

Calloway County Fiscal Court

*Amended* ORDINANCE # 4

An ordinance establishing a permit process for the licensing of solid waste management facilities.

An ordinance setting forth regulations for the collection and transportation of solid waste in Calloway County and establishing a license fee for engaging in the business thereof.

BE IT ORDAINED by the Fiscal Court of Calloway County:

This ordinance shall be known and may be cited as the "Calloway County Solid Waste Management Facility Licensing Ordinance".

Section I - Definitions

**Solid Waste Management Facility** - any facility that accepts, stores, disposes, processes, or transfers municipal solid waste. This includes transfer stations and recycling centers and any other solid waste handling facility.

**Processing** - incinerating, composting, baling, shredding, salvaging, compacting and other processes whereby solid waste is modified or reduced.

**Person** - an individual, trust, firm joint stock company, corporation, partnership, association, federal agency, state agency, or any interstate body.

**Solid Waste** - any garbage, litter, refuse, sludge and other material, including solid liquid, semi-solid or contained gaseous material resulting from industrial, commercial, or residential activities.

**Transfer Station** - any transportation related facility including loading docks, compaction equipment and other similar facilities where shipments of solid waste are held or transferred during the normal course of transportation.

Section II - Application of this Ordinance

(A) It shall be unlawful for any person to operate a solid waste management facility without a permit to conduct such business issued upon the approval and authority of the Calloway County Fiscal Court.

(B) Permits shall be issued for a period of one year, subject to continued conformance with the regulations

governing the collection, processing, and transportation of solid waste in the county and the State of Kentucky.

- (C) All applications for a permit to operate a solid waste management facility must be made on an official form, which may be obtained at the office of the Judge/Executive. Failure to complete any portion of the application form, or the giving of false information in the application shall be grounds for denial of the requested permit.
- (D) This Fiscal Court will use the Calloway County Solid Waste Management facility siting evaluation matrix to determine eligibility for a county permit. A facility which scores less than 300 points will not be issued a county permit.
- (E) The annual fee of ten dollars (~~\$10.00~~ <sup>\$25.00</sup>) must accompany the application. This fee will be refunded in the event that the permit is not granted.
- (F) Failure to obtain a permit will result in immediate closure of the facility and possible fines up to \$10,000 for each day after the deficiency notice is issued.

Dated this the 22nd day of December, 1992.

George F. Tucker  
Calloway County Judge/Executive

ATTEST:

Jeressa Rushing  
Calloway Fiscal Court Clerk

#1



Calloway County Solid Waste Management Plan

TABLE V.7-1  
 CALLOWAY COUNTY SOLID WASTE MANAGEMENT FACILITY  
 SITING EVALUATION MATRIX

Criteria	Rating	Evaluation Criteria			Rating	Notes
		Available Information	Site Access	Existing Land Use		
401KAR48 Site Characteristics	(5)	Available information indicates that the site meets all requirements of 401KAR48 for its site type.	Available information indicates that the site meets most requirements of 401KAR48 for its site type.	Available information indicates that the site will not meet most of the requirements of 401KAR48 for its site type.		
Site Access	(3)	Site has direct access to an all-weather thoroughfare of sufficient capacity and suitable condition to accommodate related traffic generated by the site and which is within close proximity of an interchange. Point of ingress and egress to the site is appropriately situated so as to minimize safety hazards.	Site has direct access to an all-weather thoroughfare of sufficient capacity and suitable condition to accommodate related traffic generated by the site. Point of ingress and egress to the site is appropriately situated so as to minimize safety hazards.	Site does not have direct access to an all-weather thoroughfare.		
Existing Land Use	(3)	There is no expected affect on the current economic, agricultural, historical, archaeological, or parkland significance of the site.	A minor affect can be expected to the current economic, agricultural, historical, archaeological, or parkland significance of the site.	A major affect is expected on the current economic, agricultural, historical, archaeological, or parkland significance of the site.		
Surrounding Land Use	(4)	There is no anticipated affect on the surrounding social, cultural, economic or human environment. There are no more than 10 dwellings within a one-quarter mile radius of the site.	A moderate affect is expected to the surrounding social, cultural, economic or human environment. There are 10 - 50 dwellings within a one-quarter mile radius of the site.	A major affect is anticipated on the surrounding social, cultural, economic or human environment. There are more than 50 dwellings within a one-quarter mile radius of the site.		
Environmental Considerations	(5)	There is no apparent environmental sensitivity. The site is not characterized by wetlands, floodplains, surface water, woodlands of ecological significance, or critical habitats for rare or endangered species.	Some environmental sensitivity is apparent. The site is characterized by either wetlands, floodplains, surface water, woodlands of ecological significance, or critical habitats for rare or endangered species.	Major environmental sensitivity is evident. The site is characterized by some combination of wetlands, floodplains, surface water, woodlands of ecological significance, or critical habitats for rare or endangered species.		



Calloway County Solid Waste Management Plan

TABLE V.7-1 (Continued).

Criteria	Evaluation	Site Characteristics		Site Characteristics		Score	Weighted Score	
		Category 1	Category 2	Category 1	Category 2			
Under Aquifer	(5)	Site is located in an area characterized by protected (confined) multiple aquifers.		Site is located in an area characterized by an unprotected water table aquifer above partially to fully protected (confined) aquifer, or is an area characterized by a protected (confined) sole source aquifer.		Site is located in an area characterized by an unprotected sole source water table aquifer.		
Public Water Supplies	(5)	No municipal well field within a 10,000' radius of the site boundaries and no other public water supply source within a 5,000' radius of the site or at least 2,500' upgradient of the site.		No public water supply source within a 2,500' radius of the site boundaries or at least 1,500' upgradient of the site.		No public water supply source within a 2,000' radius of the site boundaries.		
Local Regulations	(2)	Site is zoned in an agricultural and/or industrial classification.		More than one-half of the site is zoned in an agricultural and/or industrial classification, with no residential zoning.		Less than one-half of the site is zoned in an agricultural and/or industrial classification.		
Airports	(1)	The site is located at least 15,000' from a Class A, B, or C airport, or is at least 10,000' from all other airports.		The site is located at least 10,000' from a Class A airport, or at least 5,000' from any other class of airport.		The site is located less than 5,000' from any airport.		
<b>TOTAL SITE SCORE</b>								