

ORDINANCE  
#16 – 02

AN ORDINANCE BY THE MAYOR AND CITY COUNCIL TO AMEND THE CODE OF ORDINANCES OF THE CITY OF DUBLIN, GEORGIA TO PERMANENTLY PROHIBIT THE PERMITTING, ESTABLISHMENT, OR OPERATION OF ANY SOLID WASTE HANDLING FACILITY AND/OR RECOVERED MATERIALS PROCESSING FACILITY; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS,** the Mayor and City Council of the City of Dublin, Georgia, have been vested with substantial powers, rights, and functions to generally regulate the practice, conduct, or use of property for the purposes of maintaining health, morals, safety, security, peace, and the general welfare of the City of Dublin; and

**WHEREAS,** the policy of the State of Georgia, as stated in O.C.G.A. Sec. 12-8-21(a) is to “assure that solid waste does not adversely affect the health, safety, and well-being of the public and that solid waste facilities, whether publicly or privately owned, do not degrade the quality of the environment by reason of their location”; and

**WHEREAS,** the Mayor and City Council have an obligation to protect the citizens of Dublin, Georgia from the negative impacts to private and public property by solid waste handling facilities and/or recovered materials processing facilities; and

**WHEREAS,** solid waste handling facilities and recovered materials processing facilities may harm adjoining properties and area incompatible with nearby residential and general commercial uses within the City of Dublin, Georgia; and

**WHEREAS,** City residents have reported potential adverse effects of such facilities, including negative impacts on property values, negative impacts on the use and enjoyment of property through obnoxious odors and vermin, and other negative environmental impacts; and

**WHEREAS,** such facilities create a strong public health, safety, and welfare concern to the public generally, and the Mayor and City Council of the City of Dublin, Georgia wish to declare by ordinance the prohibition against operating such facilities within the City of Dublin, Georgia;

**NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN, GEORGIA, HERBY ORDAIN AS FOLLOWS:**

SECTION ONE

That Article 1 of Chapter 11, Solid Waste Collection and Disposal, of the Code of Ordinances, City of Dublin, Georgia, is hereby amended by adding thereto a new section, to read as follows:

**Sec. 11-17.1 Solid Waste Handling Facilities and Recovered Materials Processing Facilities Prohibited.**

- (a) “Recovered materials”; “Recovered materials processing facility”; “Solid Waste”; “Solid Waste Handling”; “Solid Waste Handling Facility” are defined as those terms are defined in O.C.G.A. Sec. 12-8-22.
- (b) It shall be unlawful to operate any Recovered Materials Processing Facility or Solid Waste Handling Facility in the corporate and municipal boundaries of the City of Dublin, Georgia.

(c) Violation of this Section shall constitute an offense and be punishable as provided in Section 1-10(a).

SECTION TWO

This Ordinance shall become effective immediately upon adoption by the Mayor and Council of the City of Dublin, Georgia.

SO ORDAINED this 18<sup>th</sup> day of *February 2016* by a vote of ( 7 ) FOR and ( 0 ) AGAINST.



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PHIL BEST, SR., MAYOR

ATTEST:

  
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JOE M KINARD, III, CITY CLERK