

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 621

An Act to amend and reenact § 15.1-362.1 of the Code of Virginia, relating to assessment for solid waste disposal in certain counties.

[H 704]

Approved April 5, 1996

Be it enacted by the General Assembly of Virginia:

1. That § 15.1-362.1 of the Code of Virginia is amended and reenacted as follows:

§ 15.1-362.1. Fee for solid waste disposal by counties.

A. Floyd County, any county with a population between 39,550 and 41,550, and any county with a population between 31,650 and 32,000 may levy a fee for the disposal of solid waste not to exceed the actual cost incurred by the county in procuring, developing, maintaining, and improving the landfill and for such reserves as may be necessary for capping and closing such landfill in the future. Such fee as collected shall be deposited in a special account to be expended only for the purposes for which it was levied. Except in Floyd County and any county with a population between 39,550 and 41,450, such fee shall not be used to purchase or subsidize the purchase of equipment used for the collection of solid waste.

B. Any fee imposed by subsection A when combined with any other fee or charge for disposal of waste shall not exceed the actual cost incurred by the county in procuring, developing, maintaining, and improving its landfill and for such reserves as may be necessary for capping and closing such landfill in the future.

C. Any county which imposes the fee allowed under subsection A may enter into a contractual agreement with any water or heat, light, and power company or other corporation coming within the provisions of Chapter 26 (§ 58.1-2600 et seq.) of Title 58.1 except Appalachian Power Company and Powell Valley Electric Cooperative for the collection of such fee. The agreement may include a commission for such service in the form of a deduction from the fee remitted. The commission shall be provided for by ordinance, which shall set the rate not to exceed five percent of the amount of fees due and collected.

D. Any county which imposes the fee allowed under subsection A and has a population between 39,550 and 41,550 has the following authority regarding collection of said fee:

1. To prorate said fee depending upon the period a resident or business is located in said county during the year of fee levy;

2. To levy penalty for late payment of fee as set forth in § 58.1-3916 of the Code of Virginia;

3. To levy interest on unpaid fees as set forth in § 58.1-3916 of the Code of Virginia;

4. To credit the fee first against the most delinquent use fee account owing.