

MAY 2 1988

**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, ARTICLE II, LANDFILL ORDINANCE, SECTION 8-8, IN GENERAL; SECTION 8-14. COUNTY REFUSE CONTAINERS; AND SECTION 8-15, BILLING PROCEDURE.

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 8-8. In general; Section 8-14. County refuse containers; and Section 8-15. Billing procedure.

Chapter 8. Health and Sanitation

Article II. Landfill Ordinance

Section 8-8. In general.

(a) Policy. The purpose of this article is to ensure the proper disposal of solid wastes within James City County, including wastes from households, commercial establishments, manufacturing, industry and institutions, and to implement the provisions of the Resource Conservation and Recovery Act of 1976 (Public Law 94-580) and the Solid Waste Regulations of the Commonwealth of Virginia. It shall be the official policy of the county to encourage the conservation (recycling-reuse) of recoverable resources from solid wastes by the industries, businesses and citizens of the county.

(b) Definitions. For purposes of this article, the following definitions shall apply:

- (1) Administrator: The county administrator or his authorized designee.
- (2) Bulky waste: Large items of solid waste such as household appliances, furniture, large auto parts, trees, branches, stumps and other oversize wastes whose large size precludes or complicates their handling by normal solid waste collection, processing or disposal methods.
- (3) Building and demolition debris: The waste building material, packaging and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures.
- (4) Commercial-business refuse: Refuse or wastes resulting from the operation of commercial or business establishments, including, but not limited to, stores, markets, offices, restaurants, shopping centers or theaters.
- (5) Compacted refuse: Refuse or waste which has been reduced in volume by mechanical or hydraulic means and remains in this state of reduced volume until deposited at the landfill.
- (6) Garbage: All vegetable and animal waste generated by the handling, storage, sale, preparation, cooking and serving of foods.
- (7) Hazardous waste: Refuse or waste or combinations of refuse or waste, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitatingly reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.
- (8) Household refuse: Refuse or waste resulting from residential operation.
- (9) Industrial refuse: Refuse or waste resulting from industrial and-or manufacturing operations.
- (10) Institutional-governmental refuse: Refuse or waste resulting from operations or activities of the Commonwealth of Virginia, its political subdivisions or agencies, or the United States Government.
- (11) Manager: The business manager of the James City Service Authority or his authorized designee.

- (12) Person: An individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, any interstate body, or the federal government.
- (13) Trash: Any and all rubbish, cans, bottles, containers, paper, cardboard or other discarded material of an inorganic nature.
- (14) Uncompacted refuse: Refuse or waste which has not been reduced in volume by mechanical or hydraulic means, or if so, has not been maintained in this reduced volume state during transportation to the landfill.
- (15) Waste generator: The person who actually produces the commercial, household, industrial or institutional-governmental refuse intended for disposal at the landfill.

(c) Authority to establish landfill rules. The manager shall be authorized to establish reasonable rules and regulations to determine the origin and type of refuse presented at the landfill for disposal.

(d) Disposal of refuse from outside county prohibited. It shall be unlawful for any person to dispose of refuse originating outside the boundaries of James City County at the landfill unless an agreement exists between James City County and the jurisdiction in which the refuse originates.

(e) Weighing of truck required. It shall be unlawful for any person to dispose of refuse at the county landfill before weighing the vehicle containing said refuse, except in certain cases as described below. (Ord. No. 116A-2, 10-13-80; Ord. No. 116A-7, 3-12-84)

Section 8-14. County refuse containers.

Refuse containers shall be provided by the county at various locations to supplement existing private collection services as needed. The usage of said containers shall be governed by the following provisions and any other regulations as the board of supervisors or the manager may establish:

(a) Permitted and Prohibited Use:

- (1) Permitted uses. County refuse containers or dumpsters are to be used for the deposit and storage of household trash and garbage only.
- (2) Prohibited materials. It shall be unlawful to deposit any of the following materials into county refuse containers or dumpsters:

- (a) Bulky waste.
 - (b) Building and demolition debris.
 - (c) Hazardous waste.
 - (d) Commercial and industrial refuse.
 - (e) Dead animals.
 - (f) Waste brought in from outside James City County.
- (3) Abuse of containers and container sites. It shall be unlawful to tamper with, overturn or otherwise damage refuse containers. Additionally, it shall be unlawful to litter container sites, create any health problems thereon or to place any refuse outside of, on top of or adjacent to any refuse container. If a container is filled, the trash must be placed in another refuse container which is not filled or taken to the county landfill site.
- (4) Scavengers and loiterers prohibited. It shall be unlawful for any person to engage in salvage work or to loiter on any container site owned, leased or used by the county.
- (5) Refuse collectors. No person engaged in the business of collecting, transporting or disposing of garbage or trash, nor any employee, agent, or servant thereof, shall dispose such refuse in any county containers. Private refuse collectors shall transport collected refuse to the county landfill for disposal therein or to another approved location.
- (b) Administration and Enforcement. The manager shall have the authority to implement and enforce the provisions herein contained and to promulgate any procedures, rules and regulations as may be deemed necessary.
- (Ord. No. 116A-4, 9-14-81; Ord. No. 116A-7, 3-12-84; Ord. No. 116A-12, 3-7-88)

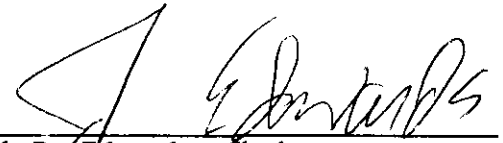
Section 8-15. Billing procedure.

(a) The manager shall render bills monthly for service charges under this article. The manager shall promulgate procedures for the handling of billings under this article.

(b) Payment of bills, delinquent charges, discontinuance of services:

- (1) Notices. Bills rendered under this article are due and payable at the office of the treasurer upon presentment and shall be considered delinquent if not paid within thirty (30) days of the date issued. If any bill is not paid within such thirty-day period, an additional charge of one (1) per cent per billing period on the unpaid charges shall be added thereto and collected therewith to cover cost collection. The manager or his designee shall refuse to dispose of any refuse brought to the landfill by any delinquent person after giving five (5) days' written notice thereof.

(Ord. No. 116A-2, 10-13-80; Ord. No. 116A-4, 9-14-81; Ord. No. 116A-7, 3-12-84)



Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

| <u>SUPERVISOR</u> | <u>VOTE</u> |
|-------------------|-------------|
| NORMENT | AYE |
| TAYLOR | AYE |
| MAHONE | AYE |
| DEPUE | AYE |
| EDWARDS | AYE |

Adopted by the Board of Supervisors of James City County, Virginia,
this 2nd day of May, 1988.

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