

Effective 5/13/2014

Superseded 1/16/2017

19-6-502 Definitions.

As used in this part:

- (1) "Governing body" means the governing board, commission, or council of a public entity.
- (2) "Jurisdiction" means the area within the incorporated limits of:
 - (a) a municipality;
 - (b) a special service district;
 - (c) a municipal-type service district;
 - (d) a service area; or
 - (e) the territorial area of a county not lying within a municipality.
- (3) "Long-term agreement" means an agreement or contract having a term of more than five years but less than 50 years.
- (4) "Municipal residential waste" means solid waste that is:
 - (a) discarded or rejected at a residence within the public entity's jurisdiction; and
 - (b) collected at or near the residence by:
 - (i) a public entity; or
 - (ii) a person with whom the public entity has as an agreement to provide solid waste management.
- (5) "Public entity" means:
 - (a) a county;
 - (b) a municipality;
 - (c) a special service district under Title 17D, Chapter 1, Special Service District Act;
 - (d) a service area under Title 17B, Chapter 2a, Part 9, Service Area Act; or
 - (e) a municipal-type service district created under Title 17, Chapter 34, Municipal-Type Services to Unincorporated Areas.
- (6) "Requirement" means an ordinance, policy, rule, mandate, or other directive that imposes a legal duty on a person.
- (7) "Residence" means an improvement to real property used or occupied as a primary or secondary detached single-family dwelling.
- (8) "Resource recovery" means the separation, extraction, recycling, or recovery of usable material, energy, fuel, or heat from solid waste and the disposition of it.
- (9) "Short-term agreement" means a contract or agreement having a term of five years or less.
- (10)
 - (a) "Solid waste" means a putrescible or nonputrescible material or substance discarded or rejected as being spent, useless, worthless, or in excess of the owner's needs at the time of discard or rejection, including:
 - (i) garbage;
 - (ii) refuse;
 - (iii) industrial and commercial waste;
 - (iv) sludge from an air or water control facility;
 - (v) rubbish;
 - (vi) ash;
 - (vii) contained gaseous material;
 - (viii) incinerator residue;
 - (ix) demolition and construction debris;
 - (x) a discarded automobile; and
 - (xi) offal.

- (b) "Solid waste" does not include sewage or another highly diluted water carried material or substance and those in gaseous form.
- (11) "Solid waste management" means the purposeful and systematic collection, transportation, storage, processing, recovery, or disposal of solid waste.
- (12) "Solid waste management facility" means a facility employed for solid waste management, including:
 - (a) a transfer station;
 - (b) a transport system;
 - (c) a baling facility;
 - (d) a landfill; and
 - (e) a processing system, including:
 - (i) a resource recovery facility;
 - (ii) a facility for reducing solid waste volume;
 - (iii) a plant or facility for compacting, composting, or pyrolyzation of solid waste;
 - (iv) an incinerator;
 - (v) a solid waste disposal, reduction, or conversion facility;
 - (vi) a facility for resource recovery of energy consisting of:
 - (A) a facility for the production, transmission, distribution, and sale of heat and steam;
 - (B) a facility for the generation and sale of electric energy to a public utility, municipality, or other public entity that owns and operates an electric power system on March 15, 1982; and
 - (C) a facility for the generation, sale, and transmission of electric energy on an emergency basis only to a military installation of the United States; and
 - (vii) an auxiliary energy facility that is connected to a facility for resource recovery of energy as described in Subsection (12)(e)(vi), that:
 - (A) is fueled by natural gas, landfill gas, or both;
 - (B) consists of a facility for the production, transmission, distribution, and sale of supplemental heat and steam to meet all or a portion of the heat and steam requirements of a military installation of the United States; and
 - (C) consists of a facility for the generation, transmission, distribution, and sale of electric energy to a public utility, a municipality described in Subsection (12)(e)(vi)(B), or a political subdivision created under Title 11, Chapter 13, Interlocal Cooperation Act.