

# RECORD OF ORDINANCES

Revised 2/8/02

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 2002-03

Passed March 5

YEAR 2002

## AN ORDINANCE APPROVING THE AMENDED DRAFT SOLID WASTE MANAGEMENT PLAN OF THE DELAWARE, KNOX, MARION, MORROW JOINT COUNTY SOLID WASTE MANAGEMENT DISTRICT.

**WHEREAS**, the Board of County Commissioners of Delaware, Knox, Marion and Morrow Counties have established the Delaware, Knox, Marion and Morrow Joint County Solid Waste Management District (the "District") and have established and convened a "Solid Waste Management Policy Committee" (the "Policy Committee") in accordance with Section 3734.54 of the Revised Code to amend the District's "Solid Waste Management Plan" (the "Amended Plan") for the District as required by Section 3734.54; and

**WHEREAS**, the Policy Committee completed a draft Amended Plan for the District and submitted that Amended Plan to the Director of the Ohio Environmental Protection Agency for preliminary review and comment in accordance with Sections 3734.54 and 3734.55 of the Revised Code; and

**WHEREAS**, the Policy Committee received the Director's written, nonbinding advisory opinion regarding the draft Amended Plan and established a public comment period and held a public hearing concerning the draft Amended Plan; and

**WHEREAS**, the Policy Committee, after consideration of comments and recommendations received concerning the draft Amended Plan, made certain modifications to the draft Amended Plan and has adopted and submitted to this legislative authority a copy of the draft Amended Plan of the District as so modified (the "Final Draft Amended Plan"); and

**WHEREAS**, this legislative authority is required by Division (B) of Section 3734.55 of the Revised Code to approve or disapprove the Final Draft Amended Plan within 90 days after receiving a copy of the Final Draft Amended Plan and has been requested to approve the Final Draft Amended Plan;

### NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO, AS FOLLOWS:

Section 1: The Final Draft Amended Plan is hereby approved in the form submitted to this legislative authority and presently on file with the Clerk of this legislative authority.

Section 2: The Clerk of this legislative authority is hereby authorized and directed to mail or otherwise deliver promptly a certified copy of this Ordinance to the Policy Committee.

Section 3: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 4: That this Ordinance pursuant to Revised Code Section 731.30 and an affirmative vote of five of the members of this Council, is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety of the City of Powell and the inhabitants hereof, and for the further reason that it is necessary for the daily operation of the City of Powell to have the District timely submit its Amended Plan to the Director of the Ohio Environmental Protection Agency; and as such, shall take effect and be in force immediately upon its passage and approval by the Mayor, provided however, that if it does not receive an affirmative vote of at least five (5) of all its members, then this Ordinance shall be effective from and after the earliest period allowed by law.

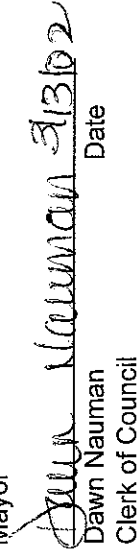
VOTE ON RULES SUSPENSION: Y \_\_\_\_\_ N \_\_\_\_\_

VOTE ON ORDINANCE NO. 2002-03: Y 7 N 0

  
Art Schultz  
Mayor

Date

2/23/02

  
Dawn Nauman  
Clerk of Council

Date

3/3/02

This ordinance or resolution has been posted in three (3) public places as defined in ordinance 4-3-94 on this date 4-3-04 by this date 5/3/02

  
CLERK OF COUNCIL