

ORDINANCE NO. 10

An Ordinance amending MSD Tire Ordinance No. 3.

PUBLIC HEARINGS

May 10, 1974 and May 24, 1974

ADOPTED ON MAY 24, 1974

METROPOLITAN SERVICE DISTRICT

ORDINANCE NO. 10

An Ordinance amending the MSD Tire Ordinance (Ordinance No. 3)

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 74-129

DATE 5-24-74

BY Jean M. Woodman
CLERK OF THE BOARD

NOTE: The language in brackets will be deleted and the language underlined will be added.

ORDINANCE NO. 10

Ordinance Amending MSD Tire Ordinance(Ordinance No. 3)

The Metropolitan Service District herein ordains the following.

SECTION 1. Ordinance No. 3, Section 1 is amended to read:

SECTION I. Definitions

1. "Board" means the governing body of the Metropolitan Service District.
2. "Disposal" means the discarding or processing of a motor vehicle tire as waste. It does not include the(salvaging of tires for)resale(,) or retreading (or re-manufacture into other products.)of tires.
3. "Disposal site" means a disposal site for solid waste operating under a permit granted by the Department of Environmental Quality pursuant to ORS 459.205 to 459.265.
4. "Motor vehicle tire" or "tire" means any tire made wholly or in part of rubber used on any vehicle propelled by a motor, including vehicles pulled or pushed by a vehicle propelled by a motor, regardless of whether such vehicle is used on a public highway; it includes scrap tires, tire bodies, carcasses, casings or parts of tires in whatever form.(except those intended for a use other than on vehicle wheels.)
5. "Person" means any individual, firm, corporation, partnership or other entity as the context may require.
6. "Retail sale" means a sale for any purpose other than re-sale in the regular course of business; it includes sale of tires as incidental to the sale of a motor vehicle or other item. The sale of more than one motor vehicle tire to any one person at any one time shall constitute one retail sale.
7. "Salvage means the use of a scrap tire in a new form or in its original form for purposes other than as a motor vehicle tire.

- (7.) "Scrap tire" means any tire, new or used, whether or
8. not it is in such condition as to be re-used, retreaded
or otherwise salvaged and is being discarded for any
reason.
- (8.) "Scrap tire generator" means any person who as
9. incident to the normal course of business, generates
more than 100 scrap tires annually. It includes
vehicle fleet owners, trucking companies, taxi
companies, bus companies, public agencies and other
persons not engaged in a business directly dealing
with tires.
- (9.) "Tire carrier" means any person engaged in picking
10. up or transporting scrap tires for the purpose of
disposal or salvage and disposal, whether or not
incidentally to some other business.
- (10.) "Tire processing center" means a place or piece of
11. equipment where or by which scrap tires are processed
to such a form as prescribed by the Metropolitan
Service District.
- (11.) "Tire retailer" means any person engaged in the
12. business of selling motor vehicle tires at retail
sale whether or not such sale is incidental to some
other business or whether such tires are incidental
to the sale of a motor vehicle; it includes every
person who makes more than two retail sales of motor
vehicle tires in any calendar year.

SECTION 2. Ordinance No. 3, Section V is amended to read:

SECTION V. Duties of Tire Carrier

Tire carriers subject to the permit requirements of this Ordinance must deliver all those scrap tires picked up or transported by them for the purpose of disposal only to a disposal site authorized by this ordinance to accept tires in the form the tires are delivered, or to a processing center authorized by this Ordinance. Tire carriers shall obtain authorization from MSD for the removal of scrap tires for salvage outside of MSD boundaries.

SECTION 3. Ordinance No. 3, Section VIII is amended to read:

SECTION VIII. Disposal of Tires

Tires may be accepted for the purpose of on-site disposal only at such disposal sites authorized by the Metropolitan Service District for disposal of tires. The operator of such a disposal site may dispose of tires only in a manner meeting Metropolitan Service District's specifications as set forth by regulations. Tires may be transported outside the MSD boundaries for salvage only upon authorization by the MSD.

SECTION 4. Ordinance No. 3, Section XVIII is amended to read:

SECTION XVIII. Violations

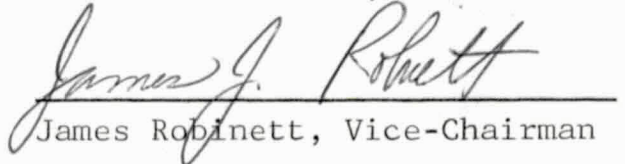
Violation of any provision of this ordinance or of any rule promulgated pursuant thereto is (a class C misdemeanor, as defined by 1971 ORS 161.505 to 161.685 for the first offense, and a class B misdemeanor, as defined by 1971 ORS 161.505 to 161.685, for the second offense.) punishable by a fine of not more than \$500 or by imprisonment in a county jail for not more than 30 days or by both for each offense.

Dated

May 24, 1974



Robert Schumacher, Chairman



James Robinett, Vice-Chairman