

## ORDINANCE NO. 2010-4

AN ORDINANCE ESTABLISHING THE REGULATION AND USE OF THE MUNICIPAL LANDFILL OF THE VILLAGE OF CLEARWATER, NEBRASKA; ESTABLISHING THE TYPE OF WASTE MATERIALS WHICH MAY BE DUMPED IN THE MUNICIPAL LANDFILL; ESTABLISHING PENALTIES FOR THE VIOLATION OR NON-COMPLIANCE WITH THE ENFORCEMENT OF THE DUMPING OF LAWFUL WASTE MATERIALS IN THE MUNICIPAL LANDFILL; PROVIDING FOR DEFINITIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR A TIME WHEN THIS ORDINANCE SHALL GO INTO FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE CHAIRMAN AND VILLAGE BOARD OF THE VILLAGE OF CLEARWATER, ANTELOPE COUNTY, NEBRASKA;

SECTION 1. The Clearwater Municipal Code shall incorporate the following supplemental provisions into its existing code provisions on the subject of municipal landfill contained in Chapter 3, Article VI, as follows:

SECTION 2. The phrase "lawful waste materials" as used in this ordinance shall include unpainted wood, trees, branches, leaves, grass clippings, and iron/appliances. The phrase "unlawful waste materials" shall be any material not specifically set forth in the definition of "lawful waste materials" above, including, but not limited to, painted wood, pressed wood, laminated wood, plywood, glass, batteries, tin cans, clothing, mattresses, household trash, carpets, plastic, and construction debris.

SECTION 3. There shall be located at the entrance of the municipal landfill rules and regulations which shall be prominently displayed by a sign and which rules shall be strictly adhered to by all persons utilizing the said municipal landfill. It shall be the duty and obligation of the Chairman and Village Board to require all rules and regulations be strictly adhered to at the municipal landfill and all employees working at the municipal landfill shall be subject to the direction and order of the Chairman of the Village of Clearwater.

SECTION 4. Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this ordinance set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.

SECTION 5. Any other ordinance section passed or approved prior to the passage, approval and publication or posting of this ordinance and in conflict with its provisions is hereby repealed.


SECTION 6. If any section of this ordinance or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

SECTION 7. This ordinance shall take effect and be in full force from and after its passage, approval and publication or posting as required by law.

APPROVED AND PASSED BY THE GOVERNING BODY OF THE VILLAGE OF CLEARWATER, NEBRASKA THIS 25<sup>th</sup> DAY OF June, 2010.

  
Chairman

ATTEST:

  
Village Clerk