

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 1662

By: Barrington of the Senate

and

Jett of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to environment and natural resources;
11 amending 27A O.S. 2001, Section 2-10-901, which
12 relates to municipal solid waste management systems;
13 requiring certain cities and towns to permit burning
14 of debris on certain land or require disposal
15 services; and providing an effective date.

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

17 SECTION 1. AMENDATORY 27A O.S. 2001, Section 2-10-901,
18 is amended to read as follows:

19 Section 2-10-901. A. All incorporated cities and towns may
20 directly or through a public trust of which it is a beneficiary
21 develop a plan, subject to the approval of the Department of of
22 Environmental Quality, to provide a solid waste management system
23 and shall adequately provide for the collection and disposal of
24 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

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

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

11 C. Incorporated cities or towns may control, through ordinance,
12 regulation, rule or by permit, the collection, transportation,
13 storage and disposal of solid waste generated or existing within the
14 jurisdiction or control of such city or town, including requiring
15 the delivery of all such solid waste to a disposal site. Provided,
16 that the city or town may not require the delivery of solid waste to
17 the operator of a solid waste management system other than in
18 accordance with the procedures of ~~this act~~ the Oklahoma Solid Waste
19 Management Act.

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

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

6 F. The governing body of an incorporated city or town shall
7 have the right to establish policies for the operation of a solid
8 waste management system including hours of operation, character and
9 kinds of waste accepted at the disposal site, and such other rules
10 as may be necessary for the safety of the operating personnel.

11 G. Incorporated cities or towns shall permit landowners of
12 agricultural land located within the city or town boundaries to burn
13 debris originating from their property following a flood or other
14 natural disaster. The city or town may enact procedures to
15 determine the type of materials and locations appropriate for
16 burning and affected landowners shall comply with all local, state
17 and federal laws regulating such burning.

18 H. All incorporated cities or towns are delegated the authority
19 necessary to fulfill ~~these purposes~~ the provisions of this section.

20 SECTION 2. This act shall become effective January 1, 2009.

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22 51-2-10828 LRB 04/02/08

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