

## ORDINANCE # 81 - 2 -A

AN ORDINANCE DECLARING ITS PURPOSE TO BE THE PROTECTION OF HEALTH AND THE ENVIRONMENT; TO SET REGULATIONS CONCERNING THE OPERATION OF SOLID WASTE DISPOSAL SYSTEMS; TO PROVIDE MEANS OF FUNDING SUCH SYSTEMS; AND PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE.

WHEREAS, Fremont County, Idaho, The County herein, under and pursuant to Title 31, Chapter 44, Section 31-4401 and 31-4402 is authorized to acquire, establish, maintain and operate solid waste disposal systems for the purpose of reducing threats to health and maintaining the natural and esthetic setting of land, water and air resources in the county and

WHEREAS, the county pursuant to Section 31-4404 has authority to fund the operation of solid waste disposal systems and

WHEREAS, the County pursuant to Section 31-4406 shall provide for the necessary rules and regulations for the operation and maintenance of solid waste disposal systems.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO;

Section 1. Funding of Solid Waste Disposal Systems. The county may at its discretion use any one or any combination of the following means to acquire sites or facilities, and operate and/or maintain solid waste disposal systems:

(a) Purchase, lease, condemn, receive as gifts, or exchange land in such areas as are suitable.

(b) Levy a tax of not to exceed two (2) mills on the valuation of property within the county, provided that property located within the corporate limits of any city that is operating and maintaining a solid waste disposal site shall not be levied against for the purposes of the county solid waste disposal system,

(c) Collect fees from users of the solid waste disposal facilities.

(d) Finance the solid waste disposal facilities from current revenues.

(e) Receive and expend moneys from any other source.

(f) Establish solid waste collection systems where necessary and desirable and provide a method of collection of service fees, among which shall be certification of a special assessment on the property served,

The methods of funding and amount of revenue collected for solid waste disposal systems shall be determined by the Board of County Commissioners as frequently as deemed necessary. Special charges for certain types and quantities of wastes may be assessed and contracts or agreements with other units of government or other entities may be entered into. Where deemed appropriate the county

may refuse to accept solid wastes originating outside the county limits or may assess a special charge for those wastes.

Section 2. Rules and Regulations

(a) It shall be unlawful to throw away, dump or discard any type or nature of solid waste on any public lands, right of way of any kind, or private land of another, except at authorized solid waste disposal systems.

(b) All solid wastes must be adequately restrained during transport to solid waste disposal facilities to prevent such solid waste from littering public or private properties. Specifically, tree branches and limbs, bushes, brush and like material must be tied down, transported in contained receptacles or transported in a covered vehicle. Loose refuse such as paper, leaves, etc., that may blow out of a moving vehicle must be transported in an enclosed or covered vehicle or adequately restrained with tarps and ropes or in covered receptacles to prevent any littering. Heavy items that would not be affected by wind must be adequately restrained to prevent their loss under conditions that could be expected. The disposal site operator shall have the authority to enforce the littering provisions of this ordinance.

(c) The setting of fires at refuse disposal sites shall be prohibited unless specifically authorized by the county in writing.

Section 3. Penalties for Violation. Any person who shall violate any provision of this Ordinance, upon conviction thereof, shall be deemed guilty of a misdemeanor and shall be fined not to exceed \$50.00.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

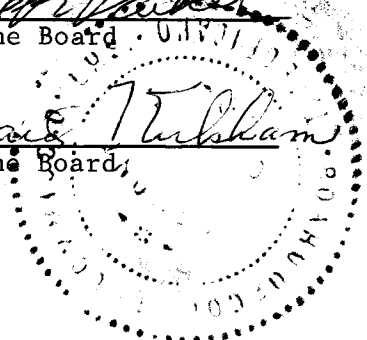
Section 5. This ordinance shall take effect immediately upon its passage, approval and publication.

Dated April 13, 1981

James Gibbons  
Chairman of the Board

James R. [Signature]  
Member of the Board

Edward Turbham  
Member of the Board



ATTEST  
Dale Calonge  
Fremont County Clerk

Microfilm No. 529633  
Day July 20, 81  
At 9:48 O'Clock A.M.  
ABBIE MACE  
FREMONT CO RECORDER  
Fee \$ 0 Deputy  
Recorded at Request of Abbie Mace