

ENROLLED SENATE
BILL NO. 1662

By: Barrington of the Senate

and

Jett and Blackwell of the
House

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

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

SECTION 1. AMENDATORY 27A O.S. 2001, 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 of Environmental Quality, 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~~ the Oklahoma Solid Waste Management 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. Incorporated cities or towns shall permit landowners of agricultural land located within the city or town boundaries to burn debris originating from their property following a flood or other natural disaster. The city or town may enact procedures to determine the type of materials and locations appropriate for burning and affected landowners shall comply with all local, state and federal laws regulating such burning.

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

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

Passed the Senate the 28th day of April, 2008.

Presiding Officer of the Senate

Passed the House of Representatives the 14th day of April, 2008.

Presiding Officer of the House
of Representatives