



Environmental Services

Proposed Revisions to Title 9.04-Solid
Waste Management - Flow Control &
Franchise Agreements

February 25, 2010

Agenda Item #3



Sections 9.04.030 & 9.04.180 “Collectors” Defined

- Added new definition for “Collector” to Section 9.04.030
 - Language taken from 9.04.180 - Authorized Collection Agencies
 - “Persons, businesses, institutions or agencies engaging in the *collection, removal, transportation or disposal of solid waste, for a fee ...*”
- Newly renamed Section 9.04.180 – Collectors
 - Proposed language:
“All solid waste generated or otherwise found within the City shall be collected by a collector holding valid authorization to collect and transport solid waste in accordance with this chapter. Collectors are required to have all State and local permits, licenses and registrations as required by law.”



Section 9.04.250 - Types of Permits

- Added language excluding private homeowners from permit requirement

“Private homeowners collecting and transporting their own construction debris, discarded appliances, tree limbs, grass clippings and other municipal solid waste generated on their own residential premises are not required to obtain a permit.”



Section 9.04.260A - Solid Waste Operations Permit

Additional information requested from applicants:

- Estimated monthly volume of waste.
- List of the area or areas served.
- List of all contracts and agreements covering the collection of solid waste generated within the city.
 - Names of the parties to the contract or agreement
 - Term of the contract
 - Termination date of the contract
 - Name(s) of any disposal location specified in the contract or agreement.
- Any additional data and information deemed necessary by the Department to verify the accuracy of information contained in the permit application forms and attendant documents.



Section 9.04.290 - Vehicle Standards and Markings

Clarification of additional requirements

- Require a valid license from collectors.
- Require vehicle information on application.
 - Make, model, year, license plate number (and state), vehicle capacity and body type.
- Valid license is not transferable between vehicles.
- Vehicles must minimize noise disturbance and must be maintained clean.
- Waste in vehicles shall not be reworked, resorted, picked over, or rehandled while on City streets.
- Only vehicles meeting minimum standards may be used for collection or transportation.



Section 9.04.320 - Method of Disposal

Clarification language:

- Municipal Solid Waste – disposal at City owned/operated or City designated facility
- Class I Industrial Waste – disposal at a permitted facility authorized to accept such waste
- Class II Industrial Waste – disposal at City owned/operated or City designated facility
- Special Waste – disposal at City owned/operated or City designated facility
- Non-friable asbestos – disposal at City owned/operated or City designated facility



Section 9.04.325 - Collector Records

New record keeping requirements:

- Collector to keep records, receipts, invoices, and other pertinent papers.
 - Tonnage of waste
 - Solid waste handling facility
 - Disposal site
 - Date of disposal
- City may examine or request copies of records
- Collector shall submit quarterly reports
 - Solid waste
 - Yard waste
 - Construction waste
 - Scrap metals
 - Recyclables
 - Disposal facility



Section 9.04.330 - Operation of City-Owned or City-Operated Disposal Facilities

Proposed provision to exclude any waste not authorized by state permits (i.e., Class I waste)

9.04.330 B. Acceptance of Waste. The Director shall accept solid waste from collectors at city-owned or city-operated solid waste handling facilities in accordance with the state permits for operation of such facilities and the provisions of this chapter.



Sections 9.04.382 & 9.04.384

New sections added:

9.04.382 Violation of Permit.

- Permit holders shall comply with local, state & federal laws regulating collection, transportation and disposal of waste.
- Director shall issue notices of violation

9.04.384 Documentation.

- Director shall have the authority to request documents and information.



Section 9.04.386 - Presumptions

New section added for rebuttable presumptions:

- The placement or presence of any container which is marked or identified with the name of any hauler shall be presumptive evidence that said waste or collection services occur at said location or presence.
- Evidence of waste in a container and subsequent observation of the same container empty shall be presumptive evidence that the waste was collected from the container by the hauler whose name is marked on the container. If the container is unmarked, the presumption shall be that the waste was collected by the hauler responsible by contract for collection at said location.
- Failure to deliver waste to a designated facility within 3 days of collection shall be presumptive evidence that the waste was illegally dumped or disposed.
- Service of notice upon any person, landscaper, or hauler shall be presumptive evidence that such notice was received.



Sections 9.04.420 & 9.04.430

Clarification language:

- 9.04.420 E. Surcharge for Uncovered Loads.
 - Department authorized to assess surcharge fee
 - Surcharge fee shall not preclude any other enforcement measures.
- Section 9.04.430 B. Delinquent Fees.
 - If holder of permit becomes delinquent in the payment of fees, the Director may refuse access to City solid waste facilities and suspend or revoke such permits.
 - Billing for the payment of fees serves as notice.



Section 9.04.510 - Waste and Debris Containment Required

Requirement for construction debris:

- Construction debris shall be taken to a solid waste handling facility owned or operated by the City.
- Shall not preclude the source separation of materials from solid waste prior to collection of such waste for disposal



Questions?