

ORDINANCE NO. 1991(3)

ORDINANCE CREATING A NON-TAXING SOLID WASTE DISTRICT PURSUANT TO KRS 109.041(13) AND KRS 67.083(3)(0) AND ESTABLISHING THE NUMBER, TERM AND APPOINTMENT OF ITS DIRECTORS AND GRANTING POWERS TO THE SOLID WASTE DISTRICT.

BE IT ORDAINED BY THE FISCAL COURT OF HOPKINS COUNTY that:

1. There is hereby created a non-taxing Solid Waste District pursuant to KRS 109.041(13) and KRS 67.083(3)(0) which shall include the total area within the borders of Hopkins County, Kentucky, and which shall be called "The Hopkins County Solid Waste District".

2. The Hopkins County Solid Waste District shall be a continuing public entity and shall exist until such time as the same is dissolved or terminated by a duly enacted Ordinance by the Fiscal Court of Hopkins County.

3. The Hopkins County Solid Waste District shall be managed by and operated by a Board of Directors appointed by the Hopkins County Judge/Executive and confirmed by the Hopkins County Fiscal Court. The total membership of the Board shall initially consist of seven (7) persons. Except for the initial appointment to the Board, each Director shall serve for a three (3) year term; the initial Board shall consist of two (2) Directors appointed for three (3) years, three (3) Directors appointed for two (2) years and two (2) Directors appointed for one (1) year. Should a

Director die, resign, or refuse to act (fail to attend any two (2) successive regular meetings of the Board), an appointment to fill said vacancy shall be made by the Hopkins County Judge/Executive and confirmed by the Fiscal Court for the unexpired term. The Board shall elect a Chairman and Secretary/Treasurer and shall operate under a budget and uniform accounting system as required by law, including the filing and publishing of annual statements.

4. The Hopkins County Solid Waste District shall have the power to plan, initiate, acquire, construct and maintain solid waste management facilities and promulgate regulations with respect thereof and in accordance with KRS Chapter 109. The Hopkins County Solid Waste District shall further have the power to contract with any third parties for the management by public or private means of solid waste within Hopkins County. The Hopkins County Waste District shall further have all of the powers granted to Counties as set forth in KRS 109.041 and all other powers necessary for the management of solid waste in Hopkins County.

5. The Hopkins County Solid Waste District shall be the official solid waste management district and solid waste management area for the area within the boundaries of Hopkins County, Kentucky, and shall submit a solid waste management plan for acceptance and approval to the Natural Resources and Environmental Protection Cabinet of the Commonwealth of Kentucky, and until such has occurred, the Fiscal Court of Hopkins County shall continue to be the official solid waste management area and its present solid waste management plan shall continue in full force


and effect. The Hopkins County Solid Waste District shall further submit any other solid waste management plans and shall comply with Senate Bill #2 as enacted by the Special Session of the General Assembly of the Commonwealth of Kentucky in 1991, and shall comply with all other provisions of KRS Chapter 224.

6. The definitions used herein shall be the same as those set forth in KRS 109.020. Section 13 thereof shall mean "solid waste management district" meaning any county electing to form under the provisions of KRS 109.041(13) and KRS 67.083(3)(0) and operating in conformance with this ordinance and with Section 400 of the Resource Conservation and Recovery Act of 1976 as amended (P)(L)94-580.

UPON MOTION by Squire Barton, second by Squire Purdy, first reading was held and approved on the 2nd day of May, 1991.


  
Melvin D. Hicklin  
Hopkins County Judge/Executive

Attest:

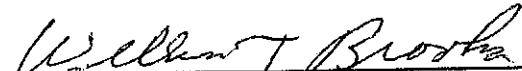
  
William T. Brooks, Clerk

On Motion of Squire Barton and seconded by Squire Lyne, second reading

held on the 16 day of MAY, 1991, and passed on the  
16 day of MAY, 1991.

  
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Melvin D. Hicklin  
Hopkins County Judge/Executive

Attest:

  
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William T. Brooks, Clerk