

19-6-503 Powers and duties of public entities.

- (1) Subject to the powers and rules of the department and except as provided by Section 19-6-507, a governing body of a public entity may:
- (a) supervise and regulate the collection, transportation, and disposition of solid waste generated within its jurisdiction;
 - (b) provide a solid waste management facility to adequately handle solid waste generated or existing within or without its jurisdiction;
 - (c) assume, by agreement, responsibility for the collection and disposition of solid waste whether generated within or without its jurisdiction;
 - (d) enter into a short or long-term interlocal agreement to provide for or operate a solid waste management facility with:
 - (i) another public entity;
 - (ii) a public agency, as defined in Section 11-13-103;
 - (iii) a private person; or
 - (iv) a combination of persons listed in Subsections (1)(d)(i) through (iii);
 - (e) levy and collect a tax, fee, or charge or require a license as may be appropriate to discharge its responsibility for the acquisition, construction, operation, maintenance, and improvement of a solid waste management facility, including licensing a private collector operating within its jurisdiction;
 - (f) require that solid waste generated within its jurisdiction be delivered to a solid waste management facility;
 - (g) control the right to collect, transport, and dispose of solid waste generated within its jurisdiction;
 - (h) agree that, according to Section 19-6-505, the exclusive right to collect, transport, and dispose of solid waste within its jurisdiction may be assumed by:
 - (i) another public entity;
 - (ii) a private person; or
 - (iii) a combination of persons listed in Subsections (1)(h)(i) through (ii);
 - (i) accept and disburse funds derived from a federal or state grant, a private source, or money that may be appropriated by the Legislature for the acquisition, construction, ownership, operation, maintenance, and improvement of a solid waste management facility;
 - (j) contract for the lease or purchase of land, a facility, or a vehicle for the operation of a solid waste management facility;
 - (k) establish one or more policies for the operation of a solid waste management facility, including:
 - (i) hours of operation;
 - (ii) character and kind of wastes accepted at a disposal site; and
 - (iii) another policy necessary for the safety of the operating personnel;
 - (l) sell or contract for the sale, according to a short or long-term agreement, of usable material, energy, fuel, or heat separated, extracted, recycled, or recovered from solid waste in a solid waste management facility, on terms in its best interest;
 - (m) pledge, assign, or otherwise convey as security for the payment of bonds, revenues and receipts derived from the sale or contract or from the operation and ownership of a solid waste management facility or an interest in it;
 - (n) issue a bond according to Title 11, Chapter 14, Local Government Bonding Act;
 - (o) issue industrial development revenue bonds according to Title 11, Chapter 17, Utah Industrial Facilities and Development Act, to pay the costs of financing a project consisting of a solid

waste management facility on behalf of an entity that constitutes the users of a solid waste management facility project within the meaning of Section 11-17-2;

- (p) agree to construct and operate or to provide for the construction and operation of a solid waste management facility project, which project manages the solid waste of a public entity or private person, according to one or more contracts and other arrangements provided for in a proceeding according to which a bond is issued; and
 - (q) issue a bond to pay the cost of establishing reserves to pay principal and interest on the bonds as provided for in the proceedings according to which the bonds are issued.
- (2) The power to issue a bond under this section is in addition to the power to issue a bond under Title 11, Chapter 17, Utah Industrial Facilities and Development Act.

Amended by Chapter 89, 2008 General Session