

1 **BEFORE THE BOARD OF COMMISSIONERS**

2 **FOR LINCOLN COUNTY, OREGON**

3 ORDINANCE # 390

4 _____
5
6 **Relating to sewer service to the Agate Beach landfill and transfer station; creating new**
7 **provisions; and declaring an emergency.**
8 _____

9 The Lincoln County Board of Commissioners ordains as follows:

10 **SECTION 1.**

11 Section 2 of this Ordinance is added to and made a part of LCC Chapter 1 as
12 indicated.

13 **SECTION 2.**

14 **1.1945 Agate Beach Landfill and Transfer Station**

15 The following development guidelines are intended to implement Statewide
16 Planning Goal 11 and OAR 660-011-0060 for the Agate Beach Landfill and the Solid
17 Waste Transfer station currently operated by Thompson's Sanitary Service, Inc., on land
18 described as Tax Lots 1300, 1300-21, 1300-22, and 1305, Assessor's Map 10-11-17. These
19 guidelines are applicable only if the aforementioned property is located outside the
20 Newport Urban Growth Boundary.

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NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in boldfaced type.

1 **(1) Purpose:**

2 **The purpose of these guidelines is to allow extension of sewer service outside the**
3 **Newport Urban Growth Boundary (UGB) to allow leachate from the closed Agate Beach**
4 **Landfill and the existing solid waste transfer station to be collected and transported to**
5 **the Newport Wastewater Treatment facility located inside the Newport UGB. This**
6 **connection is necessary to comply with plans approved by the Department of**
7 **Environmental Quality (DEQ) under closure permit # 373 for the Agate Beach Landfill,**
8 **and with DEQ mandated operational requirements for the transfer station.**

9 **(2) Restrictions:**

10 **Sewer service shall not be extended beyond the subject property outside the UGB.**
11 **Sewer service to the subject property shall be limited to serving leachate collection and**
12 **transmission facilities.**

13 **(3) Applicability:**

14 **The procedures required in LCC 1.1920 shall not apply to any development on**
15 **the subject property. The guidelines shall only preclude use and extension of sewer**
16 **service except as authorized herein. Nothing in these guidelines shall prohibit other uses**
17 **authorized under applicable planning and zoning designations, ongoing closure activities**
18 **related to the closed landfill, or ongoing operational activities related to the solid waste**
19 **transfer station.**

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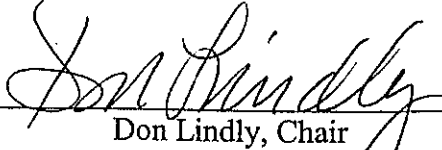
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SECTION 2.

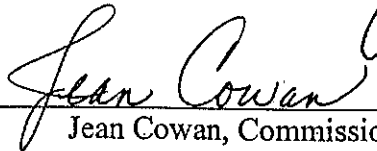
This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist and this Ordinance shall take effect upon its passage.

DATED this 8th day of September, 1999.


LINCOLN COUNTY BOARD OF COMMISSIONERS



Don Lindly, Chair



Jean Cowan, Commissioner



Karen L. Gerttula, Commissioner

ATTESTED TO:

APPROVED AS TO FORM:



Susan Kays, Recorder



Wayne Belmont, County Counsel

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