

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A CLEAN COUNTY COMMISSION FOR THE PURPOSE OF ASSISTING THE FISCAL COURT IN ESTABLISHING A COUNTY-WIDE POLICY FOR SOLID WASTE MANAGEMENT; PROVIDING SPECIFIC CONSTITUENCIES OF THE COUNTY; DESCRIBING THE DUTIES OF THE COMMISSION; PROVIDING A SEVERABILITY CLAUSE AND NAMING AN EFFECTIVE DATE.

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

SECTION I

That a Commission to be known as the Clean Hart County Commission is hereby created for the purpose of assisting the Fiscal Court in establishing a county-wide policy for decreasing the amount of improperly disposed solid waste in the county.

SECTION II

That the Clean Hart County Commission provided for herein shall be comprised of fourteen (14) members (commissioners) to be nominated by the County Judge Executive and approved by the Fiscal Court. Commission members shall be chosen from business, industry, education, government, civic, environmental, homemaking, agriculture and any other segments of the community that the Judge Executive deems appropriate.

The Commission positions shall be assigned place numbers one (1) through fourteen (14). Those commissioners appointed to odd numbered places in 1988 shall serve for one year. All other appointments shall be for two (2) year terms.

SECTION III

That the director of the Clean Hart County Commission shall serve without compensation and shall be appointed by the Judge Executive with approval of the Fiscal Court. The director shall serve as the voting secretary and custodian of minutes and records and shall have the authority to:

- (1) Create committees which shall include business/industry, civic, government, public relations, homemakers, schools and recycling committees.

- (2) Create subcommittees necessary to carry out the objectives of the Commission.
- (3) Appoint a Chairperson and Co-Chairperson to each committee and subcommittee.
- (4) Select, with the advice and consent of the Commissioners, an unspecified number of community volunteers to serve on each committee or subcommittee.
- (5) Make reasonable and necessary expenditures on behalf of the Commission, limited to cash on hand.
- (6) Call regular and special meetings.
- (7) Perform such other duties as are directed by the Commission.

#### SECTION IV

That seven (7) members of the Commission shall constitute a quorum for the conduct of business. Action may be taken by a majority vote on any motion made and seconded. The members of the Commission shall regularly attend meetings and public hearings of the Commission and shall serve without compensation except for reimbursement for authorized expenses attendant to the performance of their duties. Newly appointed members shall be installed at the first regular meeting after their appointment.

#### SECTION V

The Clean Hart County Commission shall recommend solid waste and environmental management policies to the Fiscal Court so that all county refuse and Clean County activities may follow a common purpose. The Commission shall:

- (1) Assist with the development of county-wide refuse and environmental policy plans.
- (2) Evaluate county actions in light of that policy.
- (3) Determine and recommend to the Fiscal Court management and program priorities on a county-wide basis.
- (4) Recommend enforcement and additional program alternatives.
- (5) Monitor county performance from data collected and examined under the Keep America Beautiful system guidelines.
- (6) Carry out such other tasks as the Fiscal Court may designate.

SECTION VI

That it is hereby declared to be the intention of the Fiscal Court that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or illegal by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the Fiscal Court without incorporation in this Ordinance of any such unconstitutional or illegal phrase, clause, sentence, paragraph or section.

SECTION VII

That this ordinance shall be in full force and effect from and after the date of its passage, and it is so ordained.

Approved by the Hart Fiscal Court this 6<sup>th</sup> day of October, 1988.

Vince Lang  
VINCE LANG  
Hart County Judge Executive

Approved as to form and legality this 6<sup>th</sup> day of October, 1988.

J. D. Craddock, III  
J. D. CRADDOCK, III  
Hart County Attorney

This Ordian  
This ordinance received second reading and was adopted by the Hart Fiscal Court on the 20<sup>th</sup> day of October, 1988.

Vince Lang  
VINCE LANG  
Hart County Judge Executive

ATTEST:

Tammie Sims  
TAMMIE SIMS  
Clerk, Hart Fiscal Court