

MOTION: M-019-2009

SUMMARY

A Motion of Council supporting a proposed amendment to House Bill 1 which would restrict the authority of a Solid Waste Management District to prohibit out-of-district waste from entering landfills within its authority.

MOTION OF THE COUNCIL OF THE COUNTY OF SUMMIT

WHEREAS, in November, the Stark Wayne Tuscarawas Joint Solid Waste District adopted Rule 9.04 designed to keep out-of-county Ohio solid waste from being disposed of within privately owned landfills located in the Joint District; and

WHEREAS, These three landfills have multiple decades of permitted disposal capacity to meet both the disposal needs of both the Joint District as well as out-of-district generators; and

WHEREAS, Rule 9.04 would not apply to solid waste imported from outside the state, as such waste is protected by the Commerce Clause of the U.S. Constitution; and

WHEREAS, The application of Rule 9.04 would force local governments, business and manufacturers within Summit County and elsewhere to bear the additional cost of transportation to more distant landfills; and

WHEREAS, Current economic pressures, the cost to transport solid waste to alternate, more distant disposal locations would create an additional economic handicap on local government, commercial businesses and manufacturers in Summit County; and

NOW, THEREFORE, IT IS MOVED, BY THE COUNCIL OF THE COUNTY OF SUMMIT,
That:

Section I The Council of the County of Summit supports the adoption of an amendment to ORC Section 343.01, and finds the proposed amendment would continue to meet the original legislative intent of allowing districts to protect their disposal capacity to meet the state mandated solid waste plan requirements. It also finds that the passage of proposed amendment is within the best interest of the public as it would prevent an unjustified burden to Summit County consumers.

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SECTION 2

The Clerk of Council is hereby directed to send a copy of this Motion to Summit County's State Representatives and State Senator.

Movant: Mr. Crawford

First Consideration: April 27, 2009

APPROVAL:

Nick Kostandaras April 27, 2009
Council President Date Approved

Shirley F. Green
Clerk of Council

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras Poda, Prentice, Rodgers, Schmidt, Smith ABSENT: Shapiro