

ORDINANCE 36

SOLID WASTE CONTROL ORDINANCE

 .01 **PURPOSE OF ORDINANCE.** The purpose of this Chapter is to provide for the sanitary storage, collection and disposal of solid waste in order to protect the citizens of the County from such hazards to their health, safety, and welfare as may result from the uncontrolled disposal of solid waste in the Planning Area of Adair County through the use of approved facilities. As established by the law of the State of Iowa, the County is in the Planning Area where it's said waste is to be taken to the Adair County Sanitary Landfill.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF ADAIR COUNTY, IOWA.

SECTION 1:

 .02 **DEFINITIONS.** For use in this Chapter, the following terms are defined:

1. "Board" means the Adair County Sanitary Landfill Board.
2. "County" means the unincorporated area of Adair County under the laws of the State of Iowa in Adair County, Iowa.
3. "Licensed Collection Hauler" means any person or firm licensed or contracted by the County to gather solid waste from public and private property and dispose of solid waste in Adair County, Iowa.
4. "Person" means any entity including any person, property owner, partnership, public agency, corporation or association but does not include the County or Board.
5. "Resident" means, in addition to the record title holder, any person residing in, renting, leasing, occupying, operating or transacting business in any premises, and as between such parties the duties, responsibilities, liabilities, and obligations hereinafter imposed shall be joint and several in the County of Adair, Iowa.
6. "Solid waste" means garbage, refuse, rubbish and other similar discarded solid or semisolid materials, including but not limited to such materials resulting from industrial, commercial, agricultural, and domestic activities. Solid Waste does not include Hazardous Substances, Yard Waste, or Recyclables.

 .03 **DISPOSAL SITE REQUIREMENT.** All of the County's solid waste shall be transported to the Board's Landfill unless the person or licensed collection hauler obtains a written waiver from the County and written permission of the Board to deposit waste at an alternate site. No person or licensed collection hauler shall haul or cause to be hauled any solid

waste of any kind to any disposal place, site, or area unless such place, site, or area is operated by the Board in addition to complying with all applicable health and zoning ordinances of the County and contractual agreements with the Board.

 .04 FAILURE TO DELIVER AS REQUIRED. No person or licensed collection hauler shall engage in the collecting, transporting, or disposing of solid waste other than that owned by the individual within the County without first obtaining an annual license from the Board. Each person or licensed collection hauler charged with responsibility for the ultimate disposition of solid waste shall cause said solid waste to be delivered to a solid waste disposal site owned or controlled by the Board. Failure to do so shall constitute a violation of this ordinance.

 .05 CAUSE OF REVOCATION OF LICENSE. Failure on the part of any person, resident or licensed collection hauler to cause all solid waste under its control to be delivered to an approved disposal site shall be cause for the Board, on reasonable notice and hearing, to revoke such License.

 .06 PENALTY. Failure to comply with this ordinance by any person or Resident shall be a municipal infraction. If a person violates the provisions of this ordinance by transporting waste to a landfill not authorized by this Chapter, each trip to the unauthorized landfill shall be considered a separate offense.

SECTION 2. REPEALER. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be effective after its final passage, approval and publication as provided by law.

DATED this 30 day of September, 2015



Chairman of County Board of Supervisors

The above Ordinance was passed and approved on the 30th day of September, 2015.

ATTEST:

Mindy Schaefer
County Auditor

1st Reading: 9-30-15

2nd Reading: waived

3rd Reading: waived

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I hereby certify that the foregoing was published as Ordinance No. 36 in the Adair County Free Press newspaper on the 16th day of September, 2015.

Mindy Schaefer
County Auditor

	AYES	NAYS	ABSTAIN	ABSENT
County Supervisor	<u>X</u>	_____	_____	_____
County Supervisor	<u>X</u>	_____	_____	_____
County Supervisor	<u>X</u>	_____	_____	_____
County Supervisor	<u>X</u>	_____	_____	_____
County Supervisor	<u>X</u>	_____	_____	_____