

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2524

By: Phillips

AS INTRODUCED

An Act relating to environment and natural resources; amending 63 O.S. 1991, Section 1-2412, as amended by Section 164, Chapter 145, O.S.L. 1993, and as renumbered by Section 359, Chapter 145, O.S.L. 1993 (27A O.S. Supp. 1993, Section 2-10-901), which relates to municipal solid waste management systems; permitting commercial business owners to contract for solid waste collection; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 1991, Section 1-2412, as amended by Section 164, Chapter 145, O.S.L. 1993, and as renumbered by Section 359, Chapter 145, O.S.L. 1993 (27A O.S. Supp. 1993, Section 2-10-901), is amended to read as follows:

Section 2-10-901. A. All incorporated cities and towns may directly or through a public trust of which it is a beneficiary develop a plan, subject to the approval of the Department, to provide a solid waste management system and shall adequately provide for the collection and disposal of solid waste generated or existing within the incorporated limits of such city or town or in the area to be served thereby at one or more disposal sites. The governing

body of the city or town may enter into agreements with a county or counties, with one or more other incorporated towns or cities, with persons or trusts, or with any combination thereof, to provide a disposal site or implement a solid waste management system for the incorporated city or town.

B. The governing body of such town or city shall have the authority to levy and collect such fees and charges and require such licenses as may be appropriate to discharge their responsibility, and such fees, charges and licenses shall be based on a fee schedule as set forth in an ordinance.

C. Incorporated cities or towns may control, through ordinance, regulation, rule or by permit, the collection, transportation, storage and disposal of solid waste generated or existing within the jurisdiction or control of such city or town, including requiring the delivery of all such solid waste to a disposal site. Provided, that the city or town may not require the delivery of solid waste to the operator of a solid waste management system other than in accordance with the procedures of this act.

D. Incorporated cities and towns may accept and disburse funds derived from grants from the federal or state governments or from private sources or from monies that may be appropriated from the General Fund, for the installation and operation of a solid waste management system, or any part thereof.

E. Incorporated cities and towns are authorized to contract for the purchase of land, facilities, vehicles and machinery necessary to the installation and operation of a solid waste management system, either individually or as a party to a regional or county solid waste authority.

F. The governing body of an incorporated city or town shall have the right to establish policies for the operation of a solid waste management system including hours of operation, character and

kinds of waste accepted at the disposal site, and such other rules as may be necessary for the safety of the operating personnel.

G. All incorporated cities or towns are delegated the authority necessary to fulfill these purposes.

H. All commercial business or commercial property owners shall be allowed to contract for solid waste collection with any person issued a permit under the provisions of Section 2-10-101 et seq. of this title in lieu of any solid waste collection system operated or contracted by the municipality. This subsection shall not apply to residential solid waste collection.

SECTION 2. This act shall become effective September 1, 1994.

44-2-8444

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