

**BOARD OF COUNTY COMMISSIONERS
CHAUTAUQUA COUNTY, KANSAS**

RESOLUTION NO. 2021-03

**SOLID WASTE SERVICE
IN CHAUTAUQUA COUNTY**

PREAMBLE

WHEREAS, on or about February 12, 1979, the Chautauqua County Board of County Commissioners ("BOCC") adopted Resolution No. 79-R-4 establishing a solid waste management system for Chautauqua County ("County");

WHEREAS, due to changes in circumstances and/or subsequent statutory changes, some portions of Resolution No. 79-R-4 have been rendered void or incapable of performance; and

WHEREAS, the BOCC desires to conform its solid waste management system to reflect any such changes in circumstances and/or statutory changes;

IT IS THEREFORE RESOLVED AS FOLLOWS:

1. The Preamble set forth above is incorporated into this resolution as if here fully set forth.
2. Resolution No. 79-R-4 is modified as follows:
 - a. Section 3 of Resolution No. 79-R-4 is hereby revoked and is of no further force or effect.
 - b. Section 4 of Resolution No. 79-R-4 is hereby revoked and is of no further force or effect.
3. The surviving sections of Resolution No. 79-R-4 are incorporated into this resolution as if here fully set forth.
4. The County may choose to operate a solid waste collection service throughout Chautauqua County; however, the County is not required to operate a solid waste collection service.
5. This resolution is not meant to, and shall not be interpreted to revoke Resolution No. 79-R-4's valid establishment of a solid waste management system for the County.
6. Any statutes or regulations applicable to the County's solid waste management system,

RESOLUTION NO. 2021-03
SOLID WASTE SERVICE
IN CHAUTAUQUA COUNTY

and any rules and regulations promulgated by the Secretary of the Kansas Department of Health and Environment, which may be necessary to the effectiveness of the County's solid waste management system, including, but not limited to K.S.A. 65-3410 and K.S.A. 12-808c, continue to be applicable and are incorporated by reference as if here fully set forth.

7. Miscellaneous.

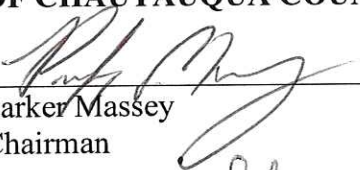
- a. Effective Date.** This resolution shall become effective as of March 8, 2021.
- b. Severability.** Should any section, clause, or provision of this resolution be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of this resolution as a whole, or any part thereof, other than the part declared to be invalid.

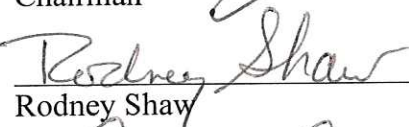
Commissioners present and voting were:


Rodney Shaw	<u>yes</u>
Parker Massey	<u>yes</u>
David Deal	<u>yes</u>

Dated this 8th day of March, 2021.

**BOARD OF COUNTY COMMISSIONERS
OF CHAUTAUQUA COUNTY, KANSAS**


Parker Massey
Chairman


Rodney Shaw


David Deal

ATTEST:



Niki Collier, Chautauqua County Clerk