

**ORDINANCE NUMBER 2013-\_\_**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO TITLE 13 OF THE PIMA COUNTY CODE (SOLID WASTE); AMENDING SECTIONS 13.40.010, 13.40.020, 13.40.030, AND 13.40.070 TO MODIFY AND REPEAL DEFINITIONS, TO AMEND WASTE ACCEPTANCE CRITERIA, FEE DESCRIPTIONS, AND ENFORCEMENT PROVISIONS AND REPEALING SECTIONS 13.40.040, 13.40.050, 13.40.060**

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, AS FOLLOWS:**

Section 1. Pima County Code Sections 13.40.010, 13.40.020, and 13.40.030 are amended to read as follows, and to renumber subsequent subsections accordingly:

13.40.010 Definitions.

...  
F. "Commercial hauler" means any person who:

...  
4. Is disposing of waste generated from work requiring a construction or building permit.

...  
L. "Department" means Pima County Department of Environmental Quality.

M. "Director" means the Pima County Department of Environmental Quality director or authorized representative.

...  
O. "Green waste" . . . .

P. "Hazardous waste" . . . .

Q. "Infectious waste" . . . .

R. "Loose" means uncompacted.

- S. "Materials recovery facility" . . . .
- T. "Non-standard waste" means any solid non-hazardous municipal waste that requires review to determine if the waste is acceptable solid waste, or that requires special handling at a solid waste facility. Non-standard waste must be approved prior to acceptance.
- U. "Non-standard tires" . . . .
- V. "Operational" . . . .
- W. "Prior approval" . . . .
- X. "Recyclable material" means newsprint, aluminum cans, steel and bimetal cans, glass food and beverage containers (clear, green, brown), plastic beverage containers made of PET or HDPE, non-waxed corrugated cardboard, and other materials that are routinely acceptable for recycling at local materials processing companies.
- Y. "Recycling convenience center" . . . .
- Z. "Regulated asbestos-containing waste" . . . .
- AA. "Residential hauler" . . . .
- BB. "Sanitary landfill" . . . .
- CC. "Solid waste" means waste, as defined in A.R.S. Section 49-701, which includes any garbage; trash; rubbish; refuse; sludge from a waste treatment plant, water supply treatment plant or pollution control facility; and other discarded material including solid, liquid, semisolid or contained gaseous material, but does not include domestic sewage or hazardous waste. For county solid waste facilities, solid waste does not include liquids or other materials prohibited for disposal in construction debris landfills by 40 CFR § 257 or in a municipal solid waste landfill by 40 CFR § 258.
- DD. "Solid waste facilities" means solid waste disposal, transportation, or processing facilities owned or operated by Pima County including sanitary landfills, construction debris landfills, transfer stations, non-standard waste facilities, tire transfer stations, tire collection facilities.
- EE. "Transfer station" means a facility owned or operated by Pima County for the collection of acceptable solid waste to be subsequently transferred to a sanitary landfill.

FF. "Unacceptable wastes" . . .

1. The following wastes are unacceptable for disposal at any Pima County solid waste facility: . . .

13.40.020 Waste acceptance.

. . .

- B. For all solid waste requiring prior approval, the waste generator must, prior to disposal, submit data on the waste including source, quantity, description, and possibly waste analysis results, and other relevant information.
- C. Bulk or non-containerized liquids and sludges are not acceptable for disposal, except that non-hazardous dried sludge from wastewater treatment facilities may be acceptable as a non-standard waste for disposal at sanitary landfills with prior approval.
- D. Regulated asbestos-containing wastes are prohibited at all county solid waste facilities.
- E. Only inert materials, . . .
- F. Motor vehicle tires shall not be accepted for land disposal at a solid waste facility except by methods approved by the Arizona Department of Environmental Quality. Motor vehicle tires are accepted at tire collection facilities or tire transfer stations. All tires shall be managed at Pima County solid waste facilities in accordance with the state of Arizona waste tire program, as established in A.R.S. Sections 44-1301 through 44-1307. Non-standard tires may be accepted at the waste tire facility.
- G. All generators and haulers of non-standard waste and non-regulated asbestos-containing waste must submit a manifest for each load. Pima County reserves the right to inspect and sample all incoming waste loads to county solid waste facilities.

13.40.030 Fees.

- A. Applicable Fees. Fees for use of solid waste facilities are as set forth in the fee schedule adopted by the board of supervisors.
- B. Special Handling Fee. Haulers of non-standard wastes and non-regulated asbestos wastes that require special handling services shall be charged a fee set forth in the fee schedule.
- C. Evaluation Fee. Waste loads or waste streams that receive an evaluation of acceptability may be charged a fee set forth in the fee schedule.

- D. Uncovered Load Fee. A fee shall be charged for all loads in which refuse or other materials are not securely contained, covered or adequately restrained by nets, tarpaulins, the enclosing vehicle body, or other means to preclude blowing litter or falling objects that may pose a road hazard to the motoring public. The uncovered load fee shall be set forth in the fee schedule.
- E. Determination of Hauler Status. The site cashier shall determine whether a particular load is from a commercial or residential hauler, whether it is bulky or not, and whether the load is securely covered or properly restrained. The facility user shall pay the fee based on these decisions.
- F. Fee Reduction for Nonprofit Organizations. . . .
- G. Fee Waivers for Illegal Dump Cleanups. . . .

Section 2. Pima County Code Sections 13.40.040, 13.40.050, and 13.40.060 are repealed.

Section 3. Pima County Code Section 13.40.070 is amended to read as follows.

13.40.070 Enforcement.

The director may enforce . . .

Section 4. This Ordinance is effective 31 days after the date of its adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2013

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Chairman of the Board of Supervisors

ATTEST:

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Clerk of Board

APPROVED AS TO FORM:

REVIEWED BY:

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Deputy County Attorney

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Ursula Kramer, Director  
Department of Environmental Quality