

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF
PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY
AMENDING § 66-1 AND § 66-81 TO REMOVE THE TERM "BRUSH" FROM THE
DEFINITION OF "SOLID WASTE" AND TO REQUIRE A 50' SETBACK FROM AN
OCCUPIED DWELLING ON AN ABUTTING PROPERTY WHEN BURNING RUBBISH ON
ONE'S OWN PROPERTY

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 and § 66-81, 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.

ARTICLE III. - DISPOSAL

Sec. 66-81. – Dumping and disposal limited to sanitary landfills, transfer station and convenience stations.

(a) It shall be unlawful for any person to throw, dump, bury, burn, destroy or otherwise dispose of solid waste within the boundaries of the county except at a sanitary landfill, transfer station or convenience station. However, ~~in areas zoned A-1 general agriculture or R-A residential agriculture,~~ when the health or safety of the public is not jeopardized and when not evident from a public road, street, or alley or from abutting property, a person may dispose of his own refuse upon property under his ownership or under his effective control; and, further, a person may burn his own rubbish on property under his ownership or under his effective control at a distance of not less than 50 feet from an occupied building on abutting property when permitted by regulations of the state air pollution control board and article III of chapter 42 of this Code.

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

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(i) The burning is at a distance of not less than 50 feet from an occupied building on abutting property;

(ii) The property is at least one acre in size unless the open burning is for camp fires or other fires that are used solely for recreational purposes, for ceremonial occasions, or for outdoor noncommercial preparation of food; and

(iii) The burning is when permitted by regulations of the state air pollution control board and article III of chapter 42 of this Code.

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