

Chapter 20

REFUSE

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Chapter 20**REFUSE****Article 1. Littering.****Section 20-1. Definitions.**

As used in this article:

- (1) "Handbill" means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature.
- (2) "Litter" means any waste material including, but not limited to, any animal and vegetable wastes, and any other solid waste such as dirt, ashes, street cleanings, dead animals or parts of dead animals, market and industrial wastes, bagasse, cane trash, paper, wrappings, cigarettes, cardboards, tin cans, yard clippings, leaves, wood, tree trimmings, glass, bedding, crockery, furniture, appliances, scrap metal and any other waste material commonly or ordinarily regarded as being garbage, rubbish, refuse, trash or swill.
- (3) "Newspaper" means a public print of general circulation issued for compensation at daily or weekly intervals reporting the news or happenings of local, national, or foreign interest, such as social, religious, political, moral, business, professional, editorial, and other kindred subjects, as well as trade, market, money reports, advertisements and announcements.
- (4) "Private premises" means any dwelling, house, building or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and includes any yard, grounds, walk, driveway, porch, steps, vestibule, or mailbox belonging to or appurtenant to a dwelling, house, building, or other structure.
- (5) "Public place" means any street, sidewalk, boulevard, alley or other public way and any public park, square, space, ground or building.

(1975 C.C., c. 3, art. 2, sec. 4.01; Am. 1977, Ord. No. 291, sec. 1.)

Section 20-2. Littering prohibited; use of public receptacles.

- (a) No person shall scatter, throw, drop, deposit, or place or cause to be scattered, thrown, dropped, deposited, or placed any litter on any highway, street, road, alley, sidewalk, sea beach, public park, or other public place in the County.
- (b) Any person placing litter in a public receptacle or in an authorized private receptacle shall do so in a manner which prevents the litter from being carried or deposited by the elements upon any street, sidewalk, or other public place, or upon private property.

(1975 C.C., c. 3, art. 2, sec. 4.02.)

Section 20-3. Sweeping into streets and sidewalks prohibited.

- (a) No person shall sweep into or deposit in any gutter, street, or other public place the accumulation of litter from any building or lot or from any public or private sidewalk or driveway.
- (b) Any person owning or occupying property shall keep the sidewalk in front of that person's premises free of litter.

(1975 C.C., c. 3, art. 2, sec. 4.03.)

Section 20-4. Merchant’s duty to keep sidewalk clean of litter.

- (a) No person owning or occupying a place of business shall sweep into or deposit in any gutter, street, or other public place the accumulation of litter from any building or lot or from any public or private sidewalk or driveway.
- (b) Any person owning or occupying a place of business shall keep the public walking and parking areas in front of that person’s business premises free of litter.
- (1975 C.C., c. 3, art. 2, sec. 4.04.)

Section 20-5. Litter prohibited on occupied private property.

No person shall throw or deposit litter on any occupied private property, whether owned by that person or not, except that the owner or person in control of private property may maintain any authorized private receptacle for collection in a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon any private property.

(1975 C.C., c. 3, art. 2, sec. 4.06.)

Section 20-6. Distributing handbills at inhabited private premises.

- (a) No person shall throw, deposit, or distribute any handbill in or upon private premises which are inhabited, except by handing or transmitting any handbill directly to the owner, occupant, or other person then present in or upon the private premises; provided that the person distributing the handbill, unless requested not to do so by owner, occupant, or other person lawfully on the premises, may place or deposit any handbill in or upon the inhabited premises if the handbill is so placed or deposited as to secure or prevent the handbill from being blown or drifted about the premises or sidewalks, streets, or other public places, except that mailboxes may not be used when prohibited by Federal postal law or regulations.
- (b) Subsection (a) shall not apply to the distribution of mail by the United States, nor of any newspaper, except that a newspaper shall be placed on private property in a manner which prevents the newspaper from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon private property.
- (1975 C.C., c. 3, art. 2, sec. 4.05.)

Section 20-7. Summons or citation for violation.

A police officer shall use a form of summons or citation provided by the County in citing a violator of any provision of this article.

(1975 C.C., c. 3, art. 2, sec. 4.07.)

Section 20-8. Penalty.

- (a) Any person who violates the provision of this article shall, upon conviction, be sentenced to pay of fine of not more than \$1,000 and/or not more than 200 hours of community service or both for each offense and shall be required to remove their litter or shall be liable for the costs of removing that litter.
- (b) Each day of violation shall constitute a separate offense.
- (1975 C.C., c. 3, art. 2, sec. 4.08; Am. 1977, Ord. No. 291, sec. 2; Am. 1984, Ord. No. 84-37, sec. 1; Am. 1986, Ord. No. 86-119, sec. 2; Am. 1988, Ord. No. 88-7, sec. 5; Am. 1994, Ord. No. 94-44, sec. 1; Am. 2007, Ord. No. 07-23, sec. 2.)

Article 2. Clearing Unoccupied Lots.

Section 20-21. Removal of refuse and undergrowth required.

Every owner of any unoccupied lot the frontage of which abuts or adjoins any public street or highway within the County, shall clear the lot of all refuse and uncultivated undergrowth thereon to a depth of not exceeding one hundred feet from any street or highway adjoining, whenever on the lot there is refuse or uncultivated undergrowth to an extent that the lot has become or is likely to become a fire, health, or crime hazard.

(1975 C.C., c. 3, art. 5, sec. 1; Am. 1984, Ord. No. 84-19, sec. 1.)

Section 20-22. Complaint by adjacent owners; request to clear.

If a majority of all the adult residents within a radius of five hundred feet from any boundary of any unoccupied lot, in writing to the mayor requests that the lot be cleared, the mayor shall investigate the complaint. If the mayor certifies that there is refuse or uncultivated undergrowth on the lot complained about to an extent that the lot has become or is likely to become a fire, health, or crime hazard, the mayor shall notify the owner of the lot to clear the unoccupied lot of the refuse or uncultivated undergrowth.

(1975 C.C., c. 3, art. 5, sec. 2; Am. 1984, Ord. No. 84-19, sec. 1.)

Section 20-23. Clearance by County; costs.

- (a) If any owner, after notice to clear any unoccupied lot has been mailed to the owner and posted by the mayor fails or refuses to comply with the order within thirty days after the notice, the County may proceed to clear the lot at the expense of the owner.
- (b) The expense of clearing any lot shall be a lien on the property so cleared, and the County may recover the amount of the lien and the expense and costs of the clearing by action at law in assumpsit, or by any action allowed by law in equity, or that may be prescribed by statute, including any proceeding allowed for the foreclosure of tax liens.

(1975 C.C., c. 3, art. 5, sec. 3; Am. 1984, Ord. No. 84-19, sec. 1.)

Section 20-24. Service of notice.

The notice to the property owner required under section 20-23 shall be sent to the property owner by mailing it to the owner's last known address and by posting a copy of the notice upon the lot that requires the clearing.

(1975 C.C., c. 3, art. 5, sec. 4.)

Article 3. Refuse Disposal.

Section 20-31. Definitions.

As used in this article:

“Business” means a sole proprietorship, partnership, firm or corporation.

“Commission” means the environmental management commission of the County.

“Department” means the department of environmental management.

“Director” means the director of the department of environmental management, or the director's authorized representative.

“Garbage” means any organic waste that is not fit for animal consumption.

“Household rubbish” means all rubbish, including any material not exceeding four feet in length at its longest dimension, which is normally generated by a family's activities at their place of residence.

“Prohibited materials” include, but are not limited to, paint thinner or solvents; oil base paint waste; automotive waste oil, antifreeze or lead acid batteries; pesticides, herbicides or rodent and insect control chemicals; household cleaner, polish or wax; contaminated soil; medical waste; propane, oxygen or acetylene tanks; diesel, gasoline or alcohol; and, liquids or sludges in containers five gallons or larger, including liquid cooking oil or grease unless mixed with a bulking agent so that it solidifies, and hazardous wastes as defined in 40 Code of Federal Regulations parts 257, 258 and 261.

“Refuse” means any discarded or disposable matter, including garbage, rubbish and swill.

“Rubbish” means solid waste or rejected material including paper and cardboard cartons, straw, excelsior, rags, clothes, shoes, bottles, tin cans, china, glass, metalware, leaves, grass, tree branches, and any other material of similar character but not including material such as tree stumps, lumber or iron pipes exceeding five feet in length, concrete blocks and tiles, cement, acids, iceboxes, refrigerators, ranges, radios, television sets, phonographs, bedsteads, bed springs, tables, sofas, chairs, and other furniture, water heaters, water tanks, sinks, and other similar material or equipment of a weighty or bulky nature.

“Swill” means any food waste which is fit for animal consumption.

“Transfer station” means a facility designed to collect household rubbish from the surrounding community and to transport this refuse to a suitable disposal facility.

(1975 C.C., c. 3, art. 10, sec. 1; Am. 1988, Ord. No. 88-160, sec. 1; Am. 1994, Ord. No. 94-87, sec. 2; Am. 2001, Ord. No. 01-108, sec. 1; Am. 2002, Ord. No. 02-66, secs. 1, 2 and 3.)

Section 20-32. Removal required; disposal; drainage of liquids.

- (a) Every owner or occupant of any residence or business building or premises within the County shall remove or cause to be removed to the County dumping grounds any refuse from any residence or business building or premises.
- (b) This section shall not prevent any owner or occupant from disposing of refuse within the owner’s premises by burning, burying, or destroying the refuse in compliance with any applicable statute, ordinance, and rule and regulations.
- (c) Any garbage or swill, prior to its removal to the County dumping grounds, shall be drained of all liquid.
(1975 C.C., c. 3, art. 10, sec. 2.)

Section 20-33. Receptacle specifications.

Any garbage or swill shall be contained in a leak-proof metal or plastic receptacle and shall be securely covered at all times so as to exclude insects and animals. Any rubbish, except hedge cuttings, stumps, branches, banana leaves, palm and coconut leaves or other similar material, shall be contained in a metal or wood receptacle, or in a paper or a cardboard carton of sufficient strength to adequately contain the contents therein.

(1975 C.C., c. 3, art. 10, sec. 3.)

Section 20-34. Location of receptacles; placement for collection.

- (a) Any refuse and receptacle shall be kept on private premises and shall not be placed upon any sidewalk or government right-of-way for collection purposes, except any refuse receptacle that may be placed and affixed on any sidewalk or government right-of-way for public use.
- (b) For the purpose of collection, any refuse and receptacle may be placed in that area of the private premises adjacent to the sidewalk or the government right-of-way. The refuse and the receptacle placed adjacent to the sidewalk or the government right-of-way shall be situated so as not to create a hazard to any pedestrian or traffic.

(1975 C.C., c. 3, art. 10, sec. 4.)

Section 20-35. Permit required for refuse disposal.

- (a) No business, Federal or State agency, religious entity or nonprofit organization shall dispose of refuse at any County solid waste facility without first obtaining a disposal permit issued by the director and making payment of the permit fee as required herein.
- (b) No person shall dispose of refuse at any county landfill without first obtaining a disposal permit issued by the director. Persons not representing any business, Federal or State agency, religious entity or nonprofit organization need not obtain a permit to dispose of refuse at a County transfer station.
- (c) An application for a disposal permit shall be submitted to the director on a form furnished by the department.
 - (1) For businesses, Federal or State agencies, religious entities and nonprofit organizations, the following information is required:
 - (A) Name, address and telephone number of the business, Federal or State agency, religious entity or nonprofit organization.
 - (B) Make, model, tare weight, carrying capacity in cubic yards and license number of the vehicle(s) which would be used to dispose refuse.
 - (C) Approximate volume and frequency of refuse to be disposed.
 - (D) Other information as deemed necessary by the director.
 - (2) Persons not acting as or on behalf of any business, public agency, religious entity or nonprofit organization shall provide their name, residence and mailing address, residence and employer telephone numbers, drivers license number and any other information deemed necessary by the director for billing and collection purposes.
- (d) The disposal permit shall be effective for a period of one year from the date of issuance.
- (e) The director may suspend or revoke a disposal permit for the following reasons:
 - (1) Failure to pay any disposal charges or special handling fees when due.
 - (2) Failure to comply with the provisions of this chapter.
 - (3) Failure to comply with disposal procedures and/or conditions established by the department.
- (f) The suspension or revocation procedure shall be as follows:
 - (1) Upon determination that sufficient reasons exist to revoke or suspend a disposal permit, the director shall inform the permit holder by registered mail of the director's decision to suspend or revoke said permit;
 - (2) The letter shall also inform the permit holder of the effective date of the suspension or revocation and the specific reason for suspension or revocation of the disposal permit;
 - (3) The permit holder shall be given a period of ten working days to cure the complaint. At the end of the ten-day period, the County shall notify the permit holder in writing either that the complaint has been remedied or that the permit is still to be revoked or suspended. If the permit is still to be revoked or suspended said letter shall describe the process by which the permit holder may request a hearing before the director;
 - (4) If the permit holder requests a hearing before the director, one shall be scheduled within two working days of the request. The decision of the director or a designated representative shall stand unless after a hearing the original decision is shown to be clearly erroneous;
 - (5) A request for a hearing shall not act to stay the director's decision to revoke or suspend.
- (g) There shall be a fee of \$25 for the issuance of a refuse disposal permit to a business, Federal or State agency, religious entity or nonprofit organization, payable with the application therefor. There shall be no fee for the issuance of a permit to persons not acting as or on behalf of a business, public agency, religious entity or nonprofit organization.

(1994, Ord. No. 94-87, sec. 4; Am. 1995, Ord. No. 95-41, sec. 1; Am. 2002, Ord. No. 02-66, sec. 4.)

Section 20-36. Refuse removal business; restrictions.

- (a) Any vehicle used for the collection and removal of refuse shall be kept in a clean, inoffensive, and sanitary condition.
- (b) All refuse shall be handled and hauled in such a manner so as to prevent the scattering, spilling, or leaking of the refuse.
- (c) Certain transfer stations will be designated and determined to be incompatible for use by businesses or commercial activities. Use of these designated transfer stations by business or commercial activities shall be prohibited after July 1, 1989, except as authorized by written permit with conditions set forth by the director.
- (d) No person, business, Federal or State agency, religious entity or nonprofit organization shall, at any County solid waste facility, dispose of any rubbish, prohibited materials or refuse which has been brought into the County of Hawai'i as rubbish, prohibited materials or refuse from outside of the County of Hawai'i. This subsection shall not apply to refuse generated en route in the ordinary course of business by aircraft or maritime passengers or crew, incidental to operations of aircraft or maritime traffic arriving in the County.
- (e) Violation of these restrictions will be subject to the penalties of this article as well as revocation of the businesses' baggage and freight license.

(1975 C.C., c. 3, art. 10, sec. 6; Am. 1988, Ord. No. 88-160, sec. 3; Am. 2001, Ord. No. 01-108, sec. 1; Ord. No. 01-91, sec. 1; Am. 2002, Ord. No. 02-66, sec. 5.)

Section 20-37. Disposal of dead animals and other organic wastes.

- (a) The disposal of dead cattle, horses, mules, goats, dogs, cats and similar animals is the responsibility of the owner. If no owner can be identified, the disposal of the dead animal is the responsibility of the landowner or land occupant or both upon whose land the dead animal is found. Any dead animal shall be properly buried, burned, or disposed of in accordance with applicable rules, regulations, and standards of the State department of health within a reasonable time after death, or before the dead animal becomes a nuisance.
- (b) Any small animal, such as dogs and cats, shall be accepted for disposal at the South Hilo or Kona landfill area only in accordance with applicable provisions of this article.

(1975 C.C., c. 3, art. 10, sec. 7; Am. 1988, Ord. No. 88-160, sec. 4.)

Section 20-38. Abandoned vehicles prohibited.

No person shall leave, abandon, or place any wrecked or nonoperational automobile or construction equipment or part or portion of a wrecked or nonoperational automobile or construction equipment, or scrap iron, or other similar material, upon any part of a public street, road, or highway or upon any premises of another.

(1975 C.C., c. 3, art. 10, sec. 8.)

Section 20-39. Abandoned refrigerators; removal of lock required.

No person shall abandon any refrigerator, ice box, wardrobe trunk, or any other container, equipment or appliance having a self-locking door without first removing and detaching the door or cover from the same.

(1975 C.C., c. 3, art. 10, sec. 9.)

Section 20-40. Explosives, radioactive wastes and other prohibited materials.

- (a) No person shall dump, place, or remove to any County disposal facility, including transfer stations, any prohibited materials as defined by the State department of health rules, regulations and standards, including any radioactive or chemical waste, any pesticides, explosives, blasting materials, fuses, live ammunition, or other substances that may explode upon contact with heat or fire.
 - (b) Prohibited wastes which have been rendered nonhazardous by chemical neutralization or stabilization in accordance with applicable rules, regulations and standards of the State department of health may be delivered directly to a landfill for disposal.
- (1975 C.C., c. 3, art. 10, sec. 10; Am. 1988, Ord. No. 88-160, sec. 5.)

Section 20-41. Dumping refuse prohibited.

No person shall dump or place refuse in or upon any vacant lot, public place, or in or upon the premises of another.

(1975 C.C., c. 3, art. 10, sec. 11.)

Section 20-42. Salvage of refuse restricted.

Any material delivered or deposited at the County dumping ground shall become the property of the County. No person shall separate, collect, carry off, or dispose any article from any County dumping ground unless authorized to do so by the director or the director's representative.

(1975 C.C., c. 3, art. 10, sec. 13; Am. 2001, Ord. No. 01-108, sec. 1; Am. 2002, Ord. No. 02-66, sec. 6.)

Section 20-43. Acceptance of refuse for disposal; restrictions.

- (a) Acceptance at landfills or other similar disposal areas.
 - (1) Any person having any nonprohibited rubbish, unburnable material, or refuse, excluding garbage, in the County, which is not acceptable at a transfer station, is authorized by the department to enter into and properly deposit such material into the designated area of the landfill on any day during the normal working hours of the landfill. All permitted materials, when properly deposited, shall be accepted by the department.
 - (2) Any person having any large or bulky material, such as a car, water heater or properly altered stove or refrigerator which does not contain any garbage, refuse, swill or any other rubbish at the time of disposal, is authorized by the department to enter into and properly deposit such material into the designated area of the landfill on any weekday during the normal working hours of the landfill. All permitted materials, when properly deposited, shall be accepted by the department.
 - (3) Any person having any small dead animal, such as a dog or cat, as well as garbage, is authorized by the department to enter into and properly deposit such material into the designated area of the landfill from 7:00 a.m. to 3:00 p.m. Permitted small dead animals and garbage, when properly deposited, shall be accepted by the department.
 - (4) Any unauthorized person entering into the landfill during nonworking hours or for purposes other than that permitted in this section shall be considered to be a trespasser, and shall be subject to the penalties of this article.
- (b) Acceptance at transfer stations.
 - (1) All acceptable household refuse, including shrubbery and yard trimmings, deposited into the transfer station solid waste container shall be accepted by the County for disposal on any day during normal working hours of the station. No item shall exceed four feet in any dimension or weigh more than fifty pounds.

- (2) Prohibited materials shall include all commercially hauled rubbish, garbage, swill or refuse, prohibited materials as defined by the State department of health and partially listed herein, refuse generated by a business, Federal or State agency, religious entity or nonprofit organization, construction or demolition wastes, abandoned vehicles, dead animals, animal carcasses and other similar organic wastes.
- (c) Except as permitted by the director, no material resulting from construction, land clearing, wrecking of any building or structure, or wastes generated by manufacturing, industrial, or agricultural processes such as meat, fish, poultry, vegetable, or fruit processing shall be acceptable for disposal in any County disposal facility.
- (d) Improper depositing of any material in any County landfill or transfer station is considered to be littering, and violators will be subject to the penalties of this article.
- (1975 C.C., c. 3, art. 10, sec. 14; Am. 1988, Ord. No. 88-160, sec. 6; Am. 1994, Ord. No. 94-87, sec. 5; Am. 2001, Ord. No. 01-108, sec. 1; Am. 2002, Ord. No. 02-66, sec. 7.)

Section 20-44. Burning on County dumping ground regulated.

No person shall set fire to or burn any paper, trash, or garbage deposited within a dumping ground used by the County for the depositing or dumping of trash or garbage without obtaining the permission of the superintendent authorizing and directing the burning.

(1975 C.C., c. 3, art. 10, sec. 12.)

Section 20-45. Penalty.

- (a) Any violation of this article is a petty misdemeanor.
- (b) In addition to the penalties in subsection (a), any person who violates the provisions of this article shall, upon conviction, be required to remove their refuse or shall be liable for the costs of removing that refuse.
- (c) Each day of violation shall constitute a separate offense.
- (1975 C.C., c. 3, art. 10, sec. 15; Am. 1984, Ord. No. 84-15, sec. 1; Am. 2007, Ord. No. 07-23, sec. 3.)

Article 4. Solid Waste Fees.

Section 20-46. Disposal fees.

- (a) Any refuse, except for prohibited materials, delivered by a business, Federal or State agency, religious entity, nonprofit organization or private citizen to the working face of a County landfill shall be charged by the ton or fraction thereof at rates as set forth herein.
- (b) In addition to the per ton charge or volume charge, items which cannot be disposed in the working face of the landfill in accordance with usual disposal practices or which require special handling and/or arrangements by landfill personnel shall be assessed a special handling charge at rates as set forth herein. Such items shall include but may not be limited to asbestos and confidential document destruction or other disposal requiring a witness. Tires, whether whole, cut, sliced, chipped or shredded, will not be accepted at any County landfill. All wire or cable must be cut to four-foot lengths prior to disposal at any County landfill or transfer station.
- (c) Administrative rules shall provide partial credit to commercial haulers for residential waste. The amount of the credit shall be no less than \$2 per month for each single-family household from which the hauler collects refuse, provided the hauler's account is current. The annual credit shall be equal to the landfill disposal fee multiplied by one and one-half tons per year per single-family household. The residential credit shall not exceed the total landfill tipping fees charged to the residential hauler for the month for which the credit is being claimed.

Commercial haulers who claim this credit shall provide documentation to the solid waste division including customer name, mailing address, and service address for each credit claimed. Claims for the residential credit must be submitted on or before the last day of the month following the month for which the credit is being claimed and the hauler's account must be current for the credit to be applied.

Names, mailing addresses, and service addresses of customers of residential haulers are subject to the disclosure limitations in section 92F, Hawai'i Revised Statutes, as disclosure would cause substantial harm to the competitive position of the person from whom the information was obtained.

- (d) The mayor, with the approval of the council, may temporarily rescind the solid waste disposal fees for a specified period.
- (e) The mayor may waive solid waste disposal fees when it is in the best interest of the County. Fees may be waived for one-time events for community organizations, nonprofit organizations, or private property owners who are remediating illegal dump sites which were not of their creation. The mayor will give notice to the council when tip fee is waived.
- (f) On or before January 1, 2004, there shall be an analysis of past and projected expenses in the solid waste division. Factors to consider include, but are not limited to, capital improvement projects and any debt service for those projects, labor rates and any contractual obligations, equipment replacement and depreciation, and diversion programs. Estimates shall also be considered for total disposal expenses for businesses, Federal or State agencies, religious entities, nonprofit organizations or private citizens as compared to expenses for single-family household disposal at the island-wide solid waste transfer stations. The analysis will be done on an annual basis through January 1, 2007.

(1994, Ord. No. 94-87, sec. 6; Am. 1995, Ord. No. 95-41, sec. 2; Am. 1996, Ord. No. 96-21, sec. 2; Ord. No. 96-45, sec. 2; Am. 2003, Ord. No. 03-102, sec. 2; Am. 2005, Ord. No. 05-21, sec. 2; Am. 2005, Ord. No. 05-138, sec. 2; Am. 2008, Ord. No. 07-182, sec. 2.)

Section 20-47. Collection of fees.

- (a) All charges shall be collected by the solid waste division of the department. Billings shall be made monthly. Payments are due before the end of the month following the month in which charges are incurred. A finance charge of one and one-half percent monthly (annual rate of eighteen percent) shall be charged on all balances which are sixty or more days overdue. In addition to this, access to County solid waste facilities may be denied until the account is current.

(1994, Ord. No. 94-87, sec. 6; Am. 1997, Ord. No. 97-46 sec. 1.)

Section 20-48. Solid waste fund designation.

- (a) There is hereby created and established a special fund to be known as the "solid waste fund."
- (b) All funds received from the collection of fees authorized by this chapter shall be deposited with the director of finance and shall be accounted for and be known as the "Solid Waste Fund" and shall be expended for the purpose of operating, maintaining and administering the County's solid waste management, collection and disposal systems.

(1994, Ord. No. 94-87, sec. 6.)

Section 20-49. Fee schedule.

- (a) Charge rates shall be established as follows:

- (1) Landfill disposal.

(A) Rate by weight: Dollars per ton prorated accordingly.

Year beginning on July 1 of each calendar year.				
2003	2004	2005	2006	2007
\$45	\$55	\$65	\$75	\$85

- (B) When and if it is impossible or impractical due to power outage, disaster-related issues or other to determine an accurate weight, rates by vehicle size and volume shall be used:

TYPE I: Light trucks or other vehicles with a gross vehicle weight of less than 10,000 pounds with no more than three cubic yards of refuse charged as dollars per truck.

Year beginning on July 1 of each calendar year.				
2003	2004	2005	2006	2007
\$27	\$33	\$39	\$45	\$51

TYPE II: Medium trucks or other vehicles with a gross vehicle weight from 10,000 pounds to 19,999 pounds with no more than six cubic yards of refuse charged as dollars per truck.

Year beginning on July 1 of each calendar year.				
2003	2004	2005	2006	2007
\$56	\$66	\$76	\$86	\$96

TYPE III: Large trucks or other vehicles with a gross vehicle weight from 20,000 pounds to 25,999 pounds with no more than nine cubic yards of refuse charged as dollars per truck.

Year beginning on July 1 of each calendar year.				
2003	2004	2005	2006	2007
\$81	\$99	\$117	\$135	\$153

TYPE IV: All other trucks or vehicles with a gross vehicle weight of 26,000 pounds including commercial refuse hauling trucks or all other vehicles not qualifying as a Type I, II, or III:

1. Compacted. Dollars per cubic yard.

Year beginning on July 1 of each calendar year.				
2003	2004	2005	2006	2007
\$15	\$18	\$21	\$24	\$27

2. Not compacted. Dollars per cubic yard.

Year beginning on July 1 of each calendar year.				
2003	2004	2005	2006	2007
\$9	\$11	\$13	\$15	\$17

- (C) Special handling: \$85 per truck load or fraction thereof.

- (2) Greenwaste and Organics Diversion.
- (A) All clean greenwaste and acceptable organics must be delivered to a permitted County greenwaste and organics collection facility.
 - (B) The greenwaste and organics disposal fee is set at 25% of the landfill disposal fee as described in section 20-49(a)(1)(A).
 - (C) The greenwaste and organics disposal fee is set at 65% of the landfill disposal fee as described in section 20-49(a)(1)(B) at a County greenwaste and organics collection facility without scales. These facilities are able to accept Type I and Type II trucks only.
 - (D) Greenwaste and organics must be separated from other solid waste in order to qualify for the reduced greenwaste and organics disposal fee.
 - (E) The greenwaste and organics disposal fee may be suspended by the director if the greenwaste and organics facilities are not operating.

(1994, Ord. No. 94-87, sec. 6; Am. 1995, Ord. No. 95-41, sec. 3; Am. 2003, Ord. No. 03-102, sec. 2; Am. 2005, Ord. No. 05-27, sec. 2.)