

Section 14

SOLID WASTE SITE REGULATIONS

14.1 GENERAL PROVISIONS

A. Purpose and Intent

(1) To facilitate the administration of site selection and development of solid waste disposal sites by establishing requirements which must be met before a solid waste site may be selected or developed.

(2) To insure the development of major solid waste sites in a manner consistent with sound conservation practices, with emphasis where feasible on the recycling of waste material.

(3) To require that consideration be given to the longevity and subsequent use of waste disposal sites, soil and wind conditions, the potential problems of pollution inherent in the proposed site, and the impact on adjacent property owners, compared with alternate locations.

B. Applicability

(1) These regulations apply to the site selection and development of all solid waste disposal sites in this jurisdiction.

(2) Any person seeking to locate or develop a solid waste disposal site shall obtain a permit pursuant to these regulations prior to seeking any other permit, rezoning or other action by the jurisdiction.

14.2 NON-CONFORMING USES

The requirements of Section 4, "Zoning Provisions - Non-Conforming Uses", shall apply.

14.3 SOLID WASTE DISPOSAL SITES - PERMITS REQUIRED

The County of Ouray has designated one central "Solid Waste Disposal Site". Any additional sites proposed within this jurisdiction shall be subject to the issuance of a permit under the provisions of Section 6 of these regulations for said site, which may be issued by the Board of County Commissioners of Ouray County after conditions have been met as follows:

[14.3 A]

A. All proposed solid waste disposal sites shall be considered in accordance with Section 5, "special Uses Allowed by Permit Only (Except PUDs)".

B. A master plan shall be submitted to the County for consideration and shall indicate the following information:

- (1) The name and address of the applicant and/or owner of the disposal site and/or recycling facility.
- (2) The name and location of the facility and site.
- (3) Maximum daily proposed capacity by weight and volume.
- (4) Life expectancy of the facility.
- (5) Significant limits on acceptable material.
- (6) Community acceptability.
- (7) Any proposed disposal, reduction or recycling.
- (8) Acreage involved in the proposed disposal site and/or recycling facility.
- (9) Description of the access by street and highway, detailing for principal routes.
- (10) Description of the fencing and/or screening enclosing the site and/or facility.
- (11) Description of the wind patterns in the vicinity of the site.
- (12) Other engineering and/or geological data as may be required by regulations of the Colorado Department of Health.
- (13) Evaluation of the potential for ground water degradation by the proposed operation.
- (14) Indication of method(s) of controlling surface runoff.

[14.3 B (15)]

(15) Other ground water and hydrological data as may be required by the regulations of the Colorado Department of Health.

(16) Provision of an operational plan for placing the site into operation including the following information:

(a) The name or titles of the person or persons who will be in charge of the site and facility. Such name(s) shall be of person(s) having the responsibility for the operation as well as the authority to take all corrective action necessary to comply with the requirements of this jurisdiction.

(b) Hours of operation.

(c) Method of supervision.

(d) Rates to be charged, if any.

(e) List of equipment to be used at the site.

(f) The fire fighting equipment or department available for extinguishing fires.

(g) The frequency of cover of the deposited wastes, if a landfill.

(h) The frequency of retrieval of windblown debris.

(i) A contingency plan for eradication of rodents and insects.

(j) A contingency plan to control noxious odors.

(k) Other information as may be required by the Board of County Commissioners.

(1) Other operational data as may be required by the regulations of the Colorado Department of Health.

[14.4]

14.4 USES PERMITTED

The following uses shall be permitted within any area delineated for Solid Waste Sites, provided such uses are in compliance with the permit requirements of Section 14.3, above:

- A. Solid waste disposal sites.
- B. Recycling facilities.
- C. Accessory uses and structures directly; related and accessory to (A) and (B), above.

14.5 DENIAL OF PERMITS and/or REVOCATION OF PERMITS

- A. The permit authority shall deny the permit if the development does not meet all of the criteria set out in regulations or if the Colorado Department of Health has recommended disapproval of the site.
- B. The Board of County Commissioners, after reasonable notice and public hearing, shall temporarily suspend or revoke a permit that has been granted by it for failure of a site to comply with all applicable laws, resolutions and ordinances, including applicable regulations adopted by the Colorado Department of Health.
- C. Any site which is abandoned or operated or maintained in a manner which violates this Section or other applicable laws or regulations, shall be deemed a public nuisance and may be enjoined by a district court for the jurisdiction in an action brought by the Board of County Commissioners.