

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 17th day of November, 2015:

<u>MEMBERS:</u>	<u>VOTE:</u>
Gary F. Snellings, Chairman	Yes
Laura A. Sellers, Vice Chairman	Yes
Meg Bohmke	Yes
Jack R. Cavalier	Yes
Paul V. Milde III	Yes
Cord A. Sterling	Yes
Robert "Bob" Thomas, Jr.	Yes

On motion of Mr. Milde, seconded by Mr. Sterling, which carried by a vote of 7 to 0, the following was adopted:

AN ORDINANCE TO AMEND STAFFORD COUNTY CODE
SEC. 21-10 "USE OF APPROVED DISPOSAL SITE IN
EMPTYING VEHICLES," AND REORDAIN AS "DISPOSAL
OF SOLID WASTE," TO PROVIDE FOR SOLID WASTE
FLOW CONTROL

WHEREAS, the Rappahannock Regional Solid Waste Management Board (R-Board) operates the Regional Landfill (Landfill) and receives solid waste from the Stafford County, Virginia (County) and the City of Fredericksburg, Virginia (City); and

WHEREAS, the current solid waste cell is nearing capacity, and the R-Board, the County, and the City have authorized the issuance of debt to construct the next solid waste cell (Cell F-2) to ensure that there is adequate space available to accept all County and City refuse at the Landfill, ensuring that residents of both localities have uninterrupted solid waste disposal services; and

WHEREAS, it is necessary that all solid waste generated by the two localities is delivered to the Landfill to ensure the availability of adequate funding for the construction of Cell F-2 and the expansion of the Landfill's facilities, and the associated costs; and

WHEREAS, without the Landfill, other waste disposal facilities, including privately-owned and regional facilities, are not economically feasible to meet the current and anticipated needs of the County for waste disposal capacity; and

WHEREAS, the Landfill is a resource recovery waste disposal facility owned and operated under a joint powers agreement between the City of Fredericksburg and Stafford County; and

WHEREAS, Virginia Code § 15.2-931 authorizes the County to enact flow control measures to require solid waste generated within the County be delivered to the Landfill; and

WHEREAS, pursuant to Virginia Code § 15.2-931, the Board held a public hearing on the proposed amendments to the Solid Waste Ordinance for consideration of the adoption of flow control measures; and

WHEREAS, the Board carefully considered the recommendations of the R-Board and staff, and the public testimony, if any, received at the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 17th day of November, 2015, that Stafford County Code Sec. 21-10, "Use of approved disposal site in emptying vehicles," be and it hereby is amended and reordained as follows, with all other portions remaining unchanged:

Sec. 21-10. - ~~Use of approved disposal site in emptying vehicles.~~ Disposal of Solid Waste.

~~No vehicles used by a refuse remover for transporting or removing refuse shall be emptied in the county on any ground or location other than the sanitary landfill.~~

- (a) All waste collected within Stafford County under the provisions of this chapter, excluding solid waste collected on the Marine Corps Base Quantico, shall be disposed of only at locations designated by the Rappahannock Regional Solid Waste Management Board (R-Board), subject to the limitations stipulated in Virginia Code § 15.2-931(A).
- (b) It shall be unlawful for any person who is a resident of the County, or any business which operates in the County, to dispose of garbage, trash, or refuse in or at any place other than at locations designated by the R-Board, except as follows:
 - (1) This section shall not apply to the occupants of single-family dwellings or family farms disposing of their own garbage, trash or refuse if such occupants have paid the fees, rates and charges of other single-family dwellings and family farms in the same service area.
 - (2) This section shall not apply to garbage, trash, or refuse generated, purchased, or utilized by an entity engaged in the business of manufacturing, mining, processing, refining, or conversion except for an entity engaged in the production of energy or refuse-derived fuels for sale to a person other than any entity controlling, controlled

by, or under the same control as the manufacturer, miner, processor, refiner or converter.

(3) This section shall not apply to: (i) recyclable materials, which are those materials that have been source-separated by any person or materials that have been separated from garbage, trash and refuse by any person for utilization in both cases as a raw material to be manufactured into a product other than fuel or energy; (ii) construction debris to be disposed of in a landfill; or (iii) waste oil.

(4) This section shall not prevent or prohibit the disposal of garbage, trash, or refuse at any facility: (i) which has been issued a solid waste management facility permit by an agency of the Commonwealth on or before July 1, 1991; or (ii) for which a Part A permit application for a new solid waste management facility permit, including local governing body certification, was submitted to the Department of Waste Management in accordance with Virginia Section 10.1-1408.1 B on or before December 31, 1991.

(c) Violation of this section shall be a class 1 misdemeanor.

; and

BE IT FURTHER ORDAINED that the effective date of this ordinance shall be January 1, 2016.

A Copy, teste:

Anthony J. Romanello, ICMA-CM
County Administrator

AJR:kcd