection by the public in the Town Clerk's office. The Town Clerk's customary fee for photocopies shall apply.
- C. The Town of Thomaston hereby designates such recyclable materials disposal sites and disposal contractors as specified in municipal contract(s) for recycling services for recyclable materials generated within the political boundaries of the Town and meeting the applicable contractual standards defined in the contract for recycling services, whether residentially, commercially or otherwise generated. On or after the effective date of this article, each person, firm or corporation collecting, or disposing of, recyclable materials generated within the Town shall deliver all such materials to the Thomaston Transfer Station or directly to the designated recyclable materials disposal site or facility, unless otherwise directed by the Board of Selectmen, and shall pay the disposal charge therefor to the Town Treasurer.
- D. Town of Thomaston hereby authorizes its Water Pollution Control Authority (WPCA), Board of Finance, Board of Selectmen, and First Selectman to enter into written agreements with contractors for the hauling and disposal of refuse and recyclables from the Water Pollution Control Facility (WPCF). Such contracts may be of single-year or multi-year duration. A copy of such contract shall be made available for photocopying and inspection by the public in the Town Clerk's office. The Town Clerk's customary fee for photocopies shall apply.

## **§ 235-8. Definitions.**

For the purpose of this article the following words and phrases have the following meaning:

**APARTMENT COMPLEX** - A multifamily structure of four or more dwelling units grouped into one or more buildings.

**COMMERCIAL ESTABLISHMENT** - Any enterprise engaged in a nonmanufacturing or nonprocessing business, including but not limited to stores, markets, office buildings, restaurants, shopping centers and theaters.

**CONDOMINIUM COMPLEX** - Any group of dwelling units which are covered by Connecticut General Statutes, Chapter 825, as amended.

**CONTRACT FOR RECYCLING SERVICES** - The contract duly executed by the Town of Thomaston and the applicable designated recycling contractor(s) to provide for disposal services of recyclable materials (acceptable recyclables) at the designated recycling site(s) as approved by the Board of Finance, Board of Selectmen, and Town Meeting, and as may be from time-to-time amended.

**CONTRACTUAL STANDARDS** - Those criteria for solid waste or acceptable recyclables to be delivered to the designated disposal site as established in the town's contract-for recycling services with the designated recycling disposal contractor(s) at the designated recycling site(s).

**DESIGNATED RECYCLING CONTRACTOR** - The contractor selected by the Town of Thomaston, through its Board of Finance, Board of Selectmen, and Town Meeting, to perform recycling services, as designated in the municipal contract for recycling services.

**DESIGNATED RECYCLING SITE** - The site(s) for disposal of acceptable recyclables as set forth in any contract between the Town and the designated disposal contractor(s), as amended.

**FIRST SELECTMAN** - The First Selectman of the Town or the First Selectman's duly appointed designee.

**INDUSTRIAL ESTABLISHMENT** - Any establishment engaged in manufacturing or processing, including but not limited to factories, foundries, mills, processing plants, refineries and the like.

**INSTITUTIONAL ESTABLISHMENT** - Any establishment engaged in service to persons, including but not limited to hospitals, nursing homes, group homes, schools and universities.

**RECYCLABLE MATERIALS or ACCEPTABLE RECYCLABLES** - Those items designated recyclable by the Board of Selectmen or by the contract for recycling services between the Town and the designated recycling contractor, for segregation from the municipal solid waste stream and disposal at the designated recycling site.

**RESIDENTIAL ESTABLISHMENT** - Any premises used primarily as a domestic dwelling, including but not limited to single- and multiple-family homes, apartments and condominiums.

**SINGLE STREAM** - A system in which all recyclable materials, including but not limited to

fiber (newspaper, cardboard, mixed paper, catalogs, magazines and junk mail) and containers (glass, metal and plastic), are placed, unsorted, in one large wheeled "toter" by residents, collected by the hauler and sorted at a regional recycling center or at the designated recycling site by the designated recycling contractor.

TOWN - The Town of Thomaston.

**§ 235-9. Source separation and recycling.**

- A. Each person, business or institution that generates solid waste shall separate from other solid waste designated recyclable materials as defined above and by such rules as may be adopted by the Board of Selectmen or as designated in the municipal contract for recycling services.
  - (1) All persons, businesses or institutions who or which generate solid waste within the Town are required to separate recyclable materials from solid waste.
  - (2) Solid waste placed for collection which contains recyclable materials shall neither be collected by refuse collectors nor accepted for disposal at any refuse processing facility.
  - (3) For premises serviced by private or municipal refuse collection, recyclable materials shall be separated from refuse and placed for collection in a separate container on the designated day.
  - (4) Apartment and condominium complexes as well as commercial, industrial, and institutional establishments shall provide for, or require their refuse collector to provide for, the separation of municipal solid waste and each recyclable material accumulated on the premises.
- B. Except as otherwise provided in § 235-13 of this Code, residents shall use a municipally registered hauler to collect materials for delivery to the municipally designated recycling contractor and designated recycling site for recycling in the following manner:
  - (1) Clean, unsoiled newspaper and corrugated cardboard shall be packed in paper grocery or shopping bags or securely tied in flat bundles.
  - (2) Glass food containers and plastic bottles, as well as all types of metal food containers, shall be rinsed clean and placed in the recycling container.
  - (3) Haulers may choose to collect and tip recyclables by the single stream method. If this collection method is chosen, haulers shall inform their customers of this choice. A hauler choosing to tip recyclables single stream must also collect recyclables single stream, in a closed container provided by the hauler to each customer.
  - (4) Leaves, waste oil, used oil, storage batteries, and recyclable electronics, plug-in electrical devices, electronic waste ("e-waste"), and any other recyclables designated by the Board of Selectmen shall be separated from solid waste and other recyclables and delivered to the municipal drop-off center or other designated area so as to not constitute a nuisance or otherwise be objectionable. Leaves may be bagged and placed on the curbside on designated municipal leaf collection days.

The Board of Selectmen is hereby authorized, after notice, a public hearing, and publication, to make and from time to time amend or revoke a written policy or rules governing more specific separation and drop-off of recyclables.

- C. Except as otherwise provided in § 235-13 of this Code, businesses shall use a municipally registered hauler to collect said designated materials for recycling or shall be required to

deliver designated materials as defined by the Board of Selectmen to any municipal drop-off center.

- (1) It shall be the responsibility of the owners or operators of all commercial, industrial and institutional establishments and apartment and condominium complexes to provide, at their own expense, for the storage, collection and transportation of recyclables. In the case of apartment condominium complexes, the Board of Selectmen may provide for municipal collection of solid waste and recyclables on terms and conditions no less favorable than those afforded to other residential establishments. Such operations shall be carried out in such a manner as to avoid the creation of a public nuisance. Any condominium or apartment complex that had on-going municipal collection of refuse, solid waste, or recyclables pick-up and hauling prior to February 1, 2026, shall continue to receive such pick-up and hauling on the same scale as prior to that date.
- (2) Persons or establishments whose solid waste is not collected by contractors are responsible for compliance with the recycling provisions of Chapter 446d of the Connecticut General Statutes, as amended. Compliance shall be monitored by all refuse collectors and refuse facility operators. Suspected violators shall be reported to the First Selectman's office for appropriate action.
- (3) The quantities and destination of these designated recyclables (nonresidential) not delivered to a municipal designated facility or drop-off shall be reported by the contractor or responsible parties to the Town on a monthly basis as prescribed by the Board of Selectmen.

D. It shall be a violation of this article for any person other than a municipally registered hauler or municipal employee to collect, pick up or cause to be collected or picked up such materials from the curb or other designated point of collection or municipal drop-off center. Each unauthorized collection in violation hereof shall constitute a separate and distinct offense. This subsection shall not apply to any nonprofit, charitable organization which sponsors a municipal recycling collection (e.g., newspapers) with prior approval of the Board of Selectmen.

**§ 235-10. Registration of refuse collectors.**

- A. Any collector hauling solid waste generated by residential, business, commercial or other establishments, including, but not limited to, recyclables generated within the borders of Thomaston, is hereby required to register with the First Selectman's office on or before April 15 of each year. Such registration shall contain all information required by Sec. 22a-220a(d)(1) and Sec. 22a-220a(d)(2) of the General Statutes.
- B. Any hauler will be required to provide recycling collection to any customers receiving solid waste collection and is further required to register with the First Selectman's office as is prescribed by Chapter 446d of the Connecticut General Statutes. The Board of Selectmen shall be the licensing and registration authority of refuse collectors engaged in the collecting or transporting of municipal solid waste and recyclable materials within the Town. It shall administer the issuance and revocation or suspension of registrations as set forth in this article.
- C. Additional rules may be adopted by the Board of Selectmen, from time to time, consistent with the provisions of this article and after notice and a public hearing by said Board.
- D. It shall be a violation of this ordinance for any collector hauling solid waste or recyclables to operate in Thomaston without proper registration. Operation of each individual hauler vehicle on each day shall constitute a separate offense. The Town may enforce this ordinance through all lawful remedies, including but not limited to: fines, temporary restraining orders, and injunctions.
- E. The door of any private vehicle used to haul solid waste shall be clearly marked with the business name and address of the hauler.
- F. Each refuse collector must, along with his or her registration renewal application, furnish the First Selectman the number of customers within the Town that such refuse collector intends to service as well as the names of other municipalities serviced.
- G. Each hauler shall adhere to the following insurance standards, from an insurance company or companies with an AM Best Rating of A- (IX) or better licensed to do business in the state of Connecticut:
  - (1) General Liability Insurance that includes products, operations and completed operations as follows: bodily injury & property damage with an occurrence limit of \$1,000,000: Personal & Advertising Injury limit of \$1,000,000 per occurrence: General aggregate limit of \$2,000,000.
  - (2) Commercial Automobile Insurance: for any owned autos (symbol 1 or equivalent) in the amount of \$1,000,000 each accident covering bodily injury and property damage on a combined single limit. Such coverage shall also include hired and non-owned automobile coverage.
  - (3) Umbrella Liability Insurance: with limits no less than \$5,000,000 each occurrence, which shall be follow form, without restriction or limitation, providing coverage over

general liability, auto liability, and employers liability.

(4) Pollution Liability: with limits no less than \$1,000,000 each occurrence, covering spills, pollution events, contamination, remediation, arising from moving or disposing of refuse.

- H. Each hauler shall indemnify and hold harmless the Town of Thomaston, its officials, officers, employees and designees caused in whole or in part to the fullest extent permitted by law from and against any and all claims, suits, actions, obligations, liabilities, damages, losses or injury (including the resulting death of a person), penalties, and expenses (including reasonable attorneys' fees) to the extent arising out of the performance of services or due to the Hauler's negligence or willful misconduct or omissions of the Hauler or its employees, agents, subcontractors, or representatives.
- I. Each hauler shall provide evidence of insurance to the Town in the form of a formal certificate of insurance properly executed by a licensed representative of the participating insurers and must contain a clause granting at least thirty (30) days prior written notice to the Town of intent to affect cancellation, non-renewal, or other material change which may have an adverse effect on the policies of insurance referred to in the certificate.
- J. The Town expressly retains the right via endorsement to recover and/or subrogate for any and all damages caused by or resulting from the products or work of the Haulers or subcontractors. Where applicable, policies shall also be endorsed to include a waiver of subrogation in favor of the Town, as well as name the Town as an additional insured on a primary and non-contributory basis. The Hauler shall require that all subcontractors, agents, and assigns procure and maintain insurance protection comparable to that required of the Hauler including additional insured status and waiver of subrogation requirements.
- K. Limitation of liability of any form by the Hauler or subcontractors is expressly forbidden. The Hauler shall expose the full limits under its insurance policies. The foregoing are only minimum requirements to do business with the Town.
- L. Each hauler shall not commence service in Town until all insurance required has been procured and approved by the Town. The failure of the Hauler to notify insurers of the contract provision shall not relieve the Hauler from its insurance obligations hereunder. Non-fulfillment of the insurance provisions shall constitute a violation of this ordinance and the Town retains the right to stop work until proper evidence of insurance is provided.

**§ 235-11. Revocation of registration; hearing; appeals.**

- A. Registration to engage in refuse collection and to use any waste disposal and/or processing facilities provided by the Town is a privilege, not a right. Failure to comply with the provisions of this article shall be grounds for revocation or suspension by the First Selectman, after notice and a hearing, of any registration issued hereunder, in addition to any other penalty imposed by law.
- B. Revocations or suspensions shall become effective five days after mailing of the written notice of hearing decision from the First Selectman. Notwithstanding the foregoing, in the event of an emergency or public safety need arising from a failure to comply with the hauler's failure to comply with the provisions of this Article, the First Selectman may suspend or temporarily revoke the hauler's registration on an emergency basis while the notice and hearing process is pending or on-going.
- C. If a refuse collector objects to the suspension or revocation of a registration as described in this article to revoke or suspend such registration, he may, within five days of receipt of said notice of decision or notice of emergency suspension or revocation, file a written request with the Town Clerk for review by the Board of Selectmen. Failure to file such request in a timely manner shall render the First Selectman's action final and binding upon the refuse collector.
- D. Timely filing of such request for review shall operate as an automatic stay of the First Selectman's action.
- E. The Board of Selectmen shall act as an appeals board, and said Board shall, within 15 days, hear and decide the appeal. The decision of such Board shall be final and binding upon the collector.

**§ 235-12. Collection restrictions.**

It shall be a violation of this article for any person other than a Town-registered refuse collector to pick up, collect or interfere with the picking up or collecting of recyclable materials placed for collection at the curbside or designated recycling center. Each act of scavenging shall constitute a separate violation of this article. All items which are designated for collection as stated in this article shall be set out for collection no earlier than 6:00 p.m. on the evening prior to the scheduled collection day. Emptied containers shall be removed from the curbside no later than 8:00 p.m. on the day of collection.

**§ 235-13. Residential permits to use municipal transfer station; revocation of permits.**

Residents of the Town who wish to dispose directly at the Thomaston transfer station of their own solid waste and recyclables must obtain a permit card at the transfer station. The card shall be numbered and show the resident's address. The card must be displayed in such a manner as the First Selectman may prescribe. Transfer station staff is authorized to turn away anyone with a revoked, expired, incorrect, or incomplete permit card. Such permit card may be revoked or suspended by the First Selectman, after notice and a hearing, for violation of federal, state, or municipal law or transfer station rules. In the event of an emergency revocation, the First Selectman may revoke the permit and within fourteen (14) days thereafter hold a hearing. The Board of Selectmen is hereby authorized to hear appeals of decisions to revoke the permit. Appeals of revocation must be made in writing to the Board of Selectmen within thirty (30 days) of the First Selectman's decision to revoke.

**§ 235-14. Refuse, solid waste, and recyclables collection.**

- A. Each refuse collector shall deliver all refuse collected within the territorial limits of the Town at such place or places as the Board of Selectmen may from time to time designate and may not comingle such refuse with refuse collected in other towns without the prior consent of the Board of Selectmen.
- B. Each refuse collector must collect recyclable materials from each of its customers in the manner prescribed in this article.
- C. All vehicles that collect and transport refuse shall be maintained free of obnoxious odors and accumulated refuse.
- D. Refuse collectors shall furnish to their customers, upon request, a list of rates for the various services provided.
- E. Commercial establishments, industrial establishments, institutional establishments, condominium complexes, and apartment complexes shall provide for private refuse, solid waste, and recyclables collection and hauling at their own risk and expense. Notwithstanding the foregoing, any condominium or apartment complex that had on-going municipal collection of refuse, solid waste, or recyclables pick-up and hauling prior to February 1, 2026, shall continue to receive such pick-up and hauling on the same scale as prior to that date.

**§ 235-15. Reserved**

[Reserved]

**§ 235-16. Severability; captions.**

In the event any provision, section, sentence, clause or part of this article shall be held invalid, illegal or unconstitutional, such invalidity, illegality or unconstitutionality shall not affect or impair any remaining part of this article, it being the intent that such remainder shall remain in full force and effect. Sections and captions contained herein are intended only for the purpose of convenient reference and do not convey the legislative intent of the Town.

**§ 235-17. Inspections.**

The Town reserves the right to inspect solid waste placed at curbside or delivered to the municipal drop-off center to determine compliance with this article.

**§ 235-18. Report of violations.**

The Town also requires registered collectors or haulers to report any violations of this article to the First Selectman.

**§ 235-19. Penalties for offenses.**

Any person, business or institution who or which violates or neglects to comply with this article or any rules adopted pursuant hereto shall, upon conviction thereof, be punishable by a fine not to exceed \$100, except that the maximum fine for failure to comply with §§ 235-10, 235-11 and 235-12 hereof shall not exceed \$100 for each violation.

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**Section 3.**

This ordinance shall become effective fifteen (15) days after publication of a summary of its provisions in a newspaper having circulation in Town, as provided in Section 7-157(b) of the General Statutes.

Adopted by Town Meeting: \_\_\_\_\_, 2026.

Published in the \_\_\_\_\_, on \_\_\_\_\_, 2026.

Effective date: \_\_\_\_\_, 2026.