

July 7, 1987  
Jonesboro, LA

The Jackson Parish Police Jury met in regular session on Tuesday, July 7, 1987, with the following members present: Rodney Alexander, Johnny McCarty, David McManus, Huey Massey, Roger Young, Ross Pullin, Kennie Bowman, Troy Smith, Lamarr Davis, and James Bradford.

The meeting was called to order by the President and the invocation was given by Mr. Alexander.

Mrs. DeNeise Barlow, Director of the Jackson Parish Recreation Department, came before the Jury to ask that the Jury approve two projects: A lease agreement with the Town of Jonesboro for the old swimming pool site on Leon Drive and a ballfield for the Weston area.

Motion Mr. Davis seconded Mr. Young to approve the lease agreement between the Town of Jonesboro and the Jackson Parish Recreation Board on the old swimming pool site on Leon Drive and the Weston Ballfield Project. Motion carried.

Mr. Charles Tarver, DUCA Project Administrator, came before the Jury to discuss the project.

Motion Mr. Davis seconded Mr. Pullin to authorize the President to sign Change Order # 2 on the DUCA Project(Force Main). Motion carried.

Motion Mr. Davis seconded Mr. Pullin to authorize the President to sign a Change Order on the Demonstrated Needs DUCA Project(Street Overlay). Motion carried.

Motion Mr. McManus seconded Mr. McCarty to authorize the President to sign a Division of Administration application for water improvements in the Mt. Mariah area. Motion carried.

Mr. Mike Barr, Rural Community Fire Protection District 2, came before the Jury to request that the Jury create the District to be comprised of Ward 2.

Motion Mr. McCarty seconded Mr. Young to approve the request of Rural Community Fire Protection District 2 and hold the necessary public hearing. Motion carried.

Motion McCarty seconded Mr. Smith to hold a public hearing on Tuesday, August 4, 1987, at 5:30 PM on the proposed Rural Community Fire Protection District 2. Motion carried.

Motion Mr. Smith seconded Mr. Pullin to approve the bills for payment and the minutes as published. Motion carried.

Motion Mr. McCarty seconded Mr. Bowman to accept the Solid Waste Ordinance as amended. Motion carried.

#### SOLID WASTE ORDINANCE

##### ARTICLE I - GENERAL

A. This ordinance establishes rules and regulations in connection with the collection and disposal of Solid Waste within the Parish of Jackson. This ordinance supplements the requirements of the Louisiana Solid Waste Rules and Regulations (LSWRR) established by the Louisiana Department of Natural Resources, Solid Waste Division, Office of Solid and Hazardous Waste, Department of Environmental Quality as required by the Louisiana Solid Waste Management and Resource Recovery Law, Louisiana Revised Statute 30:1121 et. seg. In event of conflict between this ordinance and the LSWRR, the requirements of LSWRR shall prevail.

B. Any individual, partnership, firm or corporation who violates the terms or conditions of this ordinance shall, upon conviction by a court of competent jurisdiction, be fined not more than five hundred dollars (\$500.00) or imprisoned not more than six (6) months, or both, at the discretion of the court. Each violation shall be considered a separate offense.

C. This ordinance shall take effect and be in force as of the 1st day of August, 1987.

## ARTICLE II - DEFINITIONS

For all purposes of this ordinance, the terms defined in this Section shall have the following meanings, unless the context of use clearly indicates otherwise.

- A. LSWRR - Louisiana Solid Waste Rules and Regulations
- B. Agricultural Waste - non-hazardous waste resulting from the production and processing of on-the-farm agricultural products, including manures, prunings and crop residues.
- C. Construction Materials - non-hazardous material generally considered not to be water soluble, including but not limited to steel, concrete, brick, asphalt roofing material, or lumber from a construction or demolition project. A mixture of construction and demolition debris with any amount of other types of solid waste will cause it to be classified as other than construction materials.
- D. Garbage - solid waste which includes animal and vegetable matter from the handling, preparation, cooking and serving of foods; but does not include industrial solid waste from food-processing operations.
- E. Hazardous Waste - wastes identified as hazardous in Appendix A of the Hazardous Waste Management Plan and subsequent Guidelines(Louisiana Department of Natural Resources Plan).
- F. Industrial Solid Waste - solid waste produced in the course of and resulting from any industrial, manufacturing, or mining process, which is not subject to regulation under the Louisiana Hazardous Waste Management Plan. Note: Trash, construction debris, and other non-process wastes are not considered industrial solid waste.
- G. Infectious Waste - those wastes which may cause disease or reasonably be suspected of harboring pathogenic organisms; included are wastes resulting from the operation of medical clinics, hospitals, and other facilities producing wastes which may consist of, but are not limited to, diseased human and animal parts, contaminated bandages, pathological specimens, hypodermic needles, contaminated clothing, and surgical gloves.
- H. Solid Waste Refuse Container Site - a container or containers and land together with appurtenances required, used to accumulate solid waste pick-up by a transporter.
- I. Putrescible - liable to rapid decomposition by bacteria, fungi, or oxidation creating noxious odors.
- J. Site - the location in the Parish designated by the Police Jury as a place for all solid waste to be collected for disposal.
- K. Solid Waste - any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities; but does not include or mean solid or dissolved material in domestic sewage or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to permits under LA R.S. 30:1094, or source, special nuclear, or by-product materials as defined by the Atomic Energy Act of 1954(42 U.S.C. 2011 et. seq.), as amended, or hazardous waste subject to permit under LA R.S. 30:1131 et. seq.
- L. Solid Waste Management System - the entire process of collection, transportation, storage, processing and disposal of solid waste by any person or persons engaged in such process as a business or by any municipality, authority, trust, parish or by any combination thereof.
- M. Type(of Waste) - a division of wastes into general categories for management purposes (e.g. general garbage and trash, tree limbs, construction materials, industrial solid waste, water/wastewater treatment sludges, woodwaste, etc.).
- N. Wood Waste - wood residue, cutoffs, wood chips, sawdust, wood shavings, bark, leaves, pine straw, earthen material, wood refuse, wood-fired boiler ash, and similar types of waste. Wood product materials such as treated lumber, glued plywood, and bonded materials are not considered woodwaste under this definition.

## ARTICLE III - LITTER, SCAVENGING AND LOITERING

### SECTION III - I LITTER

- A. It shall be unlawful for any person to dump, leave, or deposit any paper, boxes, trash, refuse, dead animal, leaves or any other kind of debris or garbage upon any public road or any part of the public road right-of-way or any public easement in the Parish.

B. It shall be unlawful for any person to dump, leave or deposit any paper, boxes, refuse, dead animal, leaves or any other kind of debris or garbage on any private land or another without the permission of the owner of said land.

C. It shall be unlawful for any person to dump or deposit any paper, boxes, trash, refuse, dead animal, leaves or any other kind of debris or garbage off of any public road, bridge, or drainage structure into any creek, stream or waterway in the parish.

D. It shall be unlawful for any person to operate or permit the operation of a truck, trailer or other motor vehicle containing paper, boxes, trash, refuse, leaves or any other kind of debris or garbage upon the public roads and highways of the parish, where the said paper boxes, trash, refuse, leaves or any other kind of debris or garbage are not properly covered or otherwise secured so that said paper, boxes, trash, refuse, leaves or any other kind of debris or garbage is blown or otherwise falls from the truck, trailer or motor vehicle onto a public road right-of-way or public easement or onto the property of another.

#### SECTION III - 2 SCAVENGING

It shall be unlawful for any person to scavenge solid waste refuse containers, owned, operated and maintained by the parish, or any other containers located on a refuse container site, maintained by the parish police jury. The term, scavenging, as used herein shall include, removing materials of any type from the container, going inside of the container or by any means causing the contents of a container to be ejected from said container or containers; provided, however, that this section shall not apply to employees, agents or other personnel duly authorized by the parish police jury to service and maintain such refuse containers and sites.

#### SECTION III - 3 LOITERING

It shall be unlawful for any person or persons to loiter around or on any solid waste refuse container site which is maintained by the parish police jury. For the purpose of enforcing this ordinance such solid waste refuse container sites shall be considered public property.

#### ARTICLE IV - JACKSON PARISH PICK-UP STATION AND LANDFILL

##### SECTION IV - 1 GENERAL DESCRIPTION

The Jackson Parish Police Jury shall provide one site within the Parish which shall serve as a collection site for all non-hazardous, non-industrial, solid wastes generated by the residential citizens and commercial establishments of Jackson Parish. The site shall process all solid wastes which the State of Louisiana permits it to process. Within the site are two types of disposal facilities - a construction materials - woodwaste landfill and a pick-up station.

A. Landfill: At the option of Parish employees, construction materials and woodwastes may be buried on site.

B. Pick-up-Station: All putrescible wastes, all solid wastes excluding construction materials and woodwastes, and all combination loads of putrescible wastes, construction materials, or woodwastes shall be transported and disposed of off site (to an area disposal facility).

##### SECTION IV - 2 SITE PROCEDURES

A. All vehicles transporting solid wastes to the site shall stop and weigh at the Parish truck scales. While at the scales, the scale attendant shall determine the type of waste on the vehicle. All hazardous waste, liquid waste, sludge, industrial wastes and an other types of waste not permitted by the State of Louisiana to be received at the site shall be rejected by the Scale Attendant and not be allowed to unload at the site.

B. After receiving direction from the scale attendant, the vehicle shall proceed to unload as directed by Parish employees on site. After unloading, the vehicle shall again stop at the truck scale, weigh out and, if required by type of solid waste, obtain a copy of the weight ticket from the solid waste scale attendant.

C. While on-site, all vehicles shall proceed as directed by Parish Employees and shall obey all laws for operation of a vehicle which apply to the public roads of the State of Louisiana. The Sheriff of Jackson Parish shall have the same authority on-site to enforce such laws as he has on any public road.

##### SECTION IV - 3 DAYS AND HOURS OF OPERATION

The days and hours of operation shall be as determined by the Police Jury and are subject to change by the Police Jury at its discretion.

SECTION IV - 4 TYPES OF WASTE ACCEPTABLE AT THE SITE

This site shall receive all wastes which the State of Louisiana allows the site to receive. Specifically excluded are liquid wastes, sludge, industrial wastes, infectious wastes and hazardous wastes.

SECTION IV - 5 COMMERCIAL PERMITS

No non-governmental, non-residential or non-private vehicle shall be allowed to dispose at the site without first obtaining a permit for such disposal from the Police Jury. All commercial vehicles shall obtain such permit prior to disposal. Charge for such permit shall be ten dollars (\$10.00) and shall be a one time charge. To obtain a Permit, the Permittee shall provide information regarding the type of waste to be hauled to the site along with the commercial business name and address.

SECTION IV - 6 SITE CHARGES

It is the intent of the Police Jury not to charge for disposal of solid waste upon which sales tax has been paid. For purposes of this ordinance, no charges will be levied upon solid wastes transported to the site by any private individual or by any Parish local government.

Any commercial permittee shall be charged at the rate of five dollars (\$5.00) per ton plus whatever rate the Parish pays at the disposal facility to which the Parish hauls, provided the solid waste is generated within Jackson Parish.

For any waste hauled to the site from a source outside of Jackson Parish, the permittee shall pay at the rate of fifteen dollars (\$15.00) per ton plus whatever rate the Parish pays at the disposal facility to which the Parish hauls.

Any permittee who does not pay for disposal with thirty (30) days of disposal at the site shall not be allowed to use the site until all charges due the Parish are paid.

SECTION IV - 7 CHARGES FOR NON-ALLOWABLE WASTES

In event wastes delivered to the site and unloaded are discovered to be wastes for which the site is not allowed to receive, the Police Jury shall have the right to charge its costs, plus twenty (20%) percent surcharge, to the disposer who transported the wastes to the site.

In a case where a vehicle is unloaded within the site and, upon unloading the load is determined to be a mixed load, the owner of the vehicle shall have the following options:

A. He may, at his cost, reload all non-allowable solid waste and remove it from the site, or if it is an acceptable waste, transport it to the pick-up station, or the landfill area as the case may be, or

B. He may, with his or his driver's knowledge, pay the Parish at the rate of thirty dollars (\$30.00) per hour per man utilized to remove the unacceptable material to the pick-up station or the landfill area as the case may be. This option shall be allowed only if the waste is an allowable waste for which the pick-up station is permitted. The minimum charge, under this option, shall be fifty dollars (\$50.00).

ARTICLE V - VALIDITY AND REPEAL OF CONFLICTION ORDINANCES

Should any section or provision of this ordinance be declared as invalid by a court of competent jurisdiction, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid, this police jury hereby declaring that it would have passed those parts of this ordinance which are valid, and omitted any parts which may be unconstitutional or otherwise invalid at the time of the adoption of this ordinance.

All ordinances or parts of ordinances in conflict herewith or inconsistent with the provisions of this ordinance are hereby repealed.

This ordinance was adopted by a unanimous vote.

Motion Mr. Massey seconded Mr. Young to send the commercial container matter to the Solid Waste Committee. Motion carried.

Motion Mr. McCarty seconded Mr. Smith to resurface the portions of Parish Roads 110, 200, 206, and 230 that were asphalt and have been scarified by the Jury. Motion carried.