

ORDINANCE NO. 820.2

AN ORDINANCE CREATING A NON-TAXING SOLID WASTE
DISTRICT PURSUANT TO KRS 109.041 (13) AND KRS 67.083 (3) (0)
ESTABLISHING
THE NUMBER TERM AND APPOINTMENT OF ITS DIRECTORS:
GRANT OF POWER TO THE DISTRICT

Be it ordained by the Fiscal Court of Pendleton County that:

I.

There is hereby created a Solid Waste District pursuant to KRS 109.041 (13) and KRS 67.083 (3) (0) which shall include the total area within the borders of Pendleton County, Kentucky, and shall be called "Pendleton County Solid Waste District".

II.

Pendleton County Solid Waste District shall be a continuing public entity and exist until such time as same is dissolved or terminated by duly enacted Ordinance by the Fiscal Court of Pendleton County.

III.

Pendleton County Waste District shall be managed and operated by a board of directors to be appointed by the Pendleton County Judge/Executive and confirmed by the Fiscal Court. Except for the initial appointment to the board, each director shall serve for a two year term; the initial board shall consist of five (5) directors appointed for one year, and six (6) directors for a full term, whereby approximately one-half of the directors are appointed to a full term every year. Should a duly appointed director die, resign or refuse to act (fail to attend any two

successive regular meetings of the Board) an appointment shall be made for the unexpired term. The Board shall elect a chairman, secretary and treasurer and shall operate under a budget and uniform accounting system as required by law, including the filing and publishing annual statements.

IV.

Pendleton County Solid Waste District shall have all powers set forth in KRS 109.041, saving and excepting the power to enact and collect license under KRS 68.178 and employing Inspectors under 109.042 and all law making powers except through regulations duly passed by the Board of the District, and approved by the Pendleton Fiscal Court.

V.

Pendleton County Solid Waste District shall be the official solid waste management area, for the area within the boundaries of Pendleton County, Kentucky, if and when it has submitted a solid waste management plan that has been accepted and approved by the Natural Resources and Environmental Protection Cabinet of the Commonwealth of Kentucky, and until such has occurred the Fiscal Court of Pendleton County shall continue to be the official solid waste management area and its present solid waste management plan shall continue in full force and effect.

VI.

Definitions as used here shall be the same as those set forth in KRS 109.012 except section (13) thereof shall mean "waste management District" meaning any county electing to form under the provisions of KRS 109.041 (13) and KRS 67.083 (0) and

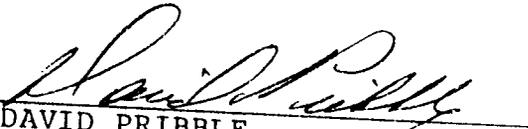
operating in conformance with this ordinance and with Section 1006 of the Resource Conservation and Recovery Act of 1976 as amended (P.L. 94-580).

THIS ORDINANCE SHALL TAKE EFFECT AND MAY BE ENFORCED UPON ITS PASSAGE AND PUBLICATION.

First Reading: 11th day of July, 1991.

Second Reading: ^{22nd} ~~7th~~ day of August, 1991.


ATTEST
CAROL W. OCKERMAN
COUNTY COURT CLERK


DAVID PRIBBLE
JUDGE/EXECUTIVE

PURPOSES

It is and has always been the desire and intention of the Fiscal Court of Pendleton County to protect and improve the public health of its inhabitants and neighbors; to conserve and improve the natural resources of the county; to regulate in an orderly and legal manner commerce to protect and enhance the convenience of the public; to manage solid waste and insure adequate disposal of same, consistent with the law to protect the health, safety and welfare and to encourage waste reduction and further to promote and improve the social and economical development of Pendleton County.