

SOLID WASTE COLLECTION SYSTEM ORDINANCE -109  
FOR  
LINCOLN COUNTY, KENTUCKY

WHEREAS, The Lincoln County Fiscal Court has created the Lincoln County Solid Waste Committee, and ;

WHEREAS, in creating the Lincoln County Solid Waste Committee the purpose was to protect the health and welfare of the public inhabitants of Lincoln County by insuring the effective collection and disposal of the garbage and refuse accumulating within the boundaries of Lincoln County, Kentucky and;

WHEREAS, the Lincoln County Fiscal Court deems it necessary for the effective collection and disposal of solid waste that the residents of the County be offered services provided by the Lincoln County Solid Waste Committee;  
NOW THEREFORE BE IT ORDAINED BY THE LINCOLN COUNTY FISCAL COURT AS FOLLOWS:

I. The Lincoln County Solid Waste Committee, through franchise agreements, shall provide for the collection of all residential and commercial waste in Lincoln County, Kentucky.

II. The fees charged consumers and/or customers for the collection services shall be regulated by the Lincoln County Solid Waste Committee whose members are appointed by the Lincoln County Judge Executive with the approval of the Lincoln County Fiscal Court.

III. When and at such time as said collection service is provided pursuant to Item I above, the following shall apply:

(a) Each franchise granted by the Lincoln County Solid Waste Committee shall be for a definite term not to exceed five (5) years and shall be for a specified geographical area, defined therein, with the franchisee to make services available to each and every residence, farm or business located therein for a fee of not more than that generally approved by the Lincoln County Solid Waste Committee.

(b) No individual, business or municipal entity shall collect or dispose of solid waste in any franchise area except with the approval of the Lincoln County Solid Waste Committee.

(c) No individual, business or municipal entity shall transport uncovered mixed or bulk refuse on roads or highways located in Lincoln County, Kentucky.

PENALTIES

I. NON-FRANCHISED COLLECTION SERVICES

Any individual, business or municipal entity who engages in the occupation or business of solid waste collection, transportation or disposal within the boundaries of Lincoln County, Kentucky, without a franchise agreement issued by the Lincoln County Solid Waste Committee shall be guilty of a Class B. Misdemeanor punishable by a fine of not more than \$250.00, a term of imprisonment of not more than ninety (90) days, or both of the above.

For purposes of this section, any activity prohibited conducted in any one (1) calendar month shall be considered a separate offense.

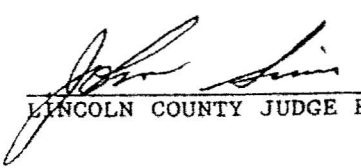
II. NON-PAYMENT OF FRANCHISE FEE

Any holder of a franchise granted by the Lincoln County Solid Waste Committee who shall fail to pay any franchise fee or other charge imposed by the Lincoln County Solid Waste Committee, in the franchise agreement, within thirty (30) days \$20.00 per day for each day same remains unpaid.

DATE OF FIRST READING AND APPROVAL: July 11, 1989

DATE OF PUBLICATIONS: July 27, 1989

PASSED AND APPROVED UPON TWO READINGS THIS THE 8th DAY OF August, 1989.

  
LINCOLN COUNTY JUDGE EXECUTIVE

ATTEST:

JOHN SIMS  
Judge/Executive  
(606) 365-2534 (office)  
(606) 355-7552 (home)



# COUNTY OF LINCOLN

---

COURT HOUSE 102 E. MAIN ST. STANFORD, KENTUCKY 40484

April 23, 1991

AMENDMENT TO SOLID WASTE ORDINANCE #109-A  
OF LINCOLN COUNTY FISCAL COURT  
AND SOLID WASTE COMMITTEE

Reporting Requirements: A franchise holder shall provide quarterly reports to the County containing such information as is required by the Lincoln County Fiscal Court and Solid Waste Committee.

*Amendment to*  
**SOLID WASTE COLLECTION SYSTEM ORDINANCE**  
  
**FOR**  
  
**LINCOLN COUNTY, KENTUCKY**

WHEREAS, the Lincoln County Fiscal Court on August 8, 1989, did adopt a Solid Waste Collection System Ordinance, and;

WHEREAS, the Lincoln Fiscal Court deems it necessary to Amend said Ordinance to be in compliance with State Regulations and Statutes;

NOW, THEREFORE, BE IT ORDAINED by the Lincoln County Fiscal Court to Amend its Solid Waste Collection System Ordinance as follows:

- I. The Lincoln County Solid Waste Committee Co-Ordinator shall not enter into franchise agreements, but from now forward shall issue collection permits which shall provide for the collection of all residential and commercial waste in Lincoln County, Kentucky.
- II. The fees charged consumers and/or customers for the collection services shall not be regulated by the Lincoln County Solid Waste Committee however all haulers of residential and commercial waste in Lincoln County, Kentucky, must file quarterly reports verifying the destination of all waste collected, fee collected per customer, and the amount of all waste collected.
- III. Each hauler shall file an application; be registered; and obtain an annual permit for operation from the Lincoln County Solid Waste Committee Co-Ordinator. Each permit shall cost \$10.00. All haulers already in operation shall obtain the permit by February 1, 1995. All new haulers shall be required to obtain a permit prior to operation.

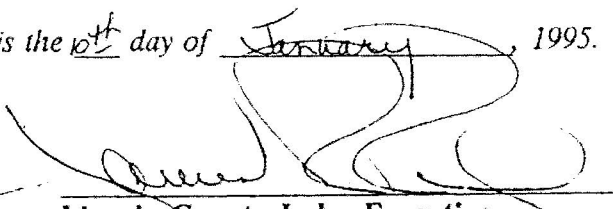
## PENALTIES

### I. NON-PERMIT COLLECTION SERVICES:

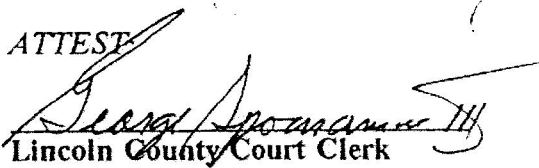
Any individual, business or municipal entity who engages in the occupation or business of solid waste, collection, transportation or disposal within the boundaries of Lincoln County, Kentucky, without a permit issued by the Lincoln County Solid Waste Committee shall be guilty of a violation punishable by a fine of not more than \$100.00.

Date of First Reading and Approval: 12-13-94

Passed and Approved Upon Two Readings this the 10<sup>th</sup> day of January, 1995.

  
Lincoln County Judge-Executive

ATTEST

  
Lincoln County Court Clerk

joyka#2usw.amd

101 B

### SUMMARY OF LINCOLN COUNTY SOLID WASTE ORDINANCE

A new solid waste ordinance for Lincoln County regulates the proper storage, collection, transportation, processing, and disposal of solid waste, in an effort to protect the health, safety, and welfare of county residents.

Briefly, the ordinance includes sections which require:

- Residents to store their garbage by properly containerizing to prevent rodents, insects, and littering.
- County officials to set up a franchise system for private haulers.
- The following items should not be placed in garbage receptacles: hazardous waste; liquid wastes; bulky wastes; furniture; major appliances; tires; construction and demolition wastes; dead animals; or any burning or molding materials that would create a fire hazard.

Persons violating any provisions of the ordinance may be fined up to \$500.00. A copy of the complete ordinance is available for viewing at the Lincoln County Courthouse.

## CHAPTER 50: GARBAGE

### Section

- 50.01 Collection permits
- 50.02 Fees; quarterly reports
- 50.03 Garbage haulers; application
  
- 50.99 Penalty

### **§ 50.01 COLLECTION PERMITS.**

The Solid Waste Committee Coordinator shall not enter into franchise agreements, but from now forward shall issue collection permits which shall provide for the collection of all residential and commercial waste in the county.

(Ord. passed 12-13-94)

### **§ 50.02 FEES; QUARTERLY REPORTS.**

(A) The fees charged consumers or customers for the collection services shall not be regulated by the Solid Waste Committee.

(B) All haulers of residential and commercial waste, however, in the county, shall file quarterly reports verifying the destination of all waste collected, fee collected per customer and the amount of all waste collected.

(Ord. passed 12-13-94)

### **§ 50.03 GARBAGE HAULERS; APPLICATION.**

(A) Each hauler shall file an application, be registered and obtain an annual permit for operation from the Solid Waste Committee Coordinator. Each permit shall cost \$10.

(B) All haulers shall be required to obtain a permit prior to operation.

(Ord. passed 12-13-94) Penalty, see § 50.99

**§ 50.99 PENALTY.**

Any individual, business or municipal entity who engages in the occupation or business of solid waste collection, transportation or disposal within the boundaries of the county without a permit issued by the Solid Waste Committee shall be guilty of a violation punishable by a fine of not more than \$100. (Ord. passed 12-13-94)

ORDINANCE 101

An act related to Litter and Refuse Control in Lincoln County.

1. The County Landfill shall be the sole ultimate repository of all refuse. All other dumpsites, other than provisional municipal dumpsites, are accordingly prohibited. This provision shall not prohibit any person from disposing of his own solid waste upon his own lands provided such disposal does not create a nuisance or health hazard.
2. All organizers of outdoor events are responsible for the rapid removal of all refuse and litter from the site thereof and shall provide appropriate refuse containers for the public use.
3. When any paper, waste material, litter or other refuse is thrown or dropped from a motor vehicle, the operator shall be guilty of criminal littering.
4. Political and commercial posters or other advertisements shall not be placed upon public property or right-of-way (including utility and telephone poles). Handbills and like advertisement shall be distributed in such a manner as to prevent their circulation freely in the environment.
5. All non-functioning vehicles on the public throughfare or other public areas shall be removed at the owners expense within a period not to exceed three days.



6. It shall be unlawful for any person to place, leave, or permit to accumulate on any property materials that would create a health hazard or a public nuisance.

7. Any person who violates a provision of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25.00 or more than \$500.00.

A Judge at his discretion may require convicted individuals to remove litter from public property.

8. This ordinance will be effective after two readings before the Lincoln County Fiscal Court and will be retroactive to Jan. 1, 1984 after its approval by majority vote.