

4-2-1: DEFINITIONS, PURPOSE, AUTHORITY AND SCOPE:

A. Definitions: For the purpose of this chapter and unless defined in other sections, the terms, phrases and words shall have the following meanings:

ABANDONED VEHICLE: A vehicle is presumed abandoned if it is left unattended on a highway for a period in excess of twenty four (24) hours or on any public or private property for a period in excess of seven (7) calendar days without express or implied consent of the owner or person in lawful possession or control of the property.

AGRICULTURAL WASTE: The manure or crop residues from various agricultural pursuits, including, but not limited to, dairies and the raising of livestock and poultry; solid waste that results from the rearing and slaughtering of animals and the processing of animal products and orchard and field crops.

BULKY WASTE: Large items of solid waste, including, but not limited to, appliances, furniture, trees, branches and stumps. Items whose large size precludes or complicates handling by normal collection, processing or disposal methods.

CITY: The city of Green River, Utah.

COLLECTOR: Any person who collects or transports solid waste.

COMPACTION: The volume reduction of material under load.

COMPOST: Organic waste material that has biologically decomposed or is in the process of biologically decomposing under controlled conditions.

COMPOST PLANT: Any place or facility where composting occurs, except as provided in subsection 4-2-4H of this chapter.

COMPOSTING: The biological decomposition of organic waste under controlled conditions.

CONSTRUCTION AND DEMOLITION WASTE: Waste building materials and rubble resulting from construction, remodeling, repair or demolition operations on houses, commercial buildings, structures or pavements.

CONTAINER: City and collection agency approved metal, heavy duty paper, or plastic receptacles used for storage or disposal of solid waste.

COVER MATERIAL: Soil or other material used to cover compacted solid waste, which is free of objects that hinder compaction and free of content conducive to vector harborage, feeding or breeding.

DISPOSAL SITE: Any location, place, tract of land, or area, including any structure where solid waste is finally deposited.

DUST: Any particulate matter capable of being suspended in air.

FACILITY: Any structure, machinery, equipment or recycling, reclamation resource recovery, or processing facility, system or process used in the storage, collection, transfer, incineration, pyrolyzation, consolidation, segregation, treatment, conversion, utilization, processing, classification, volume reduction or disposal of solid waste.

GARBAGE: The animal and vegetable waste or food refuse resulting from handling, preparing, cooking or consumption of food.

GROUND WATER: Water occurring in the zone of saturation in any aquifer or soil.

HAZARDOUS WASTE: 1. Any solid waste or combination of solid wastes that, because of its quantity, concentration, physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitation reversible illness; or poses a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed or otherwise managed.

2. Any waste exempted or that does not meet the criteria as a hazardous waste under state or federal ordinances shall be exempted as a hazardous waste under this chapter.

HOUSEHOLD: The association of persons who live in the same dwelling, sharing its furnishings, facilities, accommodations and expenses.

HOUSEHOLD INCOME: All income received by all persons of a household in the calendar year next preceding the year in which a claim is filed.

INCOME: The sum of federal adjusted gross income as defined in the internal revenue code and all nontaxable income, including, but not limited to, the amount of capital gains excluded from adjusted gross income, alimony, support money, nontaxable strike benefits, cash public assistance and relief, the gross amount of any pension or annuity, including railroad retirement act benefits and veterans disability pensions, all payments received under the federal social security and state unemployment insurance laws, nontaxable interest received from the federal government or any of its instrumentalities, workers compensation, and the gross amount of "loss of time" insurance. "Income" does not include gifts from nongovernmental sources or surplus foods or other relief in kind supplied by a public or private agency.

INDUSTRIAL WASTE: Any waste, either liquid, solid or gas, or any combination of these, resulting from any process of industry, manufacturing, trade, business, mining, agriculture, or the development of a natural resource.

INOPERABLE VEHICLE: Any automobile, truck, motor home or bus not currently registered and licensed in this state or another state, or in any of the following conditions that shall be considered unsightly or deleterious: dismantled; broken windows; flat or no tires; missing doors, fenders, hood or trunk; will not start; is not driveable; or any other condition that would result in the vehicle's failure to pass state inspection.

JUNK: Any salvaged or scrap copper, glass, iron, steel, metal, rope, rags, batteries, paper, wood, trash, plastic, rubber, tires, waste, dismantled, wrecked, or inoperable motor vehicles or parts or other articles or materials commonly designated as "junk".

LEACHATE: Liquid that has percolated through or drained from solid waste and contains extracted, dissolved or suspended material.

LITTER: Any quantity of uncontainerized paper, metal, plastic, glass or miscellaneous solid waste.

LITTERING: The wilful or negligent throwing, dropping, placing, depositing, or sweeping of solid waste onto any premises other than in approved storage container and sites.

MAYOR: The mayor of the city of Green River, Utah, or authorized representative.

MUNICIPAL SOLID WASTE: Household waste, commercial solid waste and nonhazardous sludge.

NUISANCE: Unlawfully doing an act that annoys, injures or endangers the comfort, repose, health or safety of any person, or that renders a person insecure in life or the use of property.

OPEN BURNING: A fire whose products of combustion are emitted directly into the open air without passage through a stack or chimney.

OPEN DUMP: Any disposal site that does not comply with this chapter.

OPERATOR: A person who owns, leases or manages a site or facility.

OWNER: Any person who, alone, jointly or severally with others has legal title to any premises, dwelling or dwelling unit, with or without accompanying actual possession thereof; or has charge, care or control of any premises, dwelling or dwelling unit, as legal or equitable owner, agent of the owner, lessee, or is an executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner.

PERSON: Any individual, public or private corporation and its officers, partnership, association, firm, trustee, executor of an estate, the state or its departments, institution, bureau, agency, county, city, political subdivision, or any legal entity recognized by law.

POLLUTION: The condition caused by the presence in the environment of substance of such character and in such quantities that the quality of the environment is impaired or rendered offensive to live.

PROCESSING: Any method, system or other treatment designed to change the physical form or chemical content of solid waste.

RECLAMATION FACILITY: A facility where solid wastes are stored, dismantled, segregated or reprocessed to recover salvageable materials for sale or reuse.

RECYCLING: The process by which recovered resources are transformed into new products in such a manner that the original products lose their identity.

RECYCLING FACILITY: Any place, plant or equipment designed and operated to store, collect, redistribute and return processed material to market.

REFUSE: Garbage, rubbish and other discarded material.

RESIDENTIAL SOLID WASTE: Refuse produced by or resulting from the normal activities of residential households, and excluding asphalt, concrete, dirt, rocks or other similar materials not normally associated with day to day residential household activities. Applicable to the solid waste from a building of four (4) or less separate residential units.

RESIDUE: All solids that remain after incineration, including grade siftings, ash and fly ash.

RUBBISH: All solid waste except garbage and hazardous waste, including, but not limited to, ashes, bedding, cardboard, paper, wood, cans, metal, glass, crockery, rubber, plastic, leather, rags and yard trimmings.

SALVAGING: The controlled removal of waste materials for utilization.

SANITARY LANDFILL: A site where solid waste is disposed of using sanitary landfilling techniques.

SCAVENGE: The uncontrolled removal of solid wastes from a site or facility at any point in solid waste management.

SEWAGE: Liquid or water carried wastes, or both, produced by any person, animals or fowl from residences, business building, institutions, industrial establishments, or agricultural, recreational or other locations, including, but not limited to, septic tanks, privy vaults and cesspools, together with ground water, surface water and storm water.

SITE: Any place, tract of land or facility used for the storage, collection, transfer, conversion, utilization, processing, treatment, incineration, pyrolization, handling or

disposal of solid waste.

SLUDGE: Any solid, semisolid or liquid waste having similar characteristics and effects, generated from municipal, commercial, industrial wastewater and water supply treatment plants, or air pollution control facilities.

SOLID WASTE: Garbage, junk, inoperable vehicles, refuse, trash, rubbish, residential solid waste, hazardous waste, special waste, industrial waste, construction and demolition waste, dead animals, manure or feces, sludge, liquid or semiliquid waste, asphalt other than that being used for hard surfacing, organic materials, and waste concrete or rock larger than twelve inches (12") in diameter, other spent, useless, worthless or discarded materials or materials stored or accumulated for the purpose of discarding materials that have served their original intended purpose; or waste material resulting from industrial, manufacturing, mining, commercial, agricultural, residential, institutional, recreational or community activities. "Solid waste" does not include solid or dissolved materials in domestic sewage or in irrigation return flows or discharges for which a permit is required under Utah Code Annotated title 28, chapter 11, as amended, or under the federal water pollution control act, 33 United States Code section 1251 et seq.

SPECIAL WASTE: Those wastes that are not considered hazardous, but may require complex or special management due to characteristics such as high moisture content or bulk.

STORAGE: The actual or intended containment of solid or hazardous waste either on a temporary basis or for a period of years in such a manner as not to constitute disposal of the waste.

TRANSFER STATION: A facility where solid waste is transferred from collection to haulage vehicles for transportation to another facility or site.

TRASH: Materials, including, but not limited to, garbage, construction or demolition debris, clothing, rags, yard trimmings or other refuse resulting from the conducting of any business, trade or industry.

USED OIL: Oil which has been refined from crude oil, used, and as a result of that use, contaminated by physical or chemical impurities.

USED OIL COLLECTOR: Any person who has obtained from the state of Utah a permit allowing the collection of used oil for resale to oil refining facilities or disposal by other methods approved by law.

WASTE CONTRACTOR: A person engaged in the business of collecting, hauling or transporting garbage, refuse, agricultural or hazardous waste, sewage, sludge, dead animals, bones or other solid waste.

WATER TABLE: The upper surface of the zone of saturation, if unconfined by an

impervious formation, and that can be referred to in terms of elevation.

WORKING FACE: Any part of a disposal site where solid waste is being disposed and compacted prior to placement of cover material.

- B. Purpose: It is the purpose of this chapter to regulate the accumulation, storage, collection, transportation, processing, treatment, handling and disposal of solid wastes in a way that will protect and promote the public health, safety and welfare; prevent damage to property; prevent the spread of disease; prevent the creation of nuisances; and prevent air and water pollution.
- C. Jurisdiction Of City: All solid waste management activities which are enumerated in subsection B of this section shall be subject to the direction and control of the city.
- D. Powers And Duties: The city, by the mayor or the mayor's representative, shall be responsible for the administration of this chapter and any other powers vested in it by law and shall:
1. Require the submission of reports, plans and specifications for public or private facilities or sites as necessary to implement the provisions, requirements and standards of this chapter.
 2. Issue permits and charge fees as necessary to implement the provisions, requirements and standards of this chapter.
 3. Make inspections of any facilities or sites and issue orders as necessary to effect the purposes of this chapter.
 4. Take samples and make analyses of any solid waste or require the sampling and analysis of any such materials.
 5. Require and comment on any proposed contract or agreement between any district, city, county, governmental unit, or person for the handling, treatment, processing or disposal of any solid waste within the city.
 6. Do any and all acts permitted by law that are necessary for the successful enforcement of this chapter.
- E. Scope: It shall be unlawful for any person not to comply with any rule or regulation promulgated by the city, unless expressly waived by this chapter. (Ord. 8-13-02, 8-13-2002, eff. 8-13-2002)

