

## ORDINANCE 26-003

### AN ORDINANCE AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKINGS AND PERTAINING TO SOLID WASTE.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF BROOKINGS, STATE OF SOUTH DAKOTA, AS FOLLOWS:

THAT CHAPTER 70, ARTICLE V. of the Code of Ordinances and pertaining to Sanitary Landfills is hereby amended to read as follows:

#### ARTICLE V. SANITARY LANDFILL

**Section 70-202. Regional landfill; use restricted.**

The city landfill serves as a regional landfill facility. The use of the city landfill shall be limited to solid waste which complies with this article, any rules and regulations adopted by the city, and with state or federal law, together with yard waste, tree branches, tires and appliances which may also be delivered to the landfill.

(Code 1996, § 17-43)

**Section 70-203. Charges.**

The charges for the use of the landfill shall be established by resolution of the city council.

(Code 1996, § 17-44)

State law reference(s) - Fees authorized, SDCL 34A-6-1.38.

**Section 70-204. Deposit in approved facilities only.**

No solid waste material collected in this city shall be deposited in any place except in approved solid waste facilities as designated by the city.

(Code 1996, § 17-45)

**Section 70-205. Removal of material.**

It is unlawful for any person to remove or cause to be removed from the sanitary landfill any solid waste. Material that can be recycled or reused consistent with city ordinance or state or federal laws, and rules and regulations adopted by the city may be removed when approved by the Solid Waste Manager.

(Code 1996, § 17-46)

**Section 70-206. Control of ingress and egress.**

The Solid Waste Manager is responsible for the access and control of the city landfill. The entrance to the landfill shall be locked when the landfill is not open for operation.

(Code 1996, § 17-47)

**Section 70-207. Hazardous or inappropriate waste.**

- (a) *Waste the city will not accept.* The city will not accept hazardous waste or other wastes that have been identified by the state or federal government as not being appropriate for disposal in a municipal landfill.
- (b) *Enumeration of items not to be collected.* The city solid waste collection operation shall not collect the following items:
  - (1) Electronic waste;
  - (2) Liquid waste oil;
  - (3) Tires;
  - (4) Automotive batteries and Lithium batteries;
  - (5) Furniture;
  - (6) Major appliances; and
  - (7) Tree limbs/branches that are longer than four feet and not tied into easy-to-handle bundles.
- (c) *Enumeration of unacceptable items.* The city landfill will not accept the following items:
  - (1) Electronic Waste
  - (2) Liquid wastes, including motor oil;
  - (3) Substances that are defined as hazardous waste by the federal or state government; and
  - (4) Automotive batteries and Lithium batteries.
- (d) *Acceptance for alternate disposal; rules.* The city landfill may accept the following special wastes for alternative disposal, provided that they are separated and handled according to federal, state and city rules and regulations:
  - (1) Petroleum contaminated soils;
  - (2) Asbestos containing materials;
  - (3) Tires;
  - (4) Major appliances;
  - (5) Demolition waste;
  - (6) Scrap iron/metal;
  - (7) Trees and branches;
  - (8) Yard waste;
  - (9) Electronic waste; and
  - (10) Asbestos.

(Code 1996, § 17-60)

**Section 70-208 - 70-240. Reserved.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

FIRST READING: January 27, 2026  
SECOND READING: February 10, 2026  
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CITY OF BROOKINGS, SD

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Oepke G. Niemeyer, Mayor

ATTEST:

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Bonnie Foster, City Clerk