

CHAPTER 2
SOLID WASTE

SECTION:

- 5-2-1: Title
- 5-2-2: Purpose
- 5-2-3: Definitions
- 5-2-4: Maintenance of Sanitary Conditions

5-2-1: **TITLE:** This Chapter shall be known as the JEFFERSON COUNTY SOLID WASTE ORDINANCE.

5-2-2: **PURPOSE:** This ordinance has been created for the purpose of regulating the disposal of solid waste in a manner that will promote public health, safety and general welfare.

5-2-3: **DEFINITIONS:**

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| BOARD | The Jefferson County Board of County Commissioners |
| BURNING PERMIT | The Jefferson County burning permit issued pursuant to this Chapter. |
| CHIEF | The duly appointed chief of any fire district in Jefferson County. "Chief," for the purposes of this Chapter, may also mean any representative designated by the chief to fulfill any function under this Chapter. |
| COLLECTOR | Any person holding a contract with Jefferson County authorized and designated by Jefferson County to collect, handle, transport and dispose of solid waste. |
| CONTRACT | An exclusive contract or privilege granted by Jefferson County to collect, handle, dispose, recycle or recover solid waste. |
| COUNTY | Jefferson County, Idaho. |

DIRECTOR OF SOLID WASTE MANAGEMENT DEPARTMENT	The officer appointed by the Board to administer the Solid Waste Management Department.
FIELD BURNING	The open burning of plant residue grown on the premises as part of a recognized cropping practice.
FIRE DISTRICT	Any duly constituted and operating fire district within the boundaries of Jefferson County.
HAZARDOUS WASTES	Wastes determined to be hazardous by the United States Environmental Protection Agency.
HEALTH PROTECTION OFFICER	Any officer of the Solid Waste Management Department deputized by the County Sheriff.
INSPECTOR	The Health Protection Officer or other duly authorized officer of Jefferson County having the duty of the enforcement of these regulations.
OPEN BURNING	The burning of any matter in such a manner that the products of combustion resulting from the burning are emitted directly into the ambient air without passing through a stack, duct or chimney.
OWNER or OCCUPANT	Every person in possession, charge or in control of any dwelling, flat, rooming house, apartment house, hospital, school, hotel, restaurant, boarding house or any eating shop, place of business, manufacturing or business establishment where solid waste is created or accumulated.
PERSON	Any person, firm, partnership, association, institution or corporation, and in the plural as well as singular.
PREMISES	Any dwellings, flats, apartments, rooming houses, hotels, clubs, restaurants, hospitals, schools, boarding houses, eating places, shops and places of business or any other building or structure.

REPORTS	The reports required of or from the exclusive collectors as to area served, routes handled, trucks and personnel employed.
RESIDENCE	The place of dwelling of one head of family and his/her dependents.
SANITARY LANDFILLS and DISPOSAL SITES	Such areas operated by the County or designated by the Board by contract which shall be the only areas on public or private property within Jefferson County, where solid waste may be disposed, reduced or recovered.
SOLID WASTE	Any and all trash or litter associated with the construction or demolition of buildings to include paper, cardboard, wood scrap, shingles, concrete; and waste materials of a inert nature such as ashes, plastics, metals, cinders, tires, appliances, or tree parts; and those items, including liquids, which by their nature are noxious, odoriferous or are subject to the development of bacteria, virus or other hazards to health including waste accumulations of animal or vegetable matter, and including waste that attends the preparation, use, serving, cooking, dealing in, or storing of meats, fish, fowl, fruits and vegetables. The term "solid waste" does not include sewage, human body waste or hazardous wastes as determined by the United States Environmental Protection Agency.
SOLID WASTE MANAGEMENT DEPARTMENT	The County department whose responsibility it is to manage the County-operated waste disposal facilities, develop contract specifications and monitor established contracts, recommend changes to the Board concerning solid waste ordinances, contract fees for collection and disposal of solid wastes, and enforcement of regulations established by the Board for collection, handling, transportation, and disposal of solid waste.
SPECIFICATIONS	The requirements pertaining to collectable waste management established from time to time by the Board on recommendation of the Solid Waste Management Department.

STATEMENTS

Fiscal reporting required of the contracted collector such as annual financial operations, rates charged, accounts collected and delinquent and other pertinent information desired by the Board.

**STREET or
ALLEY**

A right of way which provides vehicular and pedestrian access to adjacent properties, the dedication of which the Board has accepted by official action. It shall include the terms street, highway, thoroughfare, road, avenue, boulevard, lane, place and other such terms.

5-2-4: MAINTENANCE OF SANITARY CONDITIONS:

- A. No person shall throw or deposit or permit to accumulate any solid waste in any building or any premises, improved or vacant, or any lot or area either public or private, within unincorporated Jefferson County, so that it is or is likely:
 - 1. To attract flies or fly breeding;
 - 2. To afford food or harborage for rodents or rats;
 - 3. To be a source of noxious or offensive odors or conditions inimical to public interest or health.
- B. It shall be unlawful for any person to permit or to suffer to accumulate solid waste in or about any yard, lot, place or premises, or upon any adjacent street, alley or sidewalk, owned, leased, used or occupied by such person.
- C. No section or provision of these regulations shall be construed to prohibit anything permitted or authorized under other applicable regulations.
- D. It shall be unlawful for any person upon vacating dwellings, storerooms, or any other building situated in an urban area to fail to remove all solid waste from such buildings and premises and also the grounds appurtenant thereto; or to fail to place the same in a thoroughly sanitary condition within twenty four (24) hours after the said premises shall be vacated.
- E. Compost piles may be maintained for fertilization purposes, and matter used for fertilization purposes only may be transported, kept and used, provided the same shall not constitute a nuisance.

5-2-5: PENALTY:

Any person, entity, agency or board violating any provision of this solid waste ordinance shall be guilty of a misdemeanor and shall be subject to punishment as set forth in Idaho Code Section 18-113, as amended.