

ORDINANCE NO. 354

AN ORDINANCE ENACTING THE DEFINITION OF LANDFILL AS PROVIDED IN SECTION 17-31 OF THE SPRINGFIELD MUNICIPAL CODE AND REPEALING AND REENACTING SECTION 7-31 TOWN LANDFILL (“DUMP” RULES REGULATIONS AND INSTRUCTIONS).

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SPRINGFIELD, COLORADO

The definition of *Landfill* as set forth in Chapter 7, Article II, Sec. 7-32, of the Springfield Municipal Code is amended to include the definition of Landfill and to read as follows:

**Sec. 7-31. Definitions.**

*Landfill*, means a disposal site where solid waste, such as paper, glass, and metal, is buried between layers of dirt and other materials in such a way as to reduce contamination of the surrounding land. Modern landfills are often lined with layers of absorbent material and sheets of plastic to keep pollutants from leaking into the soil and water. In this code the term “Dump” shall mean Landfill with the definition as set forth herein.

All other provisions and definitions contained within Sec 7-31 are not modified by this Ordinance remain in full force and effect.

Section 7-34 – Town dump; rules, regulations and instructions, shall be repealed and reenacted in it’s entirely. as follows:

Sec. 7-34 - Town landfill; rules, regulations and instructions,

A. Site Designation: The Board of Trustees shall hereafter designate a site or sites for the receiving of garbage and solid waste. Any person who removes any garbage or solid waste from within the town limits shall only dispose of it in such designated site or sites or licensed, certified or approved landfill sites in other jurisdictions where said garbage or solid waste may be legally disposed.

B. Manner And Hours of Disposal:

1. All garbage and solid waste deposited under the provisions of this Section shall only be transported, received and deposited in accordance with the regulations of the town now or hereafter promulgated.

2. Any and all waste deposited under the terms of this Section shall be the sole property of the Town, which may use, dispose of, recycle or otherwise treat as it may see fit. It shall be unlawful for any person to scavenge or remove any garbage or solid waste from the site or sites after the same has been deposited, unless allowed by the Town in writing.

3. Hours for which said site or sites shall be open shall be designated by the Town and the hours for which the same shall be open shall be posted in and upon said site or sites. It shall be

unlawful for anyone to enter upon or deposit any waste at any time when the site or sites are not open to the public.

C. User Fees: The Town shall hereafter establish a schedule of fees for deposit of special wastes at the site or sites designated in the Town's Master Fee Schedule. The term "special wastes" shall include:

1. Hauler Waste Which Increases Cost: Wastes from private or commercial haulers whose quantity or type of waste increases the cost of disposal and is collected from Town Residents.

2. Hauler Waste Originating Outside Town Limits: Wastes from private or commercial haulers whose garbage or solid waste originates outside of the Town Limits.

3. Other Waste: Any other special waste charges as hereafter established by the Town.

4. Permit Required to Deposit Special Waste: It shall be unlawful for any person to deposit any special waste on any site or sites of the city without first having paid the required fee and obtaining a permit, if required, for the disposal of such special waste.

5. All dumping by any individual at the town landfill shall be in accordance with the rules and regulations adopted for the management and control of the landfill. Dumping and disposal of garbage, refuse and trash shall be done in accordance with any oral instructions from any person in control of the town landfill and in accordance with any signs or other directives posted at the entrance to the landfill

6 Prevention of Litter: Waste loads entering the Town of Springfield Landfill shall be secured with an appropriate device such as a tarp or cover, capable of containing loose solid waste in transport and prevent solid waste from blowing off in transport. Waste loads shall also be secured or contained sufficiently that the contents do not shift during transport and fall out. If the waste load is unsecured or the cover deemed ineffective, the hauler will be assessed a fine of ten dollars (\$10.00) and a receipt given. If the hauler does not pay or contests the charge, a no traffic citation with notice to appear in municipal court will be issued by the designated appropriate city personnel or duly authorized agent.

7. Enforcement: The town reserves the right to provide full time enforcement specific to this title with this chapter as the primary focus for enforcement. Solid waste personnel so designated by the Board of Trustees or the Town Manager are granted limited code enforcement powers pertaining to this chapter. The city reserves the right to refuse service to any individual, or group of individuals, that are documented repeat offenders of the rules, regulations, stipulations or provisions of this chapter.

8. Penalty: Any person violating the rules, regulations stipulations, and/or provisions of this section shall be with the following fines. First Offence: \$250.00; Second Offence \$500.00; Third Offence \$750.00 and loss of privileges to use the Landfill. If the person who is charged with the violation does not pay or contests the charge, a no traffic citation with notice to appear in municipal court will be issued by the designated appropriate city personnel or duly authorized agent.

INTRODUCED, READ, AND PUBLIC NOTICE ORDERED PUBLISHED at a regular meeting of the Board of Trustees of the Town of Springfield, Colorado, this 10<sup>th</sup> day of March, 2022.

Public Notice Publication Dates:

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\_\_\_\_\_

INTRODUCED A SECOND TIME at a regular meeting of the Board of Trustees of the Town of Springfield, Colorado held on \_\_\_\_\_, PASSED, ADOPTED AND ORDERED PUBLISHED.

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Don Steerman, Town Attorney

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Tyler Gibson, Mayor

ATTEST:

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Tammy Newman, Town Clerk