

ORDINANCE #2 - 1986

AN ORDINANCE REGULATING THE USE, FEES, AND PENALTIES OF THE FLEMING LANDFILL.

WHEREAS, the Town of Fleming owns, maintains, and operates the Fleming Landfill; and,

WHEREAS, the Fleming Landfill is operated for the specific benefit of the residents of the Town of Fleming; and,

WHEREAS, expenses for operating the Fleming Landfill are paid for out of tax revenues; and,

WHEREAS, the Town of Fleming is authorized by the State of Colorado to provide for the health, safety and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF FLEMING, COUNTY OF LOGAN, STATE OF COLORADO.

Section 1. Restrictions.

1.1 It is and shall be illegal for any person to discard, dispose of or otherwise to place the following material(s) in the Fleming Landfill:

- (a) Car bodies or parts thereof;
- (b) Dead animals including but not limited to dogs, cats, horses sheep, pigs, and cows;
- (c) Gasoline, oil, or other highly flammable material;
- (d) Any material normally considered to be hazardous such as items contaminated with PCBs.

1.2 No trees, tree trunks, or tree limbs of greater than 8 feet long shall be discarded, disposed of, or otherwise placed in the Fleming Landfill.

1.3 It shall be illegal for anyone to discharge firearms while on the premises of the Fleming Landfill.

Section 2. Fees and Policies.

2.1 The Board of Trustees for the Town of Fleming shall, from time to time, establish fees for using the Fleming Landfill.

2.2 The Board of Trustees shall require nonresidents of the Town of Fleming to pay a higher fee than residents of the Town of Fleming to discard, dispose of, or otherwise place like amounts of material in the Fleming Landfill.

2.3 In addition to 2.2 above, the Board of Trustees for the Town of Fleming may, from time to time, establish other criteria on which to base fees.

2.4 The Board of Trustees for the Town of Fleming shall, from time to time, adopt policies regulating the use, maintenance, and operation of the Fleming Landfill.

Section 3. Penalties.

3.1 Any person found to be in violation of any of the provisions of this ordinance, including the failure to pay fees as established by the Board, or the failure to comply with the policies as established by the Board shall be subject to a fine of not more than three hundred dollars (\$300) and shall be subject to imprisonment for not more than ninety (90) days.

Section 4.

4.1 No portion of this ordinance found to be unconstitutional shall invalidate any other portion of this ordinance.

Section 5. Repealer.

5.1 Any ordinance or any portion of any ordinance found to be in conflict with this ordinance is hereby repeale.

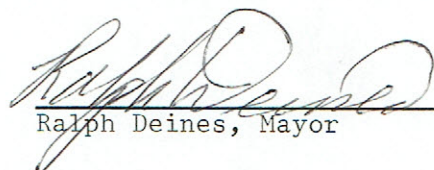
Section 6. Effective Date.

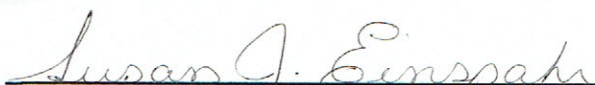
6.1 This Ordinance # 2 - 1986, shall become effective thirty (30) days after its final reading and adoption.

INTRODUCED AND APPROVED ON FIRST READING THIS 4th DAY OF FEBRUARY, 1986.

PASSED AND ADOPTED ON SECOND READING THIS 4th DAY OF MARCH, 1986.

ATTEST:


Ralph Deines, Mayor


Susan Einspahr,
Town Clerk