

## **ORDINANCE 21-06**

### **AN ORDINANCE ESTABLISHING A LICENSING AND LICENSE FEE REQUIREMENT FOR OFF-SITE WASTE MANAGEMENT FACILITIES AND SOLID WASTE LANDFILLS IN SCOTT COUNTY**

**WHEREAS**, the Scott County Fiscal Court is the Governing Body for the Scott County Solid Waste Management Area; and

**WHEREAS**, the Scott County Solid Waste Management Area has been designated by the Energy and Environment Cabinet in accordance with the Provisions of KRS Chapter 224; and

**WHEREAS**, the Scott County Fiscal Court finds and determines that transportation of solid waste from outside of the Scott County Solid Waste Management Area to off-site waste management facilities or solid waste landfills located in Scott County produces additional wear and tear on the roads of Scott County; and

**WHEREAS**, the Scott County Fiscal Court finds and determines that the transportation of solid waste from outside of the Scott County Solid Waste Management Area to off-site waste management facilities or solid waste landfills located in Scott County increases the need both for litter control and the provision of emergency services;

**NOW, THEREFORE**, the Scott County Fiscal Court enacts this ordinance pursuant to KRS 68.178 to impose a licensure and license fee requirement on off-site waste management facilities and solid waste landfills in Scott County, Kentucky.

#### **Section I-Definitions**

A. Off-site waste management facility” means, as provided by KRS 68.178(1), establishing and operating a facility whose principal purpose is treatment, storage, disposal, or a combination of these activities, but does not include collection, storage, transportation, transfer, processing, or treatment activities which occur incidental to or which are not otherwise distinguishable from a broader manufacturing operation at the site of said operation;

B. “Solid waste” means “solid waste” as defined in KRS 224.01-010(30)(a);

C. “Solid waste landfill” means a waste management facility where the final disposal of solid waste occurs, and includes a municipal solid waste disposal facility, a contained landfill, a construction/demolition debris landfill, and a construction/demolition landfill of one (1) acre or less.

#### **Section II- License to Operate an Off-site Waste Management Facility or Solid Waste Landfill**

A. The operator of an off-site waste management facility or solid waste landfill shall obtain a license to operate from the Scott County Solid Waste Coordinator. The operator shall submit an application to operate to the Scott County Solid Waste Coordinator. The application shall include

- (i) the name of the owner of the off-site waste management facility or solid waste landfill;
- (ii) the name of the operator of the off-site waste management facility or solid waste landfill,
- (iii) the address of the off-site waste management facility or solid waste landfill,
- (iv) a description of the location of the off-site waste management facility or solid waste landfill, and
- (v) a description of the solid waste activities conducted at the off-site waste management facility or solid waste landfill.

B. The operator of an off-site waste management facility or solid waste landfill currently in operation in Scott County shall submit an application to operate to the Solid Waste Coordinator within thirty (30) days of the effective date of this Ordinance. The operator of a new off-site waste management facility or solid waste landfill in Scott County shall submit an application to operate to the Solid Waste Coordinator prior to commencing operation.

**Section III-License Fee for an Off-Site Waste Management Facility**

A. An off-site waste management facility, other than a solid waste landfill subject to the License Fee pursuant to Section IV of this Ordinance, shall pay a license fee of 2% of the gross receipts for solid waste received at the off-site waste management facility.

B. The license fee shall be paid for each calendar month. Payment of the license fee shall be remitted to Scott County Fiscal Court Clerk on or before the 30<sup>th</sup> day following the end of the calendar month for which payment of the license fee is made.

C. A report shall be submitted with payment of the license fee, setting forth the amount of waste received, the type and source of the solid waste, and describing the method of determining the amount of the license fee being paid.

**Section IV-License Fee for a Solid Waste Landfill**

A. A solid waste landfill shall pay a license fee of 5.0% of the gross receipts for solid waste received at the landfill for disposal originating from inside of the Scott County Solid Waste Management Area. A solid waste landfill shall pay a license fee of 6.25% of the gross receipts for solid waste received at the landfill for disposal which originates from outside of the Scott County Solid Waste Management Area.

B. The license fee shall be paid for each calendar month. Payment of the license fee shall be remitted to Scott County Fiscal Court Clerk on or before the 30<sup>th</sup> day following the end of the calendar month for which payment of the license fee is made.

C. A report shall be submitted with payment of the license fee, setting forth the amount of waste received for disposal that was generated from inside and from outside of the Scott County Solid Waste Management Area, the type and source of the waste, and describing the method of determining the amount of the license fee being paid.

**INTRODUCED AND GIVEN FIRST READING** at a duly convened meeting of the Fiscal Court of Scott County, Kentucky, held on the 11<sup>th</sup> day of June, 2021.

**GIYEN SECOND READING AND APPROVED** at a duly convened meeting of the Fiscal Court of Scott County, Kentucky, heldon the 24<sup>th</sup> day of **June, 2021**. This Ordinance shall take effect and be in full force as of that date.

Scott County Judge/Executive \_\_\_\_\_

Scott County Fiscal Court Clerk \_\_\_\_\_

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