



## **BROADWATER COUNTY PUBLIC WORKS** **DEPARTMENT**

*TJ Graveley- Public Works Supervisor*

*Misty Masolo- Assistant Public Works Supervisor*

515 Broadway St. ▪ Townsend, MT 59644 ▪ 406-980-2055

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### **Proposed Changes to Winston Canister Site**

As presented at the August 7, 2023, public meeting, the Solid Waste Department is having a difficult time controlling the excessive amount of non-household waste being left outside the gate at the Winston Site. This is causing the Solid Waste department more financial strain, as employees have to spend several hours a day cleaning up the garbage left outside the gate. It is also becoming a hazard, as many items left are unable to be cleaned up by just one staff member. This site has limited views from the highway, which allows for illegal dumping.

In June 2019, the commissioners signed Ordinance 2019-A that states unauthorized users or unauthorized dumping would be subjected to a \$500 fine. Public Works has also tried to use cameras at several of the sites to help enforce this ordinance, but they have been tampered with and destroyed.

Public Works is asking for the closure of the walk-in can and the relocation of the gate closer to the entrance of the site along the state fence. With the closure of the walk-in gate, the recommendation is to open the site 2 more days during the week.

AN ORDINANCE PROVIDING ENFORCEMENT AUTHORITY FOR THE REGULATION  
AND DISPOSAL OF SOLID WASTE WITHIN BROADWATER COUNTY AND  
PROVIDING A PENALTY FOR VIOLATION

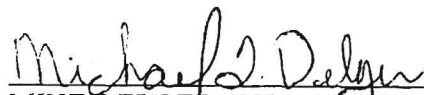
2019- A

Pursuant to the powers and duties of a local government to manage solid waste in accordance with Section 75-10-112, MCA, and the authority of a local government to adopt an ordinance to enforce its powers pursuant to Section 7-5-101, et. seq., MCA,

BE IT ORDAINED by the Board of County Commissioners of Broadwater County:

1. Only individuals assessed a user's fee pursuant to an agreement between local governments, a fee assessed on a particular property, or a fee pursuant to Section 75-10-113, MCA, or other authorized agent, employee or representative of such person, corporation or other entity may dump any household solid waste, household garbage, debris, refuse, or other household waste products in any waste canister.
2. It is unlawful for any other person or persons, corporation or other entity to dump any such waste products in canisters belonging to Broadwater County. Unauthorized use is considered theft of labor or services pursuant to Section 45-6-305, MCA.
3. Removal of solid waste from any disposal, transfer, recycling or other solid waste management facility or container by a person, corporation, or other entity is considered trespassing. Trespassing on County property is considered a violation of this ordinance.
4. "Solid waste" as used in this ordinance has the meaning established by Montana law, Section 75-10-103(7), MCA.
5. A person, corporation, or other entity violating this ordinance prescribed by the Board of County Commissioners is guilty of a misdemeanor and shall be fined not more than \$500.
6. Each day upon which a violation occurs is a separate violation.
7. Each individual act is a separate violation.
8. This ordinance shall be effective on the 4 day of June, 2019.

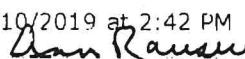
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS this 4 day of June, 2019.

  
MIKE DELGER, CHAIRMAN

ATTEST:

  
DOUG ELLIS, CLERK & RECORDER/TREASURER

**182911 Fee: \$ 0.00**

BROADWATER COUNTY Filed 6/10/2019 at 2:42 PM  
Douglas D. Ellis, Clk & Rcdr By  Deputy

First Reading – May 20, 2019