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Kabetogama Lake Association  
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# Public Notices

## Public Notice

PUBLIC NOTICE OF INTENT  
TO APPROVE REVISIONS TO  
KOOCHICHING COUNTY'S SOLID  
WASTE MANAGEMENT ORDINANCE

Koochiching County has prepared revisions to its Solid Waste Management Ordinance originally adopted in 1995.

Pursuant to Minn. Statute 331A.01 Subd 10 Koochiching County Environmental Services hereby gives notice of its intent to present these Ordinance revisions to the Koochiching County Board of Commissioners for approval at 11:00 a.m. on February 11th, 2014. The following is a summary intended to provide an easily understandable explanation of the County's Solid Waste Ordinance. However, this is only a summary. For Specific Information regarding solid waste regulations, in Koochiching County, please refer to the Ordinance. Copies of the Revised Ordinance Draft are available at the Court House in the Environmental Services Department.

I. General Provisions

This section explains why the Ordinance was adopted, refers to the state laws that require counties to adopt solid waste ordinances and provides definitions of words and terms used in the ordinance.

1. Regulate solid waste facilities to protect the public's health and well-being.

2. Protect natural resources within Koochiching County and prevent surface and ground water contamination.

3. Assure that all individuals are informed and responsible for their actions regarding solid waste that may affect the environment and the community now and in the future.

4. Encourage the use and reuse of recyclable materials though the use of the county-wide recycling program and the provision of facilities to support those activities.

5. Support state and federal regulations on solid waste issues including regulatory management, hierarchy of reduction, reuse, recycling, processing, and land disposal.

II. Responsibilities

This Section of the Ordinance specifies that any operation for commercial management of solid waste operations requires a license from the county.

Section II also states that the County Board may require a bond prior to issuing a solid waste management license and describes insurance requirements for solid waste management operations.

Section II describes under what circumstances a license may be revoked, and lays out a process that must be followed by the county to revoke a license.

III. Solid Waste Advisory Committee

This section specifies the duties and membership of the Solid Waste Advisory Committee. The committee is mandated to provide solid waste planning recommendations to the County Board, review solid waste service fee abatements abatement requests and make recommendations regarding these requests to the County Board, and conduct hearings as required by this ordinance. These hearing shall be open to the public and adhere to open meeting laws.

The ordinance specifies the composition of the solid waste advisory committee for a total of not more than 13 members.

IV. Solid Waste Administrator

This section defines and limits the authority of the solid waste administrator. Specifically, the solid waste administrator is assigned the following duties

1. To review and consider all applications for license as provided for in this Ordinance, and to review supporting materials which are referred to him/her for operations within Koochiching County, Minnesota and then follow II.C. as provided in this Ordinance.

2. To inspect operations to determine compliance with this Ordinance and to investigate complaints about violations of this Ordinance. For the purpose of inspecting private disposal areas, the Solid

Waste Administrator or his/her agents and authorized representatives shall have the right of entry upon all lands within the County for the purpose of determining compliance with this Ordinance. He/she shall give notice of his intent to inspect the occupant, if any, and all inspections shall be made in a reasonable manner during the usual and customary hours for the conduct of business.

3. To recommend to the County Attorney that legal proceedings be initiated against a person to compel compliance with this Ordinance or to abate or control an operation not in compliance with this Ordinance.

4. To encourage and conduct studies, investigations and research relating to aspects of solid waste management, including but not limited to methodology, chemical and physical considerations and engineering.

5. To advise, consult and cooperate with the public and the other governmental agencies in furtherance of the purpose of this Ordinance.

6. The Solid Waste Administrator and/or his/her employees, upon direction by the courts, shall have the right at all reasonable times to enter upon premises for the purpose of removing garbage deposited or permitted to remain in violation of this Ordinance. The cost of said removal shall be chargeable to the property owner. Such payment shall be due within sixty (60) days of notification from the County. If such payment is not received within the specified time, such costs shall be certified to the County Auditor and shall be added to the property taxes for the property. The Solid Waste Department and/or its employees shall have the right to enter upon solid premise, at a reasonable time, for the purpose of inspecting the same in order to determine whether the provisions of this Ordinance are being complied with.

7. The Solid Waste Administrator shall develop administrative policy, as needed, to aid in administration and enforcement of this Ordinance. Proposed administrative policy shall be reviewed by the County Attorney and approved by the County Board prior to adoption.

8. The Solid Waste Administrator shall establish a base unit size for an average small quantity household generator and require Koochiching County solid waste collection license holders to establish a multiple-unit pricing system that ensures waste generated in excess of the base unit amount are priced higher than the base unit price.

V. Solid Waste Storage

This section describes acceptable methods for storage of solid waste on private property including households, businesses, and industry. It serves as a tool for the solid waste staff should storage of garbage present a hazard for people or the environment.

VI. Collection and transportation of Solid Waste

This section describes the provisions that commercial solid waste haulers must comply with in their operations. This section also makes it an ordinance violation for individuals hauling their garbage to allow the garbage to fall from their vehicle.

VII. Solid Waste disposal by Landfill

This section states that no one may operate a landfill in Koochiching County without a license from the county.

VIII. Intermediate Solid Waste Facility

This section states that no one may operate a transfer Station in Koochiching County without a license from the county.

IX. Incineration

This section states that no one may operate a garbage incinerator in Koochiching County without a license from the county

X. Solid Waste Disposal

All the provisions of this section pertain to individual households and businesses.

1. Prohibits backyard burning, burying, and/or burning and burying of garbage. This subdivision does not apply to agricultural operations (farms), or to yard waste or brush. Residents are encouraged to com-

post yard and food waste.

2. Incorporate state tire regulations into the ordinance by reference.

3. Provides a list of problem materials that may not be disposed of in the garbage or land. This section also states that yard waste may not go in the garbage and phone books must be recycled as per state law.

XI. License Fees

This section allows the County Board to establish annual license fees for commercial solid waste management operations.

XII. Rates and Charges for Solid Waste Management

This section allows the County Board to grand variances from the provisions of this ordinance if the board believes that strict interpretation of the ordinance would constitute undue hardship for a business, or individual.

XIII. Variances

This section allows the County Board to grand variances from the provisions of this ordinance if the board believes that strict interpretation of the ordinance would constitute undue hardship for a business, or individual.

XIV. Nonconforming Sites & Facilities

This section requires all existing solid waste management operations to comply with this ordinance within 60 days of adoption, unless granted a variance by the County Board.

XV. Additional Requirements

This section allows the County Board to impose additional requirements, consistent with the intent of this ordinance, if necessary.

XVI. Severability

This section states that should the courts declare that any provision of this ordinance unconstitutional, the other provisions of the ordinance are still in effect.

XVII. This section states that the requirements of this ordinance are in addition to any other state law, regulations, or statutes by the county or any other governing body.

XVIII. No Consent

This section states that while certain solid waste activities are regulated by this ordinance there is no implied consent for any activities. This means that if the County Board feels that a specific solid waste management activity does not belong in Koochiching County due to a safety, public health, environmental, or other concern, it does not have to issue a license for that operation.

XIX. Violation

This sections states that violation of this ordinance is considered a misdemeanor offense. It details the process from notification of violations to prosecution.

XX. Other Ordinance and Regulation

This section states that the ordinance establishes the minimum standards for management of solid waste in Koochiching County. This ordinance does not prevent Cities or other governments within the county from adopting their own, stricter, regulations.

XXI. Effective Date

This sections states that the ordinance shall be in effect following a legal adoption procedure by the County Board.

The Journal  
January 25<sup>th</sup>, 2014