

1 IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

2 FOR THE COUNTY OF YAMHILL

3 SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

4 An Amendment to the present)
Yamhill County Solid Waste)
5 Ordinance as amended by Ordin-)
ances 154 and 192; to Provide)
6 for a Permit System for Tire)
Salvage, Review by the Solid)
7 Waste Advisory Committee,)
Establish Penalties, and)
8 Defining Terms Related to)
Scrap Tires.)

ORDINANCE NO. 259

AMENDING THE YAMHILL COUNTY
SOLID WASTE COLLECTION AND
DISPOSAL ORDINANCE AS
AMENDED BY ORDINANCE 154
and ORDINANCE 192.

9

10 THE YAMHILL COUNTY BOARD OF COMMISSIONERS ORDAIN that
11 the Solid Waste Disposal and Collection Ordinance, as amended
12 by Ordinance No. 154 and Ordinance No. 192, be and hereby is
13 amended as follows:

14 SECTION 1. -- The following shall be added to the
15 Yamhill County Solid Waste Disposal and Collection Ordinance
16 as amended by Ordinances 154 and 192 and shall become ARTICLE XI
17 of said Ordinance:

18

19

ARTICLE XI

20

REGULATION OF SCRAP TIRES

21

Section 15.01 -- DEFINITIONS. The following definitions
22 shall apply to § XI:

23

a. Motor vehicle tire: Any motor vehicle tire made
24 wholly or in part of rubber or of any other synthetic material,
25 including tire bodies, carcasses, casings or parts of tires in
26 whatever form, originally designed for use by any vehicle

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AS AMENDED BY ORDINANCES 154 and 192.

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1 propelled by a motor, including any vehicle pushed or pulled
2 by a motorized vehicle.

3 **b. Salvage:** The use of a scrap tire for a purpose
4 other than on a motor vehicle. The term "salvage" does not
5 include the recycling of scrap tires through recapping or
6 other means for the purpose of making said scrap tires suitable
7 for use on a motor vehicle.

8 **c. Scrap tire:** Any motor vehicle tire, new or used,
9 whether or not it is in a condition to be reused, retreaded or
10 otherwise salvaged.

11 **d. Permittee:** Any person engaged in picking up
12 or transporting scrap tires for salvage or disposal, whether
13 or not incidental to another business, and who has obtained
14 a permit under this Ordinance prior to so acting; but
15 excluding franchise holders under this Ordinance.

16
17 Section 15.02 -- APPLICATIONS. Applications for
18 salvage permits shall be on forms provided by the Administrator.
19 In addition to any information required on the forms, the
20 Administrator may require such additional information as he
21 deems necessary to ensure compliance with this Ordinance. No
22 fee shall be charged for processing applications pursuant to
23 this Ordinance.

24 **a.** Applicants shall state the particular use
25 planned for the scrap tires, the number of tires required,
26 date use shall be completed, and the source of tires.

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1 b. Applicant shall state, specifically, the manner
2 in which the scrap tires shall be screened from public view,
3 anchored to the ground, if applicable.

4 c. Applicant shall identify any potential vector
5 or pest breeding or habitat areas in the proposed use and
6 the control methods to be utilized in order to avoid them.

7
8 Section 15.03 -- REVIEW. All applications shall
9 be subject to review by the Yamhill County Solid Waste Advisory
10 Committee and the Yamhill County Sanitarian. They shall make
11 such investigation as they deem appropriate. The Committee
12 shall hear the application at its next regular meeting after
13 the completion of its investigation and the appropriate public
14 notice is made, subject to continuance as necessary, and shall
15 make a finding on the advisability of allowing the application
16 based on the following criteria:

17 a. Utility of the proposed use.

18 b. Effect of the proposed use on the esthetics of
19 the surrounding neighborhood.

20 c. Potential of the proposed use to create vector
21 or pest breeding and/or habitat areas.

22 The decision of the Committee may be appealed within 30 days
23 of the decision to the Board of Commissioners for a review.

24 Such review, on appeal, shall be de novo by the Board of
25 Commissioners.

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1 Section 15.04 -- ENFORCEMENT. In addition to the
2 penalties provided below, this § may be enforced pursuant to
3 ARTICLE II of this Ordinance.

4
5 Section 15.05 -- PROHIBITION.

6 a. No person shall knowingly sell or otherwise make
7 available to any other person more than 50 scrap tires for the
8 purpose of salvage or disposal in Yamhill County in any given
9 calendar year unless said other person is a permittee or
10 franchisee under this Ordinance.

11 b. No person shall knowingly receive more than 50
12 scrap tires for the purpose of salvage or disposal in Yamhill
13 County unless said person is a permittee or franchisee under
14 this Ordinance.

15 c. No person shall knowingly transport or cause to
16 be transported wholly within, or to a destination within,
17 Yamhill County for the purposes of salvage or disposal, more
18 than 50 scrap tires in any given calendar year unless the person
19 receiving said tires is a permittee or franchisee under this
20 Ordinance.

21
22 Section 15.06 -- PENALTIES. Violation of §15.05
23 of this Ordinance shall be a misdemeanor and shall be punishable,
24 upon conviction, by imprisonment in the County Jail for not
25 more than 30 days or by a fine of not more than Fifty Dollars (\$50)
26 per tire furnished, recieved or transported, or both.

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1 SECTION 2 -- EMERGENCY. This Ordinance being
2 deemed necessary for the protection of the health, safety and
3 welfare of the citizens of Yamhill County, and an emergency
4 having been declared, shall take effect immediately on the
5 passage hereof.

6 NOW, THEREFORE, after review by the Yamhill County
7 Solid Waste Advisory Committee, after public hearing and first
8 reading on the 27th day of May, 1981 before the Yamhill County
9 Board of Commissioners in regular session, an emergency having
10 been declared, and upon a motion duly made and unanimously
11 passed, this Amendment to the Yamhill County Solid Waste
12 Collection and Disposal Ordinance as amended by Ordinance
13 Number 154 and Ordinance Number 192, was adopted this 27th day
14 of May, 1981.

15 ATTEST:

16 CHARLES STERN, County Clerk
17 by:

18

Patricia A. Mullen

19

PATRICIA A. MULLEN, Deputy

20

YAMHILL COUNTY BOARD OF COMMISSIONERS:

21

22

Colin Armstrong

Chairman

COLIN ARMSTRONG

23

24

Ted Lopuszynski

Commissioner

TED LOPUSZYNSKI

25

26

Robin J. Hamblet

Commissioner

ROBIN J. HAMBLET

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