

ORDINANCE NO. 263, SERIES 2008

AN ORDINANCE RELATING TO THE AMENDMENT OF ORDINANCE NO. 163, SERIES 2001

AN ORDINANCE RELATING TO THE STORAGE, COLLECTION, PROCESSING, TRANSPORTATION AND DISPOSAL OF SOLID WASTE

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF COUNTY OF HARDIN, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

SECTION I SHORT TITLE

This Ordinance shall be known as the "*Mandatory* Solid Waste Collection and Disposal Ordinance" and may be so cited and shall be referred to herein as "this Ordinance".

SECTION II DEFINITIONS

For the purpose of this Ordinance, the word "shall" is mandatory and not merely directory, and the following terms shall be deemed to have the meaning indicated below:

Owner: That person or persons, or any other legal entity authorized under Kentucky law to hold title to real property, identified as the title holder to any particular piece of property as determined by the Property Tax Roll listings maintained by the Hardin County Property Valuation Administrator.

SECTION IV COLLECTION OF SOLID WASTE

B. Mandatory Collection

Every residential dwelling generating solid waste within the County except as set forth in Section VIII herein shall exclusively utilize and subscribe to the collection service as herein provided within 90 days of the availability date declared and advertised by the Hardin County Fiscal Court.

SECTION VII SERVICE CHARGES

D. Payment and Collection of Service Fees

1. The *owner* of the residential dwelling unit served by the collection of solid waste as herein provided shall be financially responsible for payment of the service fees' established in accordance with this Ordinance. All service fees shall be paid within thirty (30) days of the notice due.

SECTION VIII SPECIAL PERMIT

A. Any *owner* of a residential dwelling may file an application with the Director for a special permit exempting all or part of the applicant's solid waste from the provisions of this ordinance. The Director shall promulgate an application form, which shall require the applicant to certify the following:

1. The name, address, social security number or employer identification number of the applicant;
2. The volume and content of the solid waste generated by the applicant;
3. A description of the disposal method proposed to be utilized by the applicant;
4. The name, address, social security number or employer identification number of the person or entity to be responsible for the disposal of the applicants solid waste, including a notarized statement from the person or

entity acknowledging responsibility, term and method of disposal of the applicant's solid waste; and

5. Any other information reasonably necessary to review the application as determined by the Director.

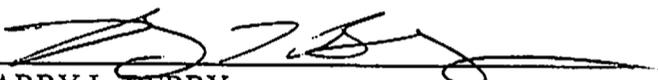
III. SEVERABILITY

If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this Ordinance.

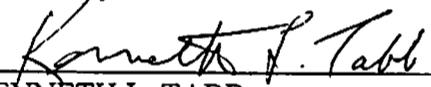
Given First Reading on this the 12th day of August, 2008

Given Second Reading on this the 26th day August, 2008

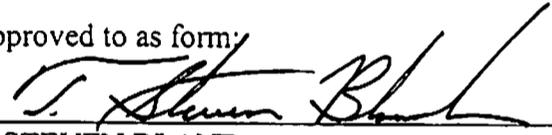
Adopted on this the 26th day of August, 2008.


HARRY L. BERRY
HARDIN CO. JUDGE/EXECUTIVE

Attested by:


KENNETH L. TABB
HARDIN COUNTY COURT CLERK

Approved to as form:


T. STEVEN BLAND
HARDIN COUNTY ATTORNEY
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