

FILED MAR 2 2005

SENATE FILE

249

BY LUNDBY

NAT. RES. & ENVIRONMENT

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to sanitary disposal projects and sanitary  
2 landfills, by prohibiting the siting of a landfill within  
3 three miles of a city's boundaries without city approval and  
4 providing an effective date.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 249  
NAT. RES. & ENVIRONMENT

TLSB 2267SS 81

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1 Section 1. Section 455B.305, subsection 1, unnumbered  
2 paragraph 1, Code 2005, is amended to read as follows:

3 The director shall issue, revoke, suspend, modify, or deny  
4 permits for the construction and operation of sanitary  
5 disposal projects. The director shall not issue a permit for  
6 the construction or operation of a sanitary disposal project  
7 sited within three miles of a city's boundaries unless such  
8 city approves the siting.

9 Sec. 2. Section 455B.305A, subsection 1, unnumbered  
10 paragraph 1, Code 2005, is amended to read as follows:

11 Prior to the siting of a proposed, new sanitary landfill,  
12 incinerator, or infectious medical waste incinerator, a city,  
13 county, or private agency, shall submit a request for local  
14 siting approval to the city council or county board of  
15 supervisors which governs the city or county in which the  
16 proposed site is to be located. The requirements of this  
17 section do not apply to the expansion of an existing sanitary  
18 landfill owned by a private agency which disposes of waste  
19 which the agency generates on property owned by the agency.  
20 The city council or county board of supervisors shall approve  
21 or disapprove the site for each sanitary landfill, or  
22 incinerator, or infectious medical waste incinerator.  
23 However, a sanitary landfill shall not be sited within three  
24 miles of a city's boundaries unless such city approves the  
25 siting.

26 EXPLANATION

27 This bill prohibits the location of a landfill within three  
28 miles of a city's boundaries, unless the affected city  
29 consents to the location.

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