

ADOPTED

ORDINANCE NO. 116A-21

MAY 6 1991

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, LANDFILL ORDINANCE, SECTION 8-9. HOUSEHOLD WASTE; SECTION 8-10. INDUSTRIAL REFUSE; AND SECTION 8-13. USER CHARGES BY VOLUME.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 8, Health and Sanitation, is hereby amended and reordained by amending Section 8-9. Household waste; Section 8-10. Industrial refuse; and Section 8-13. User charges by volume.

Chapter 8. Health and Sanitation.

Article II. Landfill Ordinance.

Section 8-9. Household waste.

(a) Individuals using an automobile, station wagon, half-ton panel truck or half-ton pickup truck, with a valid county motor vehicle tag, decal or sticker, for the purpose of disposing of household refuse at the county landfill shall not be required to pay for disposal of refuse, provided, that the refuse being disposed of was neither collected nor hauled for a fee, and provided that certain recyclable materials have been separated by the individual prior to bringing the household refuse to the Landfill for disposal. The materials to be separated shall include aluminum cans, glass containers and newsprint. It shall be unlawful for an individual to dispose of household refuse from their home at the County Landfill unless the specified materials have been separated. Commercial haulers, under contract with the county to service county refuse containers, shall not be required to pay for disposal of refuse collected from county refuse containers.

(b) Commercial, industrial and governmental waste generators who bring their own refuse to the landfill, and commercial refuse operators-haulers regardless of the origin of the refuse shall pay the following fees:

Thirty-three dollars (\$33.00) per ton, computed on the basis of thirty-three cents (\$0.33) per each twenty (20) pounds or fraction thereof. Such charge shall be computed to the next highest one cent (\$0.01). The minimum charge shall be two dollars and fifty cents (\$2.50) per load.

Any person exempted from payment of the charge for the disposal of refuse as provided in paragraph (a) above will not be assessed any charges as provided in this paragraph.

(c) The manager may promulgate reasonable rules and regulations to permit certain materials (for example, soil or gravel) determined to be beneficial in the proper operation and maintenance of the landfill to be disposed of without charge to the hauler.

(d) Tires. Whenever more than two (2) passenger car tires are disposed of on any occasion at the county landfill by any person, firm or corporation, a separate fee of seventy-five cents (\$0.75) shall be charged for each tire above two (2). The manager may at his discretion authorize the disposal of tires other than passenger car tires, at a charge per tire to be determined by the manager. The charge shall be based on the cost to handle and dispose of the tires.

Section 8-10. Industrial refuse.

(a) Prior to the acceptance of industrial refuse at the landfill, the person desiring to dispose of same shall secure a permit from the manager. Prior to the issuance of such a permit, the manager shall determine the compatibility of the specific refuse with the landfill method of disposal. In determining such compatibility, the manager shall consider disposal volume, difficulty of handling, employee safety, likelihood of equipment damage, any unusual health and environmental problems, and current state and federal regulations.

(b) The disposal charge for industrial refuse that does not require disposal in a separate location (trench) from household or commercial waste shall be assessed on the basis of the charges defined in Section 8-9 (b) unless covered by paragraph (d) below.

(c) The disposal charge for industrial wastes requiring separate disposal locations shall be a minimum of thirty-three dollars (\$33.00) per ton but may be higher as determined by the manager. In establishing the fee for disposal of a specific waste requiring separate disposal, the manager shall determine the costs to maintain the separate disposal and for special handling requirements, the potential for damage to landfill equipment, environmental effects the refuse may have, state and federal rules and regulations regarding the waste, and other factors determined to be appropriate for the specialized handling of such waste.

(d) Separate contracts. The administrator may negotiate separate contracts for industrial refuse with large waste generators if it is determined that the volume is predictable and the wastes involved require minimal handling. Such contracts shall guarantee negotiated payments to the county annually, and may be offered to generators that exceed eight thousand (8,000) tons per year. No such contract shall guarantee the county less than two hundred sixty-four thousand dollars (\$264,000.00) per year.

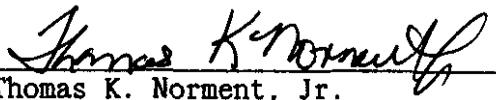
Section 8-13. User charges by volume.

(a) Should the landfill scales be inoperative, the manager shall base the charges applied upon weight data previously generated for the vehicle hauling such waste and the nature of the waste. The weight data shall consist of no fewer than fifteen (15) previous weighings by the vehicle carrying such waste and shall be modified by visual inspection of the vehicle if such is feasible.

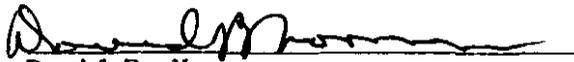
(b) For vehicles for which no history of previous weight data exists as described in paragraph (a) above, the following rates shall apply:

- (1) Uncompacted refuse, three dollars and thirty cents (\$3.30) per cubic yard of truck capacity.
- (2) Compacted refuse, eight dollars and twenty-five cents (\$8.25) per cubic yard of truck capacity.
- (3) The minimum fee for refuse charged for on a volume basis shall be two dollars and fifty cents (\$2.50) per load.

This ordinance shall be effective on and after July 1, 1991.


Thomas K. Norment, Jr.
Chairman, Board of Supervisors

ATTEST:


David B. Norman
Clerk to the Board

SUPERVISOR VOTE

DEPUE	AYE
TAYLOR	NAY
EDWARDS	AYE
KNUDSON	AYE
NORMENT	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 6th day of May, 1991.

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