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| Introduced by: | Mayor                 |
| Date:          | 02/03/09              |
| Hearing:       | 03/03/09              |
| Action:        | Enacted               |
| Vote:          | 9 Yes, 0 No, 0 Absent |

**KENAI PENINSULA BOROUGH  
ORDINANCE 2009-08**

**AN ORDINANCE ESTABLISHING THE SOLID WASTE DEPARTMENT**

**WHEREAS,** the borough code currently provides that the Department of Public Works shall provide the administration and operation for the disposal of solid waste; and

**WHEREAS,** for years the borough has had a solid waste special revenue fund to account for the solid waste program operated by the borough that provides for the planning, design, development, and operation of solid waste facilities including the Central Peninsula Landfill, the Seward Transfer Facility, the Homer Baling Facility, and other solid waste disposal and transfer sites; and

**WHEREAS,** the solid waste program is a sufficiently discrete separate function and area of responsibility that it justifies formally establishing a department of solid waste;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:**

**SECTION 1.** That KPB 2.48.020 is hereby amended as follows:

**2.48.020. Department–Powers and duties.**

The department shall:

- A. Provide for the conduct of engineering studies;
- B. Provide for the maintenance of engineering records and documents;
- C. Provide the technical engineering advice and service to all borough school district departments, offices, boards and commissions;
- D. Provide supervision of design and inspection of all borough construction projects;
- E. Reserved;

[F. PROVIDE THE ADMINISTRATION AND OPERATION FOR THE DISPOSAL OF SOLID WASTE; AND]

[G]E. Provide the administration of the local service roads and trails program.

**SECTION 2.** That Chapter 2.51 of the Borough Code of Ordinance is hereby enacted as follows:

**2.51.010. Department of Solid Waste-Established-Director position.**

There is established a department of solid waste in the executive branch of the Kenai Peninsula Borough. The principal executive officer of the department is the director of solid waste who shall be an administrative employee subject to the direction and supervision of the mayor.

**2.51.020. Powers and duties of the department.**

The department shall:


- A. Plan, implement and administer solid waste programs including, but not limited to, the hazardous waste collection, recycling, environmental, and litter collection programs; waste/recyclable hauling and transfer; waste site/facility design and construction; waste site/facility operations; environmental monitoring and compliance; new program planning and development; solid waste road improvements; and solid waste user fee program;
- B. Ensure borough compliance with local, state, and federal solid waste requirements including compilation, submittal and acquisition of solid waste permits and approvals. Oversee borough solid waste safety and environmental programs.
- C. Perform such other duties and may be required by the borough mayor or assembly.

**SECTION 3.** That this ordinance takes effect immediately upon its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 3RD DAY OF MARCH, 2009.**

  
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Milli Martin, Assembly President

ATTEST:

  
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John Blankenship, Borough Clerk



Yes: Fischer, Knopp, Long, Pierce, Smalley, Smith, Sprague, Superman, Martin

No: None

Absent: None