

AN ORDINANCE RELATING TO
SOLID WASTE DISPOSAL IN HART COUNTY

BE IT ORDAINED BY THE FISCAL COURT OF THE COUNTY OF HART,
COMMONWEALTH OF KENTUCKY, THAT

SECTION 1 DESIGNATED DISPOSAL SITE:

Presently, the only permitted solid waste disposal site in Hart County is that of Nunn Sanitation Company, and that site is hereby designated the legally recognized site for the disposal of solid waste in the aforesaid County.

SECTION 2 PROHIBITED PRACTICES:

It shall be prohibited for any person to (1) dispose of any solid waste, as defined below, by dumping same on any premises within the County other than an approved disposal site, with or without the consent of the owner of the premises; (2) dump, or permit the dumping of solid waste on public right-of-ways of County roads or streams; (3) deposit solid waste in any container not his own, or to add to another person's waste with the intent of avoiding payment of service charges for collection by an authorized collector of solid waste; (4) dispose of dead animals except as provided by Kentucky Law; (5) own or operate a dump except under permit from the Cabinet for Natural Resources and Environmental Protection; (6) engage in the business of collecting, transporting, processing or disposing of solid waste within the County without a franchise or permit for the conduct of such business.

SECTION 3 PENALTIES:

Any person violating any of the provisions of this ordinance, or any lawful rules or regulations promulgated pursuant thereto, upon conviction shall be punished by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), provided that each day's violation thereof shall be a separate offence for the purpose hereof. Violators of this ordinance may be issued a citation by the Sheriff of the County or by a duly authorized official.

SECTION 4 SEVERABILITY CLAUSE:

The provisions of this ordinance are severable and if any provisions shall be held invalid or unconstitutional or inapplicable to any person or circumstance, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this ordinance.

SECTION 5 DEFINITIONS:

PERSON Any individual, partnership, corporation, association, joint stock company, trust, estate, political subdivision, or organization of any kind or their legal representative, agent or assigns.

SOLID WASTE Any garbage, refuse, sludge, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining (excluding coal mining waste, coal mining byproducts, refuse and overburden), and agricultural operations and from community activities, but does not include solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges.

(a) Commercial solid waste -- solid waste resulting from operation of any commercial, industrial, institutional or agricultural establishment.

(b) Residential solid waste -- solid waste resulting from the maintenance and operation of dwelling units.

This ordinance becomes effective upon 4-16, 1987.

Passed and Approved this 2nd day of April, 1987.

Vince Lang
VINCE LANG
HART COUNTY JUDGE EXECUTIVE

ATTEST:

Tammie Sims
CLERK, HART FISCAL COURT