

ORDINANCE 2-2006

AN ORDINANCE REPEALING ORDINANCE 1-2002 AND PROVIDING A FEE FOR CONSTRUCTION AND DEMOLITION PROJECTS, REQUIRING A PERMIT FOR SUCH PROJECTS REGULATING DEPOSIT OF WASTE AND PROVIDING A PENALTY.

Upon expiration of 30 days following the second reading and passage of this ordinance, be it ordained by the Board of County Commissioners of Madison County, State of Montana as follows:

1. Ordinance Number 1-2002 of Madison County is hereby repealed.
2. Each property owner in Madison County's Solid Waste District, before commencing a construction project shall obtain a permit for such project from the Madison County Sanitarian.
3. "Construction Project" for purposes of this ordinance shall not include any building enclosure consisting solely of one room without interior dividers and in which structural members are exposed when the project is finished and which is a non residential and non commercial building.

"Construction Project" for purposes of this ordinance shall not include the installation or removal of an intact mobile home.

"Construction Project" for the purposes of this ordinance shall include the erection or demolition of all other improvements to real property except fences. The fee required for each project shall be charged and collected as follows:

- A. \$400.00 for all construction projects consisting of enclosed space from 801 to 2500 square feet in size.
- B. \$450.00 for all construction projects consisting of enclosed space 2501 to 4000 square feet in size.
- C. \$500.00 for all construction projects consisting of enclosed space 4001 to 5000 square feet in size.
- D. \$100.00 for each additional 1000 square foot increment.

4. Funds collected by the Sanitarian as prescribed by this ordinance shall be deposited with the Madison County Treasurer and shall be credited to the Madison County Solid Waste Program.

5. Wastes permitted to be deposited under the terms of the permits provided by this ordinance shall be deposited only in Madison County transfer containers.

A. All construction and demolition waste shall be cut to four (4) foot or less lengths for disposal in container sites.

B. Construction and demolition waste quantities shall not exceed one pickup truck size load per container per day.

C.. Any inert waste or metal goods shall be taken directly to Madison County Class III Landfills located in Ennis and Twin Bridges. (See attached guidelines for Class II and Class III Waste.

6. Any person guilty of violating this ordinance shall be punished by a fine of not more than \$500.00 or a jail sentence of not more than 6 months or by such conditions as the court may impose, including,

but not limited to, a requirement that the offender clean up specific areas involved in the Madison County Solid Waste program or by any combination of sentences authorized by law and the court.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS FOR MADISON COUNTY, MONTANA, AFTER THE FIRST READING THIS 5th DAY OF JUNE, 2006.

BOARD OF COUNTY COMMISSIONERS

C. Ted Coffman, Chairman

Frank G. Nelson

David Schulz

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS FOR MADISON COUNTY, MONTANA, AFTER THE SECOND READING THIS 20th DAY OF JUNE, 2006.

BOARD OF COUNTY COMMISSIONERS

C. Ted Coffman, Chairman

Frank G. Nelson

David Schulz