

**Certified Copy of Record**

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STATE OF MISSOURI, }  
County of Cass, } ss.

In the County Commission of Cass County, Missouri, at the April Term, 2023, held on the 26th day of April 2023 amongst others, were the following proceedings:

**CASS COUNTY, MISSOURI  
ORDINANCE NO. 23-05**

**AN ORDINANCE AMENDING COUNTY CODE CHAPTER 400 RELATED TO  
LANDFILL REGULATIONS.**

**BE IT ORDAINED BY THE COUNTY COMMISSION OF CASS COUNTY, MISSOURI,  
AS FOLLOWS:**

**Section 1.** That Section 400.660.A.7 of the Code of Ordinance of Cass County, Missouri is hereby amended to read as follows (additions are underlined; deletions contain a ~~strikethrough~~):

Landfill Uses.

- a. Sanitary landfill shall be subject to Missouri Department of Natural Resources (MoDNR) review and approval. Documentation of all necessary approval and permitting procedures shall be provided to the County in the application, and shall be revised when reissued by such authorities.
- b. All water runoff from a sanitary landfill shall be subject to all other Federal, State and local requirements which are applicable. In addition, any requirements considered necessary by the Planning Board or BZA for the enforcement of this Zoning Order shall be satisfied prior to acceptance of the application for permitting.
- c. Documentation of all necessary approval and permitting procedures of all regulating authorities shall be provided to the County in the application, or prior to issuance of the permit and shall be revised when reissued by such authorities.
- d. Specific procedures for the handling of storm water management, as required by the Missouri Department of Natural Resources (MoDNR) as part of the compliance with the Clean Water Act and the American Public Works Association Standards shall apply. Any requirements considered necessary by the Planning Board or BZA for the enforcement of

this Zoning Order may also be required and shall be satisfied prior to acceptance of the application for permitting. This may include controls that demonstrate compliance with the Clean Water Act, such that there is no discharge of runoff water directly into surface or subsurface waters.

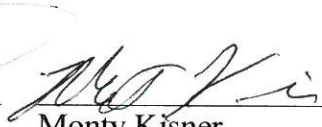
- e. Separation requirements from adjacent land uses shall be, in addition to those of DNR, at least one (1) mile from any municipality, and any requirements considered necessary by the Planning Board or BZA for the enforcement of this Zoning Order. Perimeter setbacks may be greater than the standard setbacks in the underlying zoning district.
- f. Restrictions limiting access to the site to specific routes using County roads will be required. The application shall include a schematic site plan of the routes within a three (3) mile radius of the subject property and intended to be access routes for the proposed use.
- g. The lot on which the use is located shall be screened by a fence of woven wire construction, a minimum of ~~six (6)~~ ten (10) feet in height along all lot lines as a means to prevent wind blown debris from leaving the subject property. Openings in the fence shall be nominally two (2) inches square. Construction materials shall be galvanized metals.
- h. The hours of operation shall be nominally the normal daylight working hours. No use shall be permitted between the hours of 6:00 p.m. to 8:00 a.m., Monday through Saturday. No use on Sundays, New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving, or Christmas Day shall be permitted.
- i. Provisions for dust reduction and containment both on- and off-site are required to be fully described as part of the application process. Use of the site shall include provisions to control dust caused by the proposed use. As a minimum, water spray dust control shall be required during operation hours such that dust leaving the property shall be limited to short durations, and to the satisfaction of the County.
- j. A reclamation plan for returning the subject property to it's original condition shall be required with the application. The plan shall be binding to the extent that it shall indicate the intent of the reclamation. This initial reclamation plan shall be revised in advance of the time that such reclamation efforts would begin. At such time, the revised and final plan shall be submitted to the BZA for approval. It shall be reviewed as part of a public hearing process, under the same procedures as the original application.
- k. The reclamation plan shall include a schedule of the beginning, duration and completion of the reclamation effort. This schedule may also be revised as part of the submittal of a final reclamation plan.
- l. The BZA may require a bond or other method of financial assurance acceptable to the County in the amount that will guarantee the reclamation of the site within a period of time to be specified and approved by the BZA. Such surety shall be properly executed

prior to any grading or construction, and shall be released in segments upon written approval of the County.

Section 2. That this ordinance shall be effective upon its approval.

ADOPTED BY THE CASS COUNTY COMMISSION THIS 26th DAY OF APRIL 2023.


  
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Bob Huston  
Presiding Commissioner

  
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Monty Kisner  
Associate Commissioner,  
District 1

  
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Ryan Johnson  
Associate Commissioner,  
District 2

ATTEST:



  
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Jeff Fletcher  
County Clerk  
Dated: 4/26/23