

**AN ORDINANCE TO AMEND THE CODE OF WASHINGTON COUNTY, VIRGINIA,
CHAPTER 50, ARTICLE II, SECTIONS 50-31, SOLID WASTE CONVENIENCE
CENTERS AND TRANSFER STATION TO INCLUDE A VEHICLE LICENSE FEE
AUTO DECAL AND REQUIREMENTS FOR WASHINGTON COUNTY RESIDENTS**

WHEREAS, the Board of Supervisors has requested a vehicle license fee for an auto decal to be displayed in the solid waste convenience center and transfer station, included with county residents' personal property tax mailing and provides instructions to residents that may not receive a vehicle license auto decal from the County Administrator's Office in Washington County, with proof of residency and proof of current property taxes;

WHEREAS, NOW, THEREFORE, be it resolved the Board of Supervisors of Washington County, Virginia, after notice and public hearing, as required by law, hereby adopts this Ordinance, which shall be incorporated into the Washington County Code (2002), to amend Solid Waste, Convenience Centers and Transfer Station Ordinance to include an auto decal.

1. That an Amendment be added in the Solid Waste Convenience Centers and Transfer Stations, Chapter 50, Article II, Section 50-31, of the Code of Washington County, Virginia (2022), as set forth below;
2. That should any section or provision of this Ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this Ordinance or the Washington County Code (2022);
3. That this Ordinance shall become effective immediately upon its enactment.

**Chapter 50: Solid Waste
Article II: Disposal
Section: 50-31**

Sec. 50-31: Solid Waste Convenience Centers and Transfer Station.

The purpose of this Division is to provide for a sticker decal which shall be used in accordance with Chapter 50, Article II, Section 50-31 for the Code of Washington County, Virginia.

- (a.) The Board of Supervisors hereby creates a system of solid waste convenience centers and a county solid waste transfer station to facilitate the environmentally sound disposal of solid waste other than hazardous wastes, hazardous materials, hazardous substances, household hazardous waste, radioactive waste, nuclear waste or sludge. The board of supervisors shall by resolution establish the types of solid waste which shall be accepted at these solid waste management facilities and shall establish the hours of operation and fees for the use of various facilities.
- (b.) The county solid waste management facilities are established and designed to receive solid waste generated within the county. There shall be no disposal of solid waste ~~from outside of~~ **in** the county at these solid waste management facilities unless a fee

is paid as described in this section, and in addition as may established pursuant to section 50-33. The payment of a fee as described in this section shall ~~also~~ be required for residents that generate solid waste in the county and those persons in the county who dispose of solid waste ~~from outside of the county~~, which ~~solid waste~~ has been generated from outside of the county. An additional availability fee established pursuant to section 50-33 may apply in this circumstance.

- (c.) The operation of the county solid waste management facilities shall conform to the guidelines established by the state department of environmental quality governing disposal of solid waste and with all applicable federal and state laws and regulations.
- (d.) Individual residents of the county may dispose of solid waste approved for disposal by the board of supervisors generated from their individual households into the county solid waste convenience centers ~~without charge~~ with a vehicle license fee auto decal to be provided by the county for an annual fee in the amount of one (\$25.00) which shall be included in personal property tax fees.
 - a. The vehicle license fee for an auto decal will be reallocated from fees which are currently collected.
 - b. The vehicle license fee auto decal will be mailed to all residents with their personal property tax notices every three (3) years.
 - c. The vehicle license fee auto decal shall be valid for three (3) years and shall be replaced upon receipt of the new decal provided with resident's personal property tax notices.
 - d. In the event, a resident does not receive their vehicle license fee auto decal; the resident may request an auto decal in the County Administrator's at the Washington County Government Center with proof of residency and proof of payment of personal property taxes.

All other persons shall be charged a fee for the use of the county solid waste facilities and may be prohibited from using some or all of the county waste facilities. By virtue of the Code of Virginia § 10.1-1411, the county shall charge the towns within the county, their residents, establishments an institutions and amount not to exceed their pro rata cost, based upon population, for solid waste disposal service provided at the county solid waste facilities if the county levies a consumer utility tax. The fees or charges for use of the county solid waste facilities are to be established by resolution of the board of supervisors. This charge or fee may be based upon tonnage, cubic yardage or individually specified for certain categories of solid waste being disposed. Persons required to pay the fee under this section shall require motels, manufactured home parks, trailer parks, apartments and other entities which provide solid waste collection and disposal service for their customers or tenants, as well as private solid waste haulers. Noncommercial disposal of building materials and brush will be charged at a rate and in the manner established by the board of supervisors by resolution.

- (e.) Individuals who reside elsewhere but who own real property in the county may, when visiting their property in the county use the solid waste convenience centers to dispose of household solid waste which they generate in the county during their visit to their property located in the county on the same terms and conditions as county residents; however, reasonable inquiry and a reasonable investigation may be conducted to establish that the requirements of this section are met.
- (f.) An individual who does not reside in the county may use the solid waste convenience centers to dispose of household solid waste generated by a member of his immediate family who resides in the county if the person disposing of the solid waste provides this service to only one household and receives no compensation for disposing of the solid waste; reasonable investigation may be conducted to establish that the requirements of this section are met.
- (g.) No person shall dispose of solid waste anywhere in the county, whether on public or private property, except in an authorized sanitary landfill, the county transfer station, a county convenience center or in bulk trash containers placed by the county in accordance with the provisions of section 50-32.
- (h.) At the solid waste convenience center which the county operates in the Rye Valley District of Smyth County, solid waste will be accepted from residents of Smyth County on the same terms and basis as solid waste will be accepted from Washington County residents.

(Code 1997, §50-31) State Law reference – Authority to levy charge on towns in county and town residents not to exceed pro rata cost, etc., Code of Virginia, § 10.1-1411

Chapter 50-34: Violations and penalties.

Any person who violates any provision of this article shall be punished by a fine of not more than fifty dollars for each such violation.

Code of Virginia § 10.1-1418.1

Chapter 50-35 through 50-65: Reserved