

**ORDINANCE AMENDING AND RE-ENACTING
TITLE 6 CHAPTER 2 SOLID WASTE COLLECTION AND DISPOSAL -
ARTICLE B SECTIONS 6-2-16 THROUGH 6-2-18 AND DELETING AND
RESERVING SECTION 6-2-19;
OF THE CODE OF ORDINANCES CITY OF HARRISONBURG,
VIRGINIA**

Be it ordained by the Council of the City of Harrisonburg, Virginia:

CHAPTER 2. - SOLID WASTE COLLECTION AND DISPOSAL

Be amended as shown:

ARTICLE B. - SOLID WASTE DISPOSAL

Sec. 6-2-16. - City ~~landfills, facilities and resource recovery facility~~; area to be served; depositing refuse produced outside city.

- (a) The ~~County landfills, resource recovery facility and~~ recycling facilities centers operated and maintained by the city shall be for the disposal of ~~refuse and recycling~~ produced within the boundaries of the city or the disposal of any ~~refuse recycling~~ accepted by the city ~~pursuant to any contract which has been approved by the city council. No person shall be permitted to deposit at any such landfill, resource recovery facility or recycling facilities center any refuse which has been produced outside the city without a valid existing contract approved by the city council or without obtaining special permission from the city manager.~~
- (b) ~~Before any refuse or recycling will be accepted by the city at its facilities, such refuse shall be weighed at the appropriate city weighing device.~~
- (c) Only refuse approved for ~~disposal, burning and~~ recycling by federal and state statutes and regulations, and which is otherwise not unacceptable under this chapter, will be accepted by the city ~~or Rockingham County at their respective~~ its facilities.
- ~~(d) Only refuse transported in vehicles covered properly will be accepted by city or county.~~

Sec. 6-2-17. - Disposal of acceptable ~~garbage, recycling, refuse, etc.~~

- (a) Acceptable ~~garbage, rubbish, recycling, and mixed refuse, ashes and unburnables originating within the city and~~ transported to a designated city-operated resource recovery facility ~~or the Rockingham County landfill~~ by any person shall be accepted for disposal during designated hours of operation. ~~All persons offering such acceptable garbage, rubbish, recycling, and mixed refuse, ashes and unburnables for disposal shall, in each instance, submit proof of the origin of such refuse. Any person who falsely submits proof of origin of such refuse shall be guilty of a class 1 misdemeanor and shall be subject to suspension from the use of the disposal facilities for a period of time not to exceed one year.~~

- (b) The director of the department, in ~~their~~his discretion, ~~or the rules and regulations of the county landfill, or resource recovery designated city facility~~ may require the mandatory separation of materials before acceptance at any of the disposal facilities. Further, the director, ~~at~~in ~~their~~his discretion, may route ~~refuse-recycling~~ to the most appropriate facility, or location for disposal.

Sec. 6-2-18. - Refuse and solid waste not acceptable for collection-disposal.

- (a) A solid waste is unacceptable for collection by the city disposal if it is deemed unacceptable under any of the following:

- (1) ~~Rockingham County sanitary landfill operating permit~~The operating permit of or other requirements set by the sanitary landfill used by the city for disposal of refuse;
- (2) ~~Permitted City of Harrisonburg resource recovery facility permit;~~ or
- (3) Applicable state and federal statutes and regulations concerning solid waste management.

- ~~(b) Whether or not classified as unacceptable in subsection (a), the following types of refuse or solid waste shall not be acceptable at collection point by city or licensed private haulers for disposal at the Rockingham County Landfill or Resource Recovery Facility unless otherwise stated~~

- ~~(1) Free liquids and poorly contained liquids that have not been absorbed on solid material.~~
- ~~(2) Hazardous or untreated bio-medical waste.~~
- ~~(3) Construction and demolition debris resulting from land clearing operations; tree trimmings, tree limbs, logs, stumps, brush, roots or root mat; construction or demolition of any building or structure; metal, wood, masonry, concrete, wire, plumbing materials; debris from land disturbing operations, including but not limited to rock, soil, reinforced concrete, fencing or large volumes or individual pieces of concrete, asphalt, stumps, metal or masonry products other than "bulk refuse".~~
- ~~(4) Vegetative matter generated from grass clippings, tree or shrubbery trimmings, branches, tree limbs, logs, stumps and leaves will not be acceptable at the resource recovery facility.~~
- ~~(5) Recyclable materials resulting from manufacturing, industrial, commercial or agricultural processes will not be disposed of in the landfill, or resource recovery facility.~~
- ~~(6) Reserved.~~
- ~~(7) Unstabilized sewage sludge or sludges that have not been dewatered. Acceptable sludge must be approved by the Rockingham County Director of Public Works in accordance with the applicable permit.~~
- ~~(8) Pesticide containers that have not been triple rinsed and crushed.~~
- ~~(9) Drums and other bulk containers which have not been emptied, properly cleaned, opened at both ends and crushed.~~

- (a) ~~Determination of fees by city manager.~~ The tipping fees charged for the acceptance of refuse collected within the city by private residents, private and commercial removers and delivered to the city resource recovery facility, recycling center or the county landfill shall be as fixed from time to time by the city council and maintained on file in the office of the city manager.
- (b) ~~Billing.~~ Once a month, the department of sanitation shall bill all private and commercial removers for the amount of city refuse delivered to the city resource recovery facility and the county landfill. In addition, removers of county refuse delivered to the city resource recovery facility will also be billed monthly. The department of sanitation shall bill the refuse removers at the current tipping fee rates on the same terms and conditions as other customers of city services. Further, the department of sanitation shall furnish a summary of the monthly billings to the department of finance.
- (1) ~~Billing collection.~~ Collection of unpaid tipping bills will be in accordance with collection practices of the city and the private or commercial mover will be banned from further tipping at the landfill and resource recovery facility until the bill is paid in full.
- (c) ~~Truth in reporting origin of refuse.~~ It shall be unlawful for any private or commercial refuse remover to fail to report or to falsely report the origin of city refuse delivered either to the city resource recovery facility or the county landfill. Any private or commercial refuse remover that fails to properly report city refuse delivered to any of the aforesaid facilities shall be guilty of a class 1 misdemeanor and shall be subject to revocation of its permit to operate within the city or to the use of city facilities for a period of time not to exceed one year.
- (d) ~~Refuse of mixed origin prohibited.~~ Loads of refuse presented for disposal shall not be mixed, i.e., the load shall be either all city-originated refuse or all county-originated refuse, unless approved by director of sanitation in which case, mixed loads if approved, will be charged at city tipping rate. City refuse shall be moved and delivered separately from county refuse.
- (e) ~~Documentation.~~ Refuse removers may be required to present a purchase order or other voucher to evidence the source of the refuse for the charging of tipping fees, which will be billed directly to a person, the generator of the refuse, doing business in the city.

This ordinance shall be effective on the 23rd day of March, 2020

ADOPTED AND APPROVED this 23rd day of March, 2020.

Deanna R. Reed

MAYOR

ATTEST:

Parula Utner

City Clerk