

ORDINANCE NO. 9
WINNEBAGO COUNTY, IOWA

AN ORDINANCE TO IMPOSE A TONNAGE FEE ON CERTAIN SOLID WASTE DISPOSAL

SECTION 1

Definitions

- #9
- (a) Sanitary landfill means a sanitary disposal project where solid waste is buried between layers of earth.
 - (b) Solid waste means garbage, refuse, rubbish, and other similar discarded solid or semi-solid materials, including, but not limited to, such materials resulting from industrial, commercial, agricultural and domestic activities. Solid waste may include vehicles as defined by Section 321.1(1), Code of Iowa. However, this definition does not prohibit the use of dirt, stone, brick or similar inorganic material for fill, landscaping, excavation or grading at places other than a sanitary landfill.

SECTION 2

The operator of a privately operated landfill, which accepts solid waste from outside of Winnebago County shall pay to the County a tonnage fee for each ton or equivalent volume of solid waste received and disposed of at the sanitary landfill.

SECTION 3

The tonnage fee is \$2.50 per ton of solid waste. However, for the year beginning July 1, 1991, the tonnage fee is \$3.00 per ton of solid waste and shall increase to the amount of \$3.50 per ton on July 1, 1992.

SECTION 4

The fees imposed by this Ordinance beginning with the effective date of the Ordinance shall be paid to the County on a quarterly basis. The initial payment of fees collected, beginning with the effective date of this Ordinance, shall be paid to the County by January 1, 1991, and on a quarterly basis thereafter. The payment shall be accompanied by a certified copy of the return made to the Department of Natural Resources for the payment of tonnage fees imposed by that Department.

SECTION 5

A person required to pay fees by this Ordinance, who fails or refuses to pay the fees imposed by this Ordinance, shall be assessed a penalty of fifteen percent (15%) of the fee due. The penalty shall be paid in addition to the fee due.

SECTION 6

The fee charged and the monies collected under this Ordinance shall be maintained by the County in a separate fund and shall be used exclusively for the development and implementation of alternatives to sanitary landfills, or for the costs incurred by the County to abate problems associated with the operation of sanitary landfills.

SECTION 7

The effective date of this Ordinance shall be August 2, 1990.

Winnebago County Ordinance No. 9 was considered for the first reading and passed by unanimous vote of the Winnebago County Board of Supervisors on Tuesday, July 24, 1990 and Winnebago County Ordinance No. 9 is hereby approved and adopted upon second and final reading by unanimous vote of the Winnebago County Board of Supervisors this 31st day of July, 1990.

WINNEBAGO COUNTY BOARD OF SUPERVISORS

Robert O. Langfeld
Robert O. Langfeld, Chairman

Gorden Anderson
Gorden Anderson, Supervisor

Alanzo Johnson
Alanzo Johnson, Supervisor

ATTEST: Sonja Johnson
Robert D. Paulson, Auditor
by Sonja Johnson, Deputy

BOARD OF SUPERVISORS

ROBERT O. LANGFALD, DIST. NO. 1
Forest City, Iowa

Gorden Anderson
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Lake Mills, Iowa

ALANZO E. JOHNSON, DIST. NO. 3
Rake, Iowa

WINNEBAGO COUNTY, IOWA

ROBERT D. PAULSON
Auditor

515-582-3412

Courthouse
Forest City, Iowa 50436

SONJA JOHNSON
Deputy

JUDY HARRINGA
Clerk—Computer Operator

August 23, 1990

Waste Systems Corp.
Attn: David G. Bergan, Vice President of Operations
R.R.2
Lake Mills, Iowa 50450

RE: Winnebago County Ordinance No. 9

Dear David:

The Winnebago County Board of Supervisors after duly published notice held the first reading and consideration of County Ordinance No. 9 on Tuesday, July 24, 1990 and the second and final reading and consideration was held on Tuesday, July 31, 1990 for Ordinance No. 9. Each reading and vote was without public objections and was passed and adopted by unanimous vote on July 31, 1990.

The Ordinance imposes a county tonnage fee of \$2.50 per ton of Solid Waste for each ton or equivalent of volume of solid waste received and disposed of at the sanitary landfill.

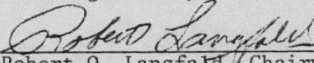
The effective date of the ordinance is August 2, 1990, however, after discussion with you and your consulting engineer Mr. Randall S. Luwe at today's Board session, the Winnebago County Board of Supervisors has agreed to delay the beginning date for charging of the \$2.50/ton fee until October 1, 1990 as per your agreement at the Board meeting this morning.

Beginning July 1, 1991 the tonnage fee is \$3.00 per ton and will increase to the amount of \$3.50/ton beginning July 1, 1992.

The Board of Supervisors hereby requests that you begin the implementation for collection of the solid waste disposal fees as outlined in Winnebago County Ordinance No. 9 of which a copy is included in this letter. Thank you for your cooperation in this matter.

Sincerely,

Winnebago County Board of Supervisors


Robert O. Langfald, Chairman

slj
Enclosure