

BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON

Date 7-27-92
Original Clerk
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Order
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IN THE MATTER OF THE AMENDMENT)
OF ORDINANCE NO. 15.00, THE) ORDINANCE NO. 15.5
SOLID WASTE MANAGEMENT ORDINANCE)
_____)

WHEREAS, Klamath County has suburban transfer sites for solid waste that are within franchised areas; and

WHEREAS, Klamath County desires to be able to contract with the lowest bidder for the transportation of the solid waste to the County landfill;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS ORDAINS AS FOLLOWS:

1. This Ordinance specifically amends Ordinance No. 15.00.
2. This Ordinance to be effective upon execution by the Board of County Commissioners.
3. Sections 100.005, 100.040, 100.100, and 100.400 of Chapter 100 are amended to read as follows:

CHAPTER 100
SOLID WASTE MANAGEMENT

100.005 Definitions.

(4) County Transfer Station shall mean any fixed or mobile facility owned and operated by Klamath County for the collection and transfer of solid waste to a disposal site or to a resource recovery site, or for the collection and transfer of recyclables.

100.040 Persons and Agencies Exempted. This Chapter shall not apply:

(1) Within the incorporated limits of any city except as provided pursuant to Klamath County Code 100.700; nor to

(2) Federal or State agencies that collect, store, transport or dispose of wastes or solid wastes or those who contract with

such agencies to perform the service, but only as to the rates for collection, service and terms for service; nor to

(3) County Transfer Stations.

100.100 Solid Waste Accumulation Prohibited.

(1) Except as provided in this Chapter, no person shall store, collect, maintain or display on private property, waste or solid waste that is offensive or hazardous to the health and safety of the public or which creates offensive odors or a condition of unsightliness, which shall include, but not be limited to, the following:

(a) All artificially created or impounded ponds or pools of stagnant water within 300 feet of two or more separate residential units;

(b) Any animal carcass not buried or destroyed within 24 hours after death;

(c) The accumulation, collection, storage or disposal of solid waste, waste, garbage, liquid waste, refuse, rubbish, sewage sludge, demolition materials, or fill dirt;

(d) Any abandoned, unattended or discarded ice box, refrigerator or other container which has an airtight door or lid, snaplock or other locking device which may not be opened from the inside, without first removing said door or lid, snaplock or other locking device therefrom;

(e) The accumulation, collection, storage or disposal of wastes or solid wastes in any manner capable of providing vector harborage or infestation by flies, fleas, rodents, lice, larvae, or other vector and their hosts.

(2) The creation or maintenance of one or more of the conditions specified in subsection (1) of this Section shall be prima facie evidence of a violation of this Section.

(3) KCC 100.100 does not apply to:

(a) Areas within the limits of incorporated cities unless by special agreement entered into by the Board and the incorporated area which application is authorized;

(b) Disposal sites franchised under provisions of KCC 100.400 to 100.620 provided that such disposal sites comply with rules promulgated by any state agency under O.R.S. Chapter 459 and regulations adopted by Klamath County pursuant to this Chapter;

(c) Agricultural operations involving growing or harvesting of crops and the raising of fowl or animals; and

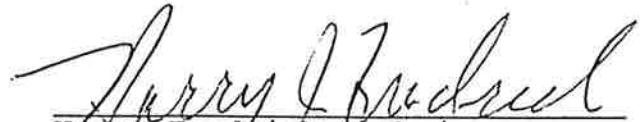
(d) The growing or harvesting of timber including silvicultural practices.

100.400 Franchising Solid Waste Collection and Disposal.

(1) It shall be unlawful for any person/agency to store, collect, transport or dispose of any solid waste for compensation unless such person/agency is exempt or franchised in accordance with this Chapter.

(2) It shall be unlawful for any person/agency to create or maintain a disposal site unless so authorized by this Chapter.

DATED this 22nd day of July, 1992.



Harry Fredricks, Chairman




Ed Kentner, Commissioner



Wes Sine, Commissioner

APPROVED FOR LEGAL SUFFICIENCY:



Reginald R. Davis, County Counsel