

CHAPTER 922
Residential Solid Waste Collectors

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CROSS REFERENCES

Collection and disposal of garbage—see Ohio R.C. 715.43, 717.01
 Employment of scavengers—see Ohio R.C. 3707.39
 Vehicle loads dropping or leaking—see TRAF. 339.08
 Shifting loads; loose loads—see TRAF. 339.09
 Littering—see GEN. OFF. 521.08
 Private refuse collectors—see S.U. & P.S. Ch. 921
 Solid waste disposal regulations—see OAC Ch. 3745-27

922.01 LICENSE APPLICATION.

(a) The City Manager is authorized to issue residential solid collectors' licenses in such manner and to such persons as he shall deem appropriate for the preservation of the public health, safety and welfare, or the economy of the City. Such license shall authorize the holder thereof to collect solid waste, subject to the requirements of Chapter 919, on the day of the week specified in the license. Such license shall not be issued unless the person seeking the same shall file with the City Manager an application, under oath, setting forth the following items:

- (1) The name and address of the applicant and the location of any premises to be used by the applicant in conjunction with the license being applied for.
- (2) The type of vehicle to be used, which shall be equipped with either a watertight metal tank, or one or more watertight metal vessels for containing solid waste, either both or all of which shall be equipped with tight, close-fitting lides or covers. Except for removal thereof in the necessary use of such tank or vessel, the lids or covers shall be kept in

place at all times, and none thereof, when containing any liquid substance, shall ever be filled to an extent greater than a point six inches from the top thereof.

Vehicles used for the hauling of rubbish only may be any type which insures against the spilling, dropping or blowing of the contents thereof upon the streets, alleys or public ways of the City. All such vehicles shall be approved by the Health Division.

- (3) The location of premises to which solid waste collected by the applicant or his agent or employees shall be removed and disposed of by the applicant or his agent or employee.
- (4) The day of the week, Monday through Friday, on which the applicant wishes to operate.
- (5) A written statement by the applicant that he will comply with all applicable laws, ordinances, rules and regulations.

(b) In addition, each application for a license shall be accompanied with proof that the following items have been secured and shall remain in effect during the term of such license:

- (1) Comprehensive general liability insurance and comprehensive automobile liability insurance in an amount of not less than one hundred thousand dollars (\$100,000) per occurrence and not less than three hundred thousand dollars (\$300,000) aggregate for bodily injury and not less than twenty five thousand dollars (\$25,000) for property damage. The insurance shall be subject to approval by the Director of Law and shall not be cancelled without ten days advance written notice of such cancellation having been given to the City.
- (2) A certificate of Worker's Compensation insurance when the applicant employs one or more employees.
- (3) City income tax number.

An applicant may apply for one or more residential solid waste collector's licenses for the purpose of collecting solid waste during one or more days of the week. (Ord. 87-421. Passed 7-7-87.)

922.02 ISSUANCE OF LICENSE.

Upon being satisfied that an applicant will comply with all the terms, conditions and requirements of Chapters 919 and 922 and any rules, regulations and orders issued pursuant thereto, the City Manager, may grant a private solid waste collector's license to such applicant to collect solid waste generated only at a residential premises, such collection to be performed only during the day of the week, Monday through Friday, specified in the license.

The City Manager may divide the City into two or more districts and allow the collection of solid waste by licensed residential solid waste collectors within a district on only one day of the week.

The City shall provide the licensee with an official tag, decal or symbol for each licensed vehicle which shall be securely fastened to the left front door of the licensed vehicle. (Ord. 87-421. Passed 7-7-87.)

922.03 LICENSE NONTRANSFERABLE; TERM; FEE.

No residential solid waste collector's license shall be transferable without the written approval of the City Manager. Every such license shall expire December 31 of the year in which the same was issued and, while in effect, shall be at all times in the possession of the licensee or his agent or employees acting thereunder. To defray the administrative costs

incident to the granting thereof, no such license shall be issued until there shall be paid to the City an annual license fee in the amount of fifty dollars (\$50.00) per day of the week authorized by the license issued to a maximum of two hundred dollars (\$200.00) for authority to operate four or five days per week by a license or licenses to operate a single vehicle and an additional annual license fee of ten dollars (\$10.00) for each additional vehicle. No such fee shall be pro-rated; provided, however, during 1987 the initial vehicle license fee shall be twenty-five dollars (\$25.00) per day of the week authorized by the license issued to a maximum of one hundred dollars (\$100.00) for authority to operate four or five days per week. (Ord. 87-421. Passed 7-7-87.)

922.04 CONTRACTS WITH SERVICE AREAS.

No licensed residential solid waste collector shall enter into a contract with any person for the collection of solid waste generated at a residential premises which contract is not cancelable upon thirty days notice without penalty to the contracting parties. (Ord. 87-421. Passed 7-7-87.)

922.05 LICENSE REVOCATION.

In the event of the failure of any such licensee or any employee or agent of such licensee to comply with any provision or requirement of Chapters 919, 922, and 923, or any rule, regulation or order put into effect by the City Manager, the City Manager is empowered to revoke the license of such licensee forthwith. The giving of notice of such effect by mail and addressed to such licensee at the address specified in the application for license shall be sufficient to accomplish such revocation. (Ord. 87-421. Passed 7-7-87.)

922.06 LICENSE REQUIRED BEFORE COLLECTION.

No person except when being an agent, employee or solid waste collection contractor of or with the City, or the agent or employee of such contractor, shall collect, receive or remove any solid waste from any residential premises or transport, carry, cart or convey any solid waste, generated at a residential premises, over or upon any street, alley or highway, without having obtained a residential solid waste collector's license in the manner prescribed in this chapter. (Ord. 87-421. Passed 7-7-87.)

922.07 REGULATION OF RESIDENTIAL SOLID WASTE COLLECTORS.

(a) No person shall transport solid waste, other than recyclable materials being transported to a recycling center, over the street or other public ways in the City unless the solid waste is contained in a leak-proof vehicle licensed pursuant to this part. All vehicles used by residential solid waste collectors shall be cleaned at sufficient frequency to prevent nuisance and insect breeding and shall be maintained in safe condition and repair.

(b) No person owning or having control of a vehicle used for transporting solid waste shall cause any of the solid waste being transported to be dumped, fall or to be scattered on any public way or in any place other than a premises licensed by the State as a solid waste disposal site or facility pursuant to Ohio R.C. Chapter 3734. (Ord. 87-421. Passed 7-7-87.)

(c) No residential solid waste collector shall engage in the business of a residential solid waste collector by the curbside collection of solid waste or transportation of such solid waste so collected from or over the street or other public ways in the City at anytime prior to 6:00 a.m., nor after 8 p.m. of any day. No such residential solid waste collector shall engage

in the curbside collection of solid waste except pursuant to the daily collection schedule as it may be, from time to time, established by the City Manager pursuant to Section 919.09. (Ord. 01-410. Passed 12-11-01.)

922.99 PENALTY.

Whoever violates any provision of this chapter or any rule, regulation or order made or effectuated by the City Manager pertaining to the maintenance, collection, removal or disposal of solid waste, demolition matter and dangerous substances shall be guilty of a misdemeanor of the third degree, punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment not exceeding sixty days, or both.