

# 1997 SESSION

INTRODUCED

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## SENATE BILL NO. 1175

Offered January 20, 1997

A BILL to amend the Code of Virginia by adding a section numbered 24.2-684.01, relating to sanitary landfill referenda.

Patrons—Hanger and Lambert

Referred to the Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 24.2-684.01 as follows:

§ 24.2-684.01. Sanitary landfill referenda.

A referendum shall be held as provided in this section as a condition of the issuance of a permit by the Waste Management Board for a new sanitary landfill or for an expansion of a sanitary landfill that, in either case, will have a 1,500 ton per day or more capacity. The permit applicant shall submit to the circuit court in the jurisdiction where the sanitary landfill is proposed to be located or expanded a request that the court issue an order calling for a referendum as described in § 24.2-684. The referendum shall be held in conformance with this article.

A question, in substantially the following form, shall be listed on the ballot:

"Do you agree that a new or revised permit should be issued in ..... (locality name) for the establishment or expansion of a sanitary landfill on .....(tax parcel or tax parcels) in the ..... magisterial district."

The ballot, at the request of the local governing body to the circuit court, may include the following language as is appropriate when the circuit court finds that the locality has provided sufficient supporting evidence for the statement:

"If a sanitary landfill is to be built on ..... (tax parcel or tax parcels), it has been represented to the citizens and governing body of ..... (locality name) that ..... (locality name) is likely to receive a total of \$...... in monetary benefits over the life of the landfill. It is also represented that the owner or operator of the landfill will be responsible for the landfill for a period of thirty years after the landfill is closed."

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