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CANYON COUNTY RECORDER

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ORDINANCE

CANYON COUNTY

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ORDINANCE NO. 26-016
**AN ORDINANCE OF CANYON COUNTY, IDAHO, AMENDING CHAPTER 02,
ARTICLE 03, SOLID WASTE DISPOSAL REGULATIONS; OF CANYON COUNTY
CODE OF ORDINANCES; AND SEVERABILITY CLAUSES; AND EFFECTIVE
DATES.**

BE IT ORDAINED by the Canyon County Board of County Commissioners as follows:

SECTION 1. TITLE: This ordinance shall be known and cited as the Canyon County Solid Waste Disposal Regulations 2026.

SECTION 2. STRUCTURE: Titles and subtitles of this ordinance are only used for organization and structure and the language in each paragraph of this ordinance should control with regard to determining the legislative intent and meaning of the Board of County Commissioners.

SECTION 3. PURPOSE: The purpose of this ordinance is to establish and adopt Chapter 02, Article 03, Solid Waste Disposal Regulations, of the Canyon County Code of Ordinances.

SECTION 4. AUTHORITY: This ordinance Chapter 02, Article 03, Solid Waste Disposal Regulations, of the Canyon County Code of Ordinances is enacted pursuant to the authority conferred by Idaho Constitution, Article 12, Section 2, and Idaho Code §§ 39-4116, 31-714, 31-801 and 31-828.

SECTION 5. Chapter 02, Article 03, Section 01 Purpose is hereby amended as follows: the section is replaced in its entirety with: This section is enacted pursuant to authority given to the Board of County Commissioners by article 12, section 2, of the Idaho constitution which authorizes the county to make and enforce within its limits all such local policies, sanitary and other regulations as are not in conflict with the general laws, Idaho Code Title 31, Chapter 44 and Idaho Code section 31-714 which empowers the board of county commissioners to pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, improve the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein.

SECTION 6. Chapter 02, Article 03, Section 03 Solid Waste Disposal Site Designated is hereby amended as follows: The only lawful site(s) for the dumping and depositing of solid waste in Canyon County shall be at those areas designated at Pickles Butte, Canyon County, Idaho, or any other site specifically approved by the board of Canyon County commissioners. The Pickles Butte landfill site shall be maintained and operated by the solid waste ~~division of the department of administration~~ of Canyon County, under the direction of the solid waste administrator and the general supervision of the board of county commissioners.

SECTION 7. Chapter 02, Article 03, Section 05 Transportation of Solid Waste is hereby replaced in its entirety with: Purpose: The public highways, as well as public and private lands adjacent to

**ORDINANCE ADOPTING
CHAPTER 02, ARTICLE 03,
SOLID WASTE DISPOSAL REGULATIONS 2026**

ORDINANCE NO. 26-016

said public highways, leading to the various solid waste disposal sites in Canyon County are being littered with paper, cans, bottles and trash of every description because a small number of the people transporting solid waste to solid waste disposal sites are not properly covering or securing their loads and are thereby allowing solid waste of all kinds to blow, fall and scatter from the vehicles transporting the solid waste. It shall be unlawful for any person hauling garbage, refuse, rubbish or trash of any kind upon the public highways of Canyon County outside the corporate limits of any municipality within Canyon County to haul garbage, refuse, rubbish or trash without covering and securing such garbage, refuse, rubbish or trash in such a manner as to prevent scattering or blowing or loss of the material being so transported.

SECTION 8. Chapter 02, Article 03, Section 07 Definitions is hereby amended as follows:

The following definition of terms shall apply to this section:

~~For the purpose of this article, the following words and terms shall have the meanings set out in this section:~~

BURN BARREL: Any barrel, vat, tub, or other container used to burn or incinerate garbage, refuse, rubbish, solid waste, semisolid waste or trash.

GARBAGE: Putrescible waste resulting from the storage, processing, distribution, preparation, cooking and serving of food and wastes from the handling, processing, storage, distribution and sale of products.

HAZARDOUS WASTE: Such waste as defined in Idaho Code sections 29-4403(7) and (12), as amended.

LIQUID WASTE: As defined in 40 CFR 258.28(c)(1).

REFUSE: Garbage, rubbish and animal carcasses.

RUBBISH: All nonputrescible solid waste, concrete, railroad ties, inert waste as defined by Idaho Code 39-7403(50) except abandoned vehicles and car bodies or car body parts, industrial solid waste and agricultural solid waste.

SOLID WASTE: Any garbage, refuse, rubbish, trash, sludge from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permits under 33 USC 1342, or source, special, nuclear or byproduct material as defined by the atomic energy act of 1954, as amended; 68 statute 923.

SOLID WASTE DISPOSAL SITE: The only lawful site(s) for the dumping and depositing of solid waste in Canyon County shall be at those areas designated at Pickles Butte in Canyon County, Idaho, or any other site specifically approved by the board of county commissioners.

TRASH: Includes papers, bottles, nails and refuse of all kinds not otherwise described or referred to herein.

SECTION 9. Chapter 02, Article 03, Section 09 Only Waste Generated in Canyon County Allowed; Exemptions is hereby amended as follows:

Dumping and depositing of solid waste at the Pickles Butte site or any other site specifically approved by the board of county commissioners shall be limited to persons and companies who generate waste and reside in or whose principal place of business is within the boundaries of Canyon County, Idaho. This limitation is enacted in order to assure the continued availability of the Pickles Butte site to Canyon County users. An exemption to this prohibition may be granted by the ~~administrator of solid waste~~ administrator of department, in ~~his~~ their discretion, up to five (5) cubic yards for each load. Exemptions in greater amounts may be granted by the board of county commissioners based upon clear and convincing evidence of fact: 1) that such waste was generated out of county by Canyon County residents, or 2) that the continued availability for the Pickles Butte site to Canyon County users will not be adversely affected by the acceptance of out of county waste, or 3) the county has entered into a contract with another governmental entity evidencing a factual basis for the above 1) or 2) factors. Conditions may be attached to the grant of an exemption as are believed by the board of county commissioners to be reasonably related to the health, safety, and welfare of Canyon County residents. If the board denies an application for an exemption, the unsuccessful applicant must file for a reconsideration of the denial and request a reconsideration hearing within five (5) days of the denial of their application. The reconsideration hearing before the board shall be conducted in accordance with Idaho Code, sections 67-5210, 67-5211 and 67-5212, as may be amended from time to time. The failure to timely request a reconsideration hearing shall mean the applicant forfeits his right to a reconsideration hearing. Said hearing shall be held within ten (10) days of the date the request for hearing is filed with the board. Any appeal of the board's decision shall be made to district court and shall be subject to procedures set forth at IRCP 83(C), 83(K), and 83(U). Such an appeal is to be heard as an appellate proceeding and shall not involve a trial de novo.

SECTION 10. Chapter 02, Article 03, Section 11 Mandatory Solid Waste Disposal is hereby amended as follows: To maintain the public health, safety and aesthetics of the county, all ~~persons~~ people in ~~unincorporated~~ Canyon County shall utilize one or all of the following methods for disposal of solid waste:

- (1) Utilize solid waste collection services where available and pay for such services.
- (2) Dispose of solid waste at a permitted ~~municipal~~ solid waste disposal site in a reasonable time and manner.
- (3) Burn solid waste pursuant to a valid permit issued by an authority having jurisdiction in accordance with subsection 02-03-~~13~~ 17(4) of this article.

SECTION 11. Chapter 02, Article 03, Section 13 Fees for Use of Disposal Site is hereby amended as follows:

- (1) Usage Fees: Because of the increased costs of operating the solid waste program at the Pickles Butte landfill and to continue to implement the county's goal of effectuating a self-supporting solid waste program, the fees charged for the use of the solid waste site may be established, changed or modified by resolution of the board of county commissioners. The fees charged shall defray the costs of operating the Pickles Butte landfill or any other site specifically approved by the board of county commissioners.
- (2) Collection Of Fees: The fees provided for in subsection (1) of this section shall be collected by the solid waste department ~~division~~ at the Pickles Butte site. All fees shall be paid at the time of dumping, unless previous charge arrangements have been made by the user and approved by the solid waste administrator.
- (3) Billings And Charges:
 - A. Those ~~persons or~~ companies desiring to charge the fees provided for in subsection (1) of this section must complete a charge application provided by the solid waste department ~~division~~ and approved by the solid waste administrator.
 - B. Those ~~persons or~~ companies who have applied for, and been extended charge privileges, will be billed monthly by the solid waste department ~~division~~, and payment must be made within thirty (30) days of the billing. Late payments will result in assessment of one and one-half percent ~~(1 1/2%)~~ (1 1/2%) late payment charge on the fees owed.

SECTION 12. Chapter 02, Article 03, Section 15 Disposal Regulations is hereby amended as follows:

- (1) Liquid Wastes: Liquid waste may only be dumped at the Pickles Butte site or any other site specifically approved by the board of county commissioners ~~only~~ in accordance with title 39, chapter 74 of the Idaho Code as amended.
- (2) Medical Wastes: All medical waste shall be disposed of at the landfill in a form required by Idaho and federal law.
- (3) Screening For Hazardous Wastes: In order to reject hazardous waste, the solid waste administrator is authorized to adopt and implement appropriate hazardous waste screening procedures as defined in the landfill's operating plan ~~record~~.
- (4) Directing Disposal To Proper Area: The solid waste administrator is authorized to direct waste to the landfill for appropriate disposal or to recycling or storage or composting areas approved by the board of county commissioners.
- F. Investigation Of Complaints: The Canyon County sheriff or his designated code enforcement officer shall be responsible for the investigation of complaints, upon request of the authority having jurisdiction and responsibility for the administration and enforcement of regulations for the prevention and control of fires.

- (5) Unlawful Burning Times: It shall be unlawful to build, ignite, or maintain any fire for field burning, disposing of waste matter in irrigation ditches and fencerows, weed control, piled tree leaves and tree and brush pruning remnants from agricultural sources in the unincorporated areas of Canyon County, Idaho, at any time from one-half (~~1/2~~) (1/2) hour after sunset to one-half (~~1/2~~) (1/2) hour before sunrise, inclusively, unless the authority having responsibility for the administration and enforcement of regulations for the prevention and control of fires specifically exempts a person or company from this requirement.

SECTION 13. Chapter 02, Article 03, Section 17 Prohibited Acts is hereby amended as follows:

- (2) Waste Accumulating On Public Or Private Property ~~4~~: It shall be unlawful for any person or company to permit or allow to accumulate solid waste in or about any yard, lot, place or premises, or upon any adjacent street, alley or sidewalk owned, leased, used or occupied by such person or company. Provided however, that compost piles may be maintained for fertilization purposes, and matter used for fertilization purposes only may be transported, kept and used, provided the same shall not constitute a nuisance.

(3) Interference With Operations At Waste Disposal Site:

- a. It shall be unlawful for any person or company to interfere with the operation of the solid waste site provided in section 02-03-~~14~~ 15: of this article by dumping or depositing solid waste at the Pickles Butte Landfill or at alternative sites as approved by the Board of County Commissioners without paying the fees provided for in section 02-03-~~09~~ 13: of this article.
- b. It shall be unlawful for any person or company to operate its equipment in an unsafe manner which could injure another person or damage another persons property at any Solid Waste facility.
- c. Any person or company that leaves damaged equipment which impedes, blocks, or otherwise disrupts business at any Solid Waste Department, Canyon County approved site is prohibited.
- d. The first violation of this section will result in the owner of the equipment being sent a warning letter so long as the equipment is moved by the owner of the equipment before any action being taken by the Solid Waste Department. Upon a second violation of Section 4(b) or (c), the owner of the equipment will receive a \$1000 fine per day for impeding, blocking or disrupting the solid waste site. If the property is abandoned or left and the Canyon County Solid Waste Department is required to move such property, the property will be towed and impounded, and owner will be liable for any accidental damage occurring during the required moving of the property.

SECTION 14. Chapter 02, Article 03, Section 19 Penalty is hereby amended as follows:

- (1) Violations; Penalty: The first violation of section 02-03-~~08~~11: or subsection 02-03-~~13~~17(4) of this article is hereby declared to be a nuisance and may be punishable as an infraction as defined in Idaho Code section 18-111 and subject to a fine in such amount as prescribed in Idaho infraction rules, rule 9, and as such may be amended. The second violation of section 02-03-~~08~~11: or subsection 02-03-~~13~~17(4) of this article within a three (3) month period from the date of the first violation is hereby declared to be a nuisance and may be punishable as an infraction as defined in Idaho Code section 18-111 and subject to a fine in such an amount as prescribed in Idaho infraction rules, rule 9, and as such may be amended. ~~The third violation of section 02-03-08: or subsection 02-03-13(4) of this article within a one year period from the date of the first or second violation is hereby declared to be a nuisance and may be punishable as a misdemeanor as defined in Idaho Code section 18-111 and subject to a fine of three hundred dollars (\$300.00).~~ Any third violation within six months from the date of second violation and any further violation thereafter of section 02-03-11: or subsection 02-03-17(4) of this article by the same person is hereby declared to be a nuisance and may be punishable as a misdemeanor as defined in Idaho Code section 18-111 and punished subject to Idaho Code 18-113.
- (2) Other Violations; Penalty: Any person violating any section of this article, other than section 02-03-~~08~~11: or subsection 02-03-~~13~~17(4) of this article, shall be guilty of a misdemeanor and each separate violation hereof shall be punishable ~~by a fine of not more than three hundred dollars (\$300.00)~~ up to the maximum possible penalty under Idaho Code 18-113.
- (3) Uniform Citation: Enforcement of this article may be by uniform citation issued pursuant to rule 5 of the Idaho infraction rules and/or rule 5 of the misdemeanor criminal rules and by a law enforcement officer defined in rule 2(g) of the Idaho infraction rules and/or rule 2(g) of the misdemeanor criminal rules. A law enforcement officer for purposes of this article shall include, but is not limited to, a Canyon County sheriff's deputy. A uniform citation for violation of this article shall be personally served upon the owner, if known, or the occupant or person in charge of the possession of the premises or property on which the nuisance is found. The Canyon County solid waste department's code enforcement officer is authorized as a law enforcement officer only for the enforcement of applicable state and county codes pertaining to solid waste within the boundaries of ~~county owned landfill property~~ any Canyon County owned landfill property.

SECTION 15. SEVERABILITY Should any action or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the article as a whole or a part thereof other than the part declared to be unconstitutional or invalid.

SECTION 16. EFFECTIVE DATE: This ordinance shall be and is hereby declared to be in full force and effect upon its passage, approval and publication as provided by law in one issue of the Idaho Press-Tribune and as provided for in Idaho Code §§ 31-715 and 31-715A.

DATED this 30th day of June, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

X Motion Carried Unanimously
_____ Motion Carried/Split Vote Below
_____ Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<u>✓</u>	_____	_____
<u>Not available for signature</u> _____ Commissioner Brad Holton	_____	_____	_____
 _____ Commissioner Zach Brooks	<u>X</u>	_____	_____

ATTEST: JESS URRESTI, CLERK

By: 

Deputy Clerk

