

CODE ORDINANCE

Sponsored by: Borough Manager  
Introduced: 09/19/17  
Public Hearing: 10/17/17  
Adopted: 10/17/17

**MATANUSKA-SUSITNA BOROUGH  
ORDINANCE SERIAL NO. 17-096**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 17.61, CORE AREA CONDITIONAL USE PERMIT REQUIREMENTS, TO PROHIBIT PRIVATE LANDFILLS WITHIN THE CORE AREA.

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BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of title. The title of MSB 17.61 is hereby amended as follows:

Chapter 17.61: Core Area [CONDITIONAL USE PERMIT REQUIREMENTS]

Section 3. Amendment of table of contents. MSB Chapter 17.61 table of contents is hereby amended as follows:

- 17.61.010 Application of chapter
- 17.61.020 Intent
- 17.61.030 Conditional use permit required for expansion of nonconforming uses and structures
- 17.61.040 Commercial and industrial development review [Repealed]
- 17.61.050 Application procedures

- 17.61.060 Conditions for approval
- 17.61.070 General standards
- 17.61.080 Noise standards
- 17.61.090 Traffic standards
- 17.61.100 Hazardous materials standards
- 17.61.110 Action on permit applications
- 17.61.120 Amendment of conditional use permit

**17.61.125 Prohibited uses**

- 17.61.130 Violations, enforcement, and penalties
- 17.61.140 Definitions
- 17.61.150 Appeal procedure

Section 4. Adoption of section. 17.61.125 PROHIBITED USES is here by adopted as follows:

**(A) The following land uses are prohibited within the Core Area and are not eligible for permits under any section of MSB Code:**

**(1) Private landfills.**

Section 5. Amendment of section. MSB 17.125.010 is hereby amended as follows:

- **"Landfill" means an area in which solid waste is disposed of on or into the land, or that portion of a facility where landfilling is taking or has**

taken place. "Landfill" does not include a  
landspreading facility or a containment structure  
used for the disposal of drilling wastes.

• "Solid waste" means drilling wastes, garbage,  
refuse, sludge, building material, or other  
discarded material, including solid, liquid, semi-  
solid, or contained gaseous material resulting from  
industrial, commercial, or agricultural operations,  
or from community activities. For purposes of this  
chapter, "solid waste" does not include:

(a) spoil and overburden from road  
construction, land clearing, or mining operations;

(b) mining waste regulated by federal and  
state regulations;

(c) domestic sewage and other wastes that  
are discharged into and pass through a sewer system  
to a publicly owned treatment works;

(d) industrial or mining wastes that are  
being collected, stored, or treated in:

(i) a wastewater treatment plant before  
discharge or removal; or

(ii) an industrial processing facility  
for continual re-use;

(e) industrial discharges that are point  
sources subject to federal or state permits;

(f) nuclear or nuclear byproduct material.

Section 6. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this 17 day of October, 2017.

  
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VERN HALTER, Borough Mayor

ATTEST:

  
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LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)

PASSED UNANIMOUSLY: Beck, McKee, Colligan, Mayfield, Doty, and Kowalke

