

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 2/6/87

HOUSE BILL 1235

By: Representative O. Miller

"AN ACT TO LIMIT THE AUTHORITY OF A COUNTY OR A MUNICIPALITY
IN A COUNTY TO ESTABLISH OR MAINTAIN A SOLID WASTE DISPOSAL
SITE OR FACILITY IN ANOTHER COUNTY; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. No county or municipality in a county shall acquire land for or establish a solid waste disposal site or facility in another county without the prior approval of the county judge and the quorum court of the county wherein such land is proposed to be acquired or such site or facility is proposed to be located.

SECTION 2. Any official of a county or a municipality which violates the provisions of this Act shall be subject to a fine of not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00) and such conviction shall be grounds for removal from office.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 4. EMERGENCY. It is hereby found and determined by the General Assembly that due to the potential health hazards and offensive nature of solid waste disposal facilities, counties and cities within such counties should not be permitted to establish such facilities in another county without the consent of the appropriate officials of the other county and that this Act is designed to require such consent and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

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