

MISTY HEFFNER
Chancery Court Clerk



Court Records
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The Desoto County Board of Supervisors has adopted a policy that requires anyone who chooses to opt out of garbage service to complete the attached Household Garbage Service Opt-Out form . This form may be brought into the DeSoto County Chancery Clerk’s Office or it may be mailed to the Chancery Land Records Division, located at 311 W. South Street, Hernando, MS 38632.

Filing of the Opt-Out Form must be submitted on or before Decemeber 1st. The Opt-Out Form will only apply to the following year’s Collection Services. Each year, you will be required to file the Household Garbage Service Opt-Out Form with the Chancery Clerk’s office. **No Exceptions Will Be Made To This Annual Filing Requirment.** The opt-out forms will be in effect for the entire year, unless rescinded by notice submitted to the Chancery Clerk’s Office. The property owner is solely responsible for making all arrangments to successfully reinstate Collection Services with the contracted Desoto County Service Provider before filing a rescinded notice with the Chancery Clerk’s Office.

HOUSEHOLD GARBAGE SERVICE OPT-OUT

The DeSoto County Board of Supervisors (the "Board") is required to establish, operate and maintain a garbage and/or rubbish disposal system or systems for DeSoto County. The Board provides the county citizens with residential garbage collection and disposal services by way of contracted qualified service providers. All persons in the unincorporated county generating garbage are required to utilize the residential garbage collection and disposal services (the "Collection Services") unless otherwise authorized or exempted by the Board or State law.

The Board has adopted an order authorizing the head of any single family residential generator of household garbage to elect **NOT** to use the county provided Collection Services by filing this "opt-out" form with the DeSoto County Chancery Clerk (the "Clerk") on or before December 1 of each year. No Exceptions Will Be Made to This Annual Filing Requirement. The election to "opt-out" will be applicable to the following year's Collection Services only.

Timely filed "opt outs" will be for the entire year following unless rescinded by written notice submitted to the Clerk and the property owner has made all necessary arrangements to reinstate Collection Services. Those who opt-out of the Collection Services will be required to personally transport and deliver, or contract with a commercial or private hauler, as necessary, to transport and deliver, all household generated garbage and recyclable materials to a disposal facility with a valid solid waste management permit issued by the Mississippi Department of Environmental Quality ("MDEQ"). Those who opt-out of the Collection Services will be required to pay all transport, delivery and disposal costs they incur. All transportation, delivery and disposal must be in compliance with the rules, regulations and policies established by MDEQ.

COMPLETE ALL INFORMATION REQUESTED BELOW

Owner Name: _____
Owner Phone: _____
Service Address: _____
Tax Parcel Number: _____
Method of transportation and delivery you will utilize: _____

Disposal site you will utilize: _____

I hereby verify my request to opt-out of the DeSoto County, Mississippi garbage and recycling services for the year _____.¹ I understand this form must be submitted by end of business day December 1 of each year in order to opt out of the following year services. I understand that if I wish to rescind my opt-out during the service year, I may only do so by making arrangements with the contracted DeSoto County service provider and notifying the DeSoto County Chancery Clerk in writing.

Owner signature: _____ Date: _____

*****The opt-out form must be completed by the property OWNER only.*****

Received By: _____

Persons electing not to use the Collection Service must comply with all state and federal laws and regulations and will be subject to penalties for the improper or unauthorized management of garbage described in Appendix 1.

¹ Opt-Out is not applicable to those whose garbage collection services are provide through a municipality or a municipality's service provider. This Opt-Out applies only to those residing in the unincorporated county.

Appendix 1
Applicable State and Federal Laws and Regulations
(this list is not all inclusive and is intended solely for sample illustrative purposes)

Miss Code Ann. §17-17-1 Solid Wastes Disposal Law of 1974. Any person who knowingly violates any provision of this chapter or violates any order issued by the commission under the authority of this chapter shall, upon conviction, be guilty of a misdemeanor and shall be subject to a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) for each day of violation or to imprisonment not to exceed one (1) year, or both.

Miss Code Ann. §49-17-1 Mississippi Air and Water Pollution Control Law. Any person who knowingly violates any provision of this chapter shall be subject to a civil penalty of not more than Twenty-five Thousand Dollars (\$25,000.00), for each violation.

Miss Code Ann. § 49-17-603 Unlawful generation of controlled substance wastes. Any person who knowingly violates this chapter shall be imprisoned for a period not to exceed thirty (30) years and shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than One Million Dollars (\$1,000,000.00), or may be both fined and imprisoned

Part 4 Rule 1.1 Mississippi Commission on Environmental Quality Regulation Regarding Nonhazardous Solid Waste Management Regulations

40 CFR Part 243 GUIDELINES FOR THE STORAGE AND COLLECTION OF RESIDENTIAL, COMMERCIAL, AND INSTITUTIONAL SOLID WASTE