Title: Administrative Policy Solid Waste Disposal Site and Facility Fund	**Policy No.** Part 4, Financial Administration Chapter 4, Enterprises, Funds, Tax Districts Section 1
	Effective Date December 5, 2006
Policy Custodian Planning and Zoning Division	**Adoption/Revision Date** December 5, 2006/August 2012

Adopting Resolution(s): CC06-538

References (Statutes/Resos/Policies): §30-20-100.5 et seq.; CC86-1135, CC87-3, CC87-293, CC90-275, CC92-88, CC92-163, CC95-134, CC05-397

Procedure: Solid Waste Site and Facility Application Procedures

Purpose: To establish requirements for the issuance of a Certificate of Designation and to establish the Solid Waste Disposal Site and Facility Fund

Policy: Solid Waste Disposal Site and Facility Fund

A. Application

1. Any person desiring to own or operate a solid waste disposal site and facility must apply and pay all applicable fees in accordance with this policy and the procedure that implements this policy.

2. Pursuant to the authority set forth in Section 30-20-103, C.R.S. 1973 (as amended), accompanying each application for a Certificate of Designation shall be a nonrefundable processing fee in an amount established by the Board of County Commissioners.

3. Any proposed change to an existing Certificate of Designation affecting neither acreage nor yearly volume of materials shall be considered an amendment. Amendment applications shall be charged the nonrefundable processing fee established by the Board of County Commissioners.

4. Any fee paid to the county for rezoning shall be credited toward the amount specified above.

5. The Colorado Department of Public Health and Environment shall make a recommendation to approve or disapprove the application. Any conditions of approval recommended by the Colorado Department of Public Health and Environment must be incorporated as requirements in the Certificate of Designation. If the Colorado Department of Public Health and Environment recommends disapproval, the Board of County Commissioners cannot approve the application and issue a Certificate of Designation.

6. Jefferson County Public Health shall review and comment of the application.

B. Solid Waste Disposal Site and Facility Fund

1. Pursuant to the authority set forth in 30-20-115, C.R.S., the Jefferson County Board of County Commissioners has created the Jefferson County Solid Waste Disposal Site and Facility Fund ("the fund").

2. The fund shall be financed with a service charge equal to 7% of the gross revenues collected by the operators of solid waste disposal sites and facilities in Jefferson County. For the purposes of this Policy, gross revenues shall not include any solid waste users fees collected by the operators pursuant to Section 25-16-104.5, C.R.S. Since the Denver Water Board Ralston Reservoir Sludge Disposal site does not collect revenue and is not operated for profit, it shall be assessed on a gate cubic yard basis of $.25 per cubic yard, which equates to the 7% of the gross revenues figures stated above.

3. The fund shall be administered by the County Administrator or designee.

4. All sites and facilities within the county which dispose of solid waste as defined in 30-20-101(6), C.R.S., shall be subject to that service charge.

5. It shall be the duty of the owners and operators of the solid waste disposal sites and facilities to collect said charge at the time that their fees are collected and to remit the same to the County on or before the last day of the month following the end of each calendar quarter.

6. The owners and operators shall, in addition to normal record-keeping, keep records of the volume of waste disposed there, the amount of service charges collected and records of their gross revenues collected from solid waste disposal at the site. All of these records shall be kept on site and shall be open to inspection by the Board of County Commissioners or any designated agent of the Board at any time during business hours.

7. It shall be the duty of the Jefferson County Planning and Zoning Division to maintain a current list of all solid waste disposal sites and facilities within the county. That list shall include the name and location of the facility, and the telephone number and the name of a person associated with the facility who can be contacted for compliance and auditing purposes. That list shall be kept up to date, and notification of any changes in the list shall promptly be given to the County Administrator of designee.

8. Two-thirds (2/3) of the charge imposed herein and deposited in the Jefferson County Solid Waste Disposal Site and Facility Fund shall be used to finance routine solid waste management activities in Jefferson County. The purposes for which this 2/3 portion of the fund may be used include, but are not limited to:

    a. Compensating Jefferson County for costs of inspections, monitoring, and enforcement of the Jefferson County zoning and certificate of designation conditions and requirements for solid waste disposal sites and facilities;

    b. Providing Jefferson County staff support costs;

    c. Removing litter from roadsides;

    d. Constructing and maintaining road access to disposal sites and facilities;

    e. Paying Jefferson County insurance costs associated with solid waste management activities;

    f. Instituting a household hazardous separation and collection program;

g. Developing a resource recovery and recycling program;

h. Developing and coordinating programs designed to increase the public awareness of waste issues;

i. Providing funds for special projects and incentives to foster alternative approaches to waste handling;

j. Developing and funding an advisory task force composed of representatives chosen by the Board of County Commissioners from the county's leading waste producing industries, the waste handling industries, community representatives, and concerned citizens, whose purpose shall be to make recommendations for county waste policies and programs, including programs for alternative waste handling; and

k. Funding any other solid waste management programs or purposes determined necessary by the Board of County Commissioners.

9. One-third (1/3) of the charge imposed herein and deposited in the Jefferson County Solid Waste Disposal Site and Facility Fund shall be used to address impacts and emergencies resulting from solid waste-related operations. Such uses include, but are not limited to:

   a. Illegal dumping clean-up;

   b. Waste spills; and

   c. Any other remedial action relating to impacts, emergencies, or environmental problems created by past and future solid waste disposal sites.

10. Expenditures from the fund for the purposes set out herein shall be made at the discretion of and occur only upon prior authorization by the Board of County Commissioners.

11. The fund is intended to provide assurance that money will be available when needed to deal with potential waste-related impacts, emergencies, or environmental problems and to finance routine solid waste management activities in the county. Nothing herein shall relieve an owner and operator of any particular site or facility from its operation or mitigation responsibilities at that site and facility, or from compliance with any conditions imposed by the Board of County Commissioners in a certificate of designation. Nor shall anything herein relieve an owner or operator from any liability to third parties for bodily injury or property damage caused by sudden or non-sudden accidental occurrences arising from operation and maintenance of a solid waste disposal site and facility. Owners and operators of waste disposal sites and facilities shall reimburse the fund for any fund expenditures associated with and necessitated by a particular owner and operator's site and facility.

12. Failure to comply with any of the terms of this policy may result in suspension or revocation of the site and facility certificate of designation issued by the Board pursuant to 30-20-112, C.R.S.