

EXHIBIT A

SUMMIT COUNTY DISPOSAL DISTRICT REGULATIONS

RECITALS

Numerous counties and towns in Colorado and around the U.S. continue to address the problems associated with the storage, accumulation, collection and disposal of solid waste, including garbage, trash, debris and other discarded materials. The improper control of these materials is a matter of substantial public concern and may create a variety of environmental and public health impacts that can adversely affect the public health, safety and welfare.

One aspect of this problem involves the curbside placement of solid waste for pickup by a trash collector. The improper placement of solid waste for pickup can result in the dispersal of solid waste and other discarded materials into the environment due to the extreme weather we face in Summit County and the presence of wildlife and other animals that might be attracted to such materials. The resulting dissemination of trash and other debris with all of its attendant adverse public health and environmental impacts requires that Summit County ensure the orderly collection and disposal of solid waste.

“Public health” by definition means the prevention of injury, disease, and premature mortality; the promotion of health in the community; and the response to public and environmental health. C.R.S. 25-1-502(5). Every county in Colorado is to have a board of health harnessed with the powers and duties to “administer and enforce the laws pertaining to public health, air pollution and most importantly in this case, solid and hazardous waste. C.R.S. 25-1-506(3)(b)(IV). Colorado public health laws, including Part 5, Article 1, Title 25, C.R.S., authorize the Summit County Board of Health to promulgate and enforce rules in the unincorporated area of Summit County to protect the public health, safety and welfare. Counties are also authorized to form disposal districts pursuant to the Colorado Disposal District Act at C.R.S. 30-20-201, et seq. A disposal district may also adopt such schedules, rules or regulations as may be deemed necessary for the orderly collection of solid waste from within the district which may be enforced by County Board of Health.

The Colorado General Assembly has declared that properly disposing of solid wastes is a matter of local concern and declared that “[o]ptimal solid waste management . . . should include . . . local efforts . . . focused toward the reduction of the volume . . . of the waste stream . . . through source reduction, recycling, composting, and similar waste management strategies.” The General Assembly has also recognized that “improper disposal of solid wastes poses significant public health risks and environmental hazards.” C.R.S. 30-20-100.5.

The Center for Disease Control and Prevention has stated that controlling waste is an important part of public health and safety. Waste that is improperly managed can create conditions that may have severe adverse effects on public health and the environment. Key elements in controlling infectious wastes include proper storage, collection, transportation and disposal of waste.

To address the issues of improper solid waste storage, collection and disposal, the Summit County Disposal District hereby adopts the following regulations regarding the disposal of trash within the Disposal District.

REGULATIONS

GARBAGE RECEPTACLES; PLACEMENT OF RECEPTACLES AT CURBSIDE

I. Definitions. For the purpose of these regulations, the following terms will have the following meanings:

A. Solid Waste

The term “solid waste” as used herein shall refer to all putrescible and non-putrescible solid wastes discarded from any source including recyclable materials. The term “solid waste” shall exclude liquid wastes, sewage, sewage sludge, septic tank or cesspool pumpings; sand, asphalt, concrete, gravel, rock, dirt or other segregated construction materials to be used or reused in any construction project; timber, wood chips or vegetative matter hauled from the property where it is cut; agricultural wastes, solid or dissolved materials in irrigation return flows; industrial discharges which are point sources subject to licenses under the provisions of the Colorado Water Quality Control Act; materials handled at facilities licensed pursuant to the provisions on radiation control in Article 11 of Title 25, C.R.S.; waste material under the jurisdiction of and regulated by the Mined Land Reclamation Board except such non-hazardous wastes as may be deposited at a commercial solid waste facility; exploration and production waste as defined in Section 34-60-103(4.5), C.R.S., except such non-hazardous wastes as may be deposited at a commercial solid waste facility; excluded scrap metal that is being recycled; shredded circuit boards that are being recycled; discarded or abandoned vehicles or parts thereof; residential appliances; materials used as fertilizers or for other productive purposes; household hazardous wastes; and hazardous materials as defined in the rules and regulations adopted by the Hazardous Materials Transportation Act of 1987.

B. Recyclable Material

Solid Waste from any residential, commercial, or other source that is collected separately for the purpose of such material being re-processed into new or different products or packaging materials, provided that such materials have been designated as Summit

County recyclable pursuant to Summit County Ordinance 2(A), as it may be amended from time to time.

C. Receptacle.

The term “receptacle” as used herein shall refer to a watertight metal or nonabsorbent container equipped with a tightly fitting galvanized metal or nonabsorbent cover or lid, and shall exclude paper and plastic bags.

II. Solid Waste may be placed at the curbside for pick up by a solid waste hauler only in accordance with the following rules:

A. 1. Solid Waste may be placed at the curbside for pick up only when fully contained within a receptacle. No Solid Waste may be placed at the curbside in a paper or plastic bag, or other container that is not a receptacle.

2. Any receptacle placed for curbside Solid Waste pick-up shall be kept closed and secured with no gap between the container and the lid until it has been emptied by the trash contractor and moved back to its normal location.

3. Receptacles may be placed at the curbside only after six o'clock (6:00) A.M. on the day of pick up. After pick up, each receptacle must be moved back to its normal location by ten o'clock (10:00) P.M. of the same day.

B. The provisions of this section shall not apply to: (1) a receptacle maintained by a business that is: (a) primarily intended as a convenience for use by the customers of the business (and not the business itself); and (b) designed in such a manner as to discourage wildlife from getting into the receptacle or the dispersal of such Solid Waste by weather events; or (2) Solid Waste that consists of recyclable material (defined as only discarded glass, plastic, cardboard, aluminum, tin, newspaper and office paper products that are separated from other refuse for the purpose of recycling), that is placed at the curbside for pick up by a trash collector.

C. The owner of real property and any other person who causes the accumulation of Solid Waste at the owner's property are both individually responsible for any Solid Waste placed, stored, or kept at such property in violation of this section.

III. Violations of these regulations shall be unlawful and enforced in accordance with Part 5, Article 1, Title 25, C.R.S., as well as all other applicable provisions of Colorado law.