

**The County Board of Kanabec ordains:**

## **ORDINANCE 18**

### **SOLID WASTE DISPOSAL WITHIN MINNESOTA**

#### **PURPOSE AND FINDINGS**

The purpose of this ordinance is to provide for specified locations for Mixed Municipal Solid Waste disposal within the State of Minnesota for waste collected within Kanabec County in order to protect the health, safety and welfare of residents, and to reduce the potential liability of County residents for future cleanup and remediation of solid waste disposal sites. The County is a member of the East Central Solid Waste Commission (ECSWC), a five-county joint power commission established in 1982 to provide the greatest public service benefit possible in solid waste planning, management and implementation for the entire contiguous Five-County area of Chisago, Isanti, Kanabec, Mille Lacs and Pine Counties. The Commission has acquired, maintained and improved a Solid Waste Management Facility located near Mora, Minnesota. The Board finds that it is in the best interest of the residents to collect Mixed Municipal Solid Waste and manage it in ECSWC Solid Waste Management Facilities.

#### **SECTION 1 DEFINITIONS**

For the purpose of this Ordinance, the terms defined in this section shall have the meanings given them, unless the context clearly indicates otherwise.

“Board” is the Board of County Commissioners for the County of Kanabec, or its designee.

“County” is the County of Kanabec, or its designee.

“Collector” is a person engaged in the business of collecting, transporting or disposing of Mixed Municipal Solid Waste generated in the County.

“Mixed Municipal Solid Waste” is garbage, refuse, and other solid waste from residential, farm, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, street sweepings, ash, hazardous waste, construction & demolition debris, mining waste, sludges, tree waste, tires, lead acid batteries, used oil, and other materials collected, processed and disposed of as separate waste streams.

“Solid Waste Management Facility” is a facility for the processing or reuse, conversion, or Disposal of Mixed Municipal Solid Waste.

“Transfer Station” is an intermediate waste facility in which waste collected from any source is temporarily deposited to await transportation to another waste facility.

## **SECTION 2 PROHIBITION**

No person shall collect, transport, or dispose and/or make final disposition of Mixed Municipal Solid Waste generated or accumulated in the County at any location other than:

- A. The ECSWC Solid Waste Management Facility located near Mora, Minnesota, MPCA Permit Number SW-17;
- B. A Transfer Station operated under the direction of the ECSWC; or
- C. A Solid Waste Management Facility outside the State of Minnesota.

## **SECTION 3 PENALTY**

- A. The Collector license granted by the County may be revoked by the County Board of Commissioners following a Public Hearing for violation of this Ordinance.
- B. Revocation shall not occur earlier than five (5) working days from the time that written notice of revocation from the County is served on the Collector. Notice of revocation to the Collector shall be served personally or by US mail at the address designated in the license application. Such written notice of revocation shall contain the effective date of the revocation, the facts which support the conclusion that a violation has occurred.
- C. Right of Appeal: Any Collector whose license is revoked by the County in accordance with the provisions of this Ordinance shall have the right to appeal the decision to the Minnesota Court of Appeals by Writ of Certorari.

## **SECTION 4 EFFECTIVE DATE**

**This Ordinance shall be effective January 1, 2007.**

**COUNTY OF KANABEC**

By: \_\_\_\_\_  
**County Board Chairperson Les Nielsen**

By: \_\_\_\_\_  
**County Coordinator Alan B. Peterson,  
Clerk to the County Board**