

House Bill 1284

By: Representatives Hudson of the 95<sup>th</sup>, Douglas of the 73<sup>rd</sup>, Porter of the 119<sup>th</sup>, Jamieson of the 22<sup>nd</sup>, Crawford of the 91<sup>st</sup>, 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 change  
3 certain provisions relating to public meetings on site selection, notice, and decision; to  
4 change certain provisions relating to local, multijurisdictional, or regional solid waste plans;  
5 to require compliance with local ordinances for purposes of issuance of permits, grants, or  
6 loans for municipal solid waste disposal facilities or solid waste handling equipment or  
7 recycling equipment used in conjunction therewith; to provide an effective date; to repeal  
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated,  
12 relating to general provisions relative to solid waste management, is amended in Code  
13 Section 12-8-26, relating to public meetings on site selection, notice, and decision, by adding  
14 a new subsection to read as follows:

15 "(c) Any person seeking to acquire or develop property for use as a municipal solid waste  
16 disposal facility in any county or municipality shall cause to be published within a  
17 newspaper of general circulation serving such county or municipality a notice of such  
18 intention at least once a week for four weeks immediately preceding the date of the siting  
19 decision by such person. For purposes of this subsection, 'siting decision' means final  
20 selection of property for land filling or the execution of any contracts or agreements  
21 pertaining to the location or operation of municipal solid waste disposal facilities within  
22 the jurisdiction."



1 (2) ~~Effective September 1, 1994~~ On and after the effective date of this paragraph, any  
2 privately owned solid waste handling facility seeking a permit or major modification of  
3 an existing permit where the host local governing authority has failed either to submit or  
4 make a good faith effort, as determined by the Department of Community Affairs, to  
5 submit a local solid waste management plan or to be included in a multijurisdictional or  
6 regional solid waste management plan; provided, however, that the permit applicant  
7 continues to be obligated to demonstrate that all generating jurisdictions from which  
8 waste will be received are part of an approved solid waste management plan developed  
9 in accordance with standards promulgated pursuant to this part and have a strategy to  
10 meet and are actively engaged in meeting the state-wide goal of reducing waste by 25  
11 percent by July 1, 1996; and provided, further, that such applicant seeking a permit or  
12 major modification of an existing permit shall be required to provide certification by the  
13 governing authority of the county or municipality where the facility is located that the  
14 facility for which a permit or major modification of an existing permit is sought complies  
15 with local ordinances adopted pursuant to paragraph (1) of Code Section 12-8-30.9, if  
16 any."

### 17 SECTION 3.

18 This Act shall become effective upon its approval by the Governor or upon its becoming law  
19 without such approval.

### 20 SECTION 4.

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