

Issue Analysis Form



Date: January 25, 2022
Ordinance Amending Section 66-1 to Remove the Term "Brush" from the Definition of "Solid Waste"

Item:

Lead Department(s): County Attorney

Contact Person(s): Dan Whitten

Description and Current Status

The County Code Section 66-1 currently defines "Solid Waste" as any waste material of a solid or semisolid nature, including industrial wastes, refuse, construction and demolition debris, brush and sludge resulting from the processing of drinking water and the treatment and disposal of wastewater.

The proposed Ordinance amending Section 66-1 will remove "brush" from the definition of solid waste. The change will allow residents to burn brush in the County as long as they are following the regulations contained elsewhere in the County Code

A draft ordinance is attached for consideration; a motion approving authority to advertise the ordinance for a public hearing on February 22, 2022, is requested.

This Ordinance shall be effective immediately.

Sample Motion: I move that the Board approve advertisement of an Ordinance amending Section 66-1 removing the term "brush" from the definition of "solid waste".

Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does This require Planning Commission Action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does this require a public hearing?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If so, before what date?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia, this 25th day of January, 2022:

Present:

Marlene J. Waymack, Chair
Donald Hunter, Vice Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

RESOLUTION; AUTHORITY TO ADVERTISE AN ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA,” AS AMENDED, BY AMENDING §66-1 TO REMOVE THE TERM “BRUSH” FROM THE DEFINITION OF “SOLID WASTE”

NOW, THEREFORE, BE IT RESOLVED, that the Board Of Supervisors of the County of Prince George this 25th day of January, 2022, does hereby authorize the advertisement of a public hearing on February 22, 2022, for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as amended, by amending §66-1 to remove the term “brush” from the definition of “solid waste”.

A Copy Teste:

Jeffrey D. Stoke
Interim County Administrator

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF
PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY
AMENDING § 66-1 TO REMOVE THE TERM "BRUSH" FROM THE DEFINITION OF
"SOLID WASTE"

BE IT ORDAINED by the Board of Supervisors of Prince George County:

(1) That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by amending § 66-1, as follows:

CHAPTER 66 SOLID WASTE

ARTICLE I. IN GENERAL

Sec. 66-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ashes means the residue resulting from the burning of wood, coal, coke, or other combustible material.

Collector means any person who regularly engages, as his principal business, in the collection, removal, or transportation of solid waste for compensation from one or more occupied dwellings or commercial establishments within the county or without the county.

Commercial vehicle means any vehicle licensed by the commonwealth as a truck or as a trailer or which bears the name of a business on its body. The classification does not include pickup trucks, provided there is no business name on the vehicle and it is licensed as a passenger vehicle.

Convenience center means a collection point for the temporary storage of solid waste, provided for individual solid waste generators who choose to transport solid waste generated on their own premises to an established centralized point, rather than directly to a disposal facility. To be classified as a convenience center, the collection point may not receive waste from collection vehicles that have collected waste from more than one real property owner. A convenience center shall be on a system of regularly scheduled collections.

Disposal includes the storage, collection, transportation, dumping, land filling, transferring and handling of solid waste material.

Garbage means all putrescible animal and vegetable wastes resulting from the handling, preparation, cooking or consumption of foods.

Hauler means any person who engages in the collection, removal or transportation of solid waste incidental to other services performed for compensation from one of more locations within or without the county.

Hazardous waste means a solid waste or combination of solid wastes which, because of its quantity, concentration or physical, chemical or infectious characteristics, may:

- (1) Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; or
- (2) Pose a substantial present or potential hazard to human health or to the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Industrial waste means solid or semisolid wastes from the operations of any manufacturing facility, or any "industry" as defined by the United States Environmental Protection Agency.

Landfill operator means an employee of the county, appointed and supervised by the county administrator, who is charged with the supervision of disposal activities at a county-owned sanitary landfill.

Private landfill means real property, not owned by the county, upon which refuse is deposited by a collector or by one or more persons who neither own nor exercise effective control over the property.

Refuse means all waste material of a solid or semisolid nature, including garbage, ashes and rubbish, except for the following:

- (1) Human and animal body wastes;
- (2) Hazardous waste;
- (3) Industrial wastes; and
- (4) Motor vehicles.

Resident of the county means any individual occupying a vehicle upon which there has been paid the registration fee required by section 78-97 of this Code or who bears suitable identification establishing that he resides within the county.

Rubbish includes glass, plastic, metal, rags, paper, plant growth, wood, masonry and other nonputrescible wastes of a solid or semisolid nature.

Sanitary landfill means a parcel of land of not less than 25 acres which is maintained and supervised by the county or an abutting municipality and upon which refuse is dumped, thoroughly compacted and promptly covered with soil or other suitable material under the

constant supervision of the landfill operator, in conformance with the rules, regulations and statutes of the commonwealth, and in such a manner as will prevent the entrance of rodents or other vermin, the breeding of insects and the escape of odors.

Solid waste means any waste material of a solid or semisolid nature, including industrial wastes, refuse, construction and demolition debris, ~~brush~~ and sludge resulting from the processing of drinking water and the treatment and disposal of wastewater.

Transfer station means any solid waste storage or collection facility at which solid waste is transferred from collection vehicles to haulage vehicles for transportation to a central solid waste management facility for disposal, incineration or resource recovery.

(Ord. No. O-00-008, § 11-1, 7-11-2000; Ord. No. O-07-02, 3-27-07)

State Law reference— Similar provisions, Code of Virginia, § 10.1-1400.

(2) That the Ordinance shall be effective upon adoption.