

**ORDINANCE NO 06-2018**  
**CITY OF GRAND RIVERS, KENTUCKY**  
**SOLID WASTE MANAGEMENT**

AN ORDINANCE RELATING TO SOLID WASTE MANAGEMENT WITHIN THE CITY OF  
GRAND RIVERS, KENTUCKY

**WHEREAS**, the Grand Rivers city council desires to ensure that the City of Grand Rivers, Kentucky continues to be a desirable place to live and do business, and;

**WHEREAS**, the Grand Rivers city council desires to ensure continued provision of convenient and efficient solid waste management collection services yet curtail abuses thereof; and

**NOW THEREFORE THE CITY COUNCIL OF GRAND RIVERS, KENTUCKY DOES ORDAIN:**

**SECTION 1. DEFINITIONS**

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**CITY.** The City of Grand Rivers, Kentucky.

**PERSON.** An individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, federal agency, state agency, commission, or any interstate body.

**SOLID WASTE.** Any garbage, refuse, sludge, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, agricultural operations, and from community activities, but does not include those materials including, but not limited to, sand, soil, rock, gravel, or bridge debris extracted as part of a public road construction project funded wholly or in part with state funds, recovered material, special wastes as designated by KRS 224.50-760, solid or dissolved material in domestic sewage, manure, crops, crop residue, or a combination thereof which are placed on the soil for return to the soil as fertilizers or soil conditions, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880), or source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923).

**SECTION 2. MANDATORY COLLECTION**

Collection of solid waste by the city or the city's franchisee at least once per week shall be mandatory for all residences, businesses, industries, and all other locations accumulating solid waste.

**SECTION 3. HAZARDOUS AND SPECIAL WASTE**

All hazardous waste and special waste as defined by state or federal law shall be disposed of only as prescribed by state or federal law.

**SECTION 4. UNAUTHORIZED COLLECTION PROHIBITED**

No person may engage in the business of solid waste collection unless the person holds a franchise issued by the city authorizing the person to collect, transport, and dispose of solid waste.

**SECTION 5. PROHIBITED ACTIVITIES**

It shall be unlawful for any person to:

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- (A) Dispose of solid waste by dumping same on any premises within the city with or without the consent of the owner of the premises;
- (B) Place for collection by the city or the city's franchisee any solid waste generated or produced outside of the city;
- (C) Permit or assist any person to place for collection by the city or the city's franchisee any solid waste generated or produced outside of the city;
- (D) Fail to have solid waste collected as provided in this chapter;
- (E) Interfere in any manner with solid waste collection and transportation equipment, or with solid waste collectors in the lawful performance of their duties as such, whether such equipment or collectors shall be those of the city or the city's franchisee;
- (F) Burn solid waste unless an approved incinerator is provided or unless a variance has been obtained;
- (G) Place any dead animal for collection by the city or the city's franchisee;
- (H) Own or operate a dump; or
- (I) Place any tire for collection by the city or the city's franchisee.

#### SECTION 6. VIOLATION

- (A) Pursuant to KRS 83A.065(2), a violation of any provision of this Chapter is expressly made a violation subject to a criminal fine. Any person violating any provision of this Chapter shall be guilty of a violation and shall be fined two hundred fifty dollars (\$250.00) for each offense. A separate offense shall be deemed committed on each day during which or on which a violation occurs or continues.
- (B) The city shall be entitled to recover all costs and reasonable attorney's fees incurred by the city in enforcing any provision of this Chapter.

#### SECTION 7. SEVERABILITY

Each section and each provision of each section of this ordinance are severable, and if any provision, section, paragraph, sentence, or part thereof, or the application thereof to any person, licensee, class, or group is held by a court of law to be unconstitutional or invalid for any reason, such holding shall not affect or impair the remainder of this ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of the rest.

This ordinance shall be read on two (2) separate days and will become effective upon publication of title and certified summary thereof.

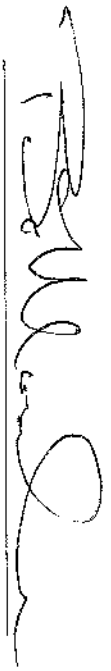
Date of First Reading of Ordinance: August 14, 2018

Date of Second Reading of Ordinance: August 21, 2018

Date of Publication of Ordinance: 9-27-18

Ordinance published in: Livingston Ledger

Ordinance Referenced: Minutes Book , Page

  
B.T. Moodie, Mayor

ATTEST:

Emily Morgan  
Emily Morgan, City Clerk

Certification

I, Emily Morgan, do hereby certify that I am the duly appointed clerk of the City of Grand Rivers, Kentucky, that the foregoing Ordinance is a true and correct copy of an ordinance duly adopted at a meeting of the City Council on August 21, 2018 that the Ordinance referred to therein is in the form presented to said meeting and in the form executed, and the said ordinance appears as a matter of public record in the Official City Ordinance Book and is still in full force and effect.

IN TESTIMONY WHEREOF, witness my signature on this 21 day of August, 2018.

Emily Morgan  
Emily Morgan, City Clerk