

House Bill 496

By: Representatives Greene-Johnson of the 60th, Post 3, Mitchell of the 61st, Post 3, Williams of the 61st, Post 2, Fludd of the 48th, Post 4, Mangham of the 62nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia
2 Annotated, relating to general provisions relative to solid waste management, so as to
3 prohibit the granting of a permit for a municipal solid waste landfill if such landfill is to be
4 located within three miles of any residence; to provide for applicability; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,
9 relating to general provisions relative to solid waste management, is amended by inserting
10 immediately following Code Section 12-8-25.4 a new Code Section 12-8-25.5 to read as
11 follows:

12 "12-8-25.5.

13 Notwithstanding any other provision of law or any administrative regulation or action to
14 the contrary, no permit shall be issued for a municipal solid waste landfill within three
15 miles of any building used as a residence or dwelling. The provisions of this Code section
16 shall apply to all permit applications made on or after July 1, 2003, and to all permits
17 denied prior to such date which are the subject of an appeal or judicial review pending on
18 such date."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.