

CHAPTER 848
Refuse Haulers

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CROSS REFERENCES

Dropping or leaking loads - see TRAF. 440.06

Shifting or loose loads - see TRAF. 440.06

Filthy accumulations - see GEN. OFF. 660.04, 660.16

Garbage and rubbish collection and disposal - see S.U. & P.S. Ch. 1072

848.01 DEFINITIONS.

As used in this chapter:

(a) "Curbside" means collection at the curb or from some other location on the property of the residential customer.

(b) "Materials recovery facility" means a facility which meets the standards approved by the Summit-Akron Solid Waste Management Authority. The materials recovery facility need not be located in Summit County.

(c) "Recyclable materials" means;

(1) Cardboard - Any box or packaging made from paperboard, chipboard or corrugated paper material that does not have a shiny or wax coating.

(2) Glass food and beverage containers - Any glass bottle or jar used to package food or beverage products.

(3) Metal food and beverage containers - Any aluminum, bimetal or steel can used to package food or beverage products.

(4) Newspaper - Used or discarded newsprint, including inserts.

(5) Plastic containers - Any HDPE or PETE bottles or jugs.

(d) "Recycling collection" means the separation of recyclable materials from other household solid waste and proper disposal thereof (as approved by the City and in accordance with the standards of the Summit-Akron Solid Waste Management Authority).

(e) "Refuse hauler" means any person engaged in the business of collecting or removing garbage, animal or vegetable refuse, ashes, rubbish, trash or waste materials of any kind within the City.

(Ord. 94-129. Passed 10-5-94.)

848.02 LICENSE REQUIRED; COLLECTION AND RECYCLING PROGRAM.

Effective sixty days after the enactment of this chapter and continuing thereafter, each private refuse hauler operating within the Municipality must be licensed by the City and shall be required to provide a curbside pick-up collection program for its single-family, two-family and multifamily residential customers, with or without curbside separation of recyclable materials, but including a recycling program as defined herein.

(Ord. 93-13. Passed 3-15-93.)

848.03 SERVICES TO BE OFFERED.

(a) Each licensed refuse hauler, as part of its solid waste collection service, shall provide curbside recycling collection to each of its single-family and two-family residential customers and recycling collection to multifamily residential units weekly or bi-weekly, on the same day as refuse collection. Each and every option offered for solid waste collection shall include a recycling collection system which shall meet the standards of the Summit-Akron Solid Waste Management Authority.

(b) Each licensed refuse hauler shall provide, as an option, to each of its residential customers, a volume-based fees system (a charge per bag or per customer) for solid waste refuse and recycling collection services.

(c) Collection by licensed refuse haulers shall be between the hours of 7:00 a.m. and 6:00 p.m. on the days scheduled.

(d) If placed at the curb, containers for collection shall be set out prior to 7:00 a.m. of the collection day, but in no case shall containers be set out prior to 7:00 p.m. of the previous evening. Emptied containers should be removed from the curbside on the collection day.

(Ord. 94-129. Passed 10-5-94.)

848.04 LICENSE APPLICATION; VEHICLES; LICENSE ISSUANCE AND IDENTIFICATION; BOND.

(a) Whoever desires a license to engage in business as a refuse hauler shall make written application for a license therefor at the office of the City Manager on forms provided, correctly stating the following:

(1) The name, address and telephone number of the applicant;

(2) The make, model, year and current registration license number of any motor vehicle used in the business;

(3) A solid waste collection plan describing how the hauler proposes to collect solid waste and recyclables, the recyclable materials to be collected, the frequency of solid waste and recycling collection, where solid waste and recyclable materials will be taken and how the types and volumes will be tracked; and

(4) A certificate of insurance covering public liability, property damage and automobile liability in the minimum amounts of five hundred thousand dollars (\$500,000) for each person for bodily injury; five hundred thousand dollars (\$500,000) for each accident; and three hundred thousand dollars (\$300,000) for each accident for property damage.

(b) Each vehicle shall be in compliance with Ohio R.C. Chapter 4513 and the Traffic Code of the City. Upon payment by the applicant of a license fee of twenty-five dollars (\$25.00) for each such motor vehicle so operated, to compensate for the cost incident to the issuance of the license, the City Manager shall issue to the applicant a license, valid from the date of issuance until April 15 of the following year, together with a license identification to affix to the motor vehicle. During the period of validity of the license, the license identification shall be displayed upon the motor vehicle in an unobscured, conspicuous place.

(c) Each license holder shall be required to post with the City a five hundred dollar (\$500.00) cash or surety bond to insure his or her faithful performance of the duties required of such person by this chapter and by the Traffic Code and ordinances of the City, as well as trash disposal. Violation of any of the provisions of this chapter shall be cause for forfeiture of said cash or bond.

(Ord. 93-13. Passed 3-15-93.)

848.05 QUARTERLY REPORTS.

Each licensed refuse hauler shall make a quarterly report to the City, on January 15, April 15, July 15 and October 15, giving information necessary to track the volume of solid waste and recyclable materials collected and their place of disposal. Failure to

provide quarterly reports shall be a basis for revocation of the hauler's license and forfeiture of the cash or surety bond required by Section 848.04(c).

(Ord. 94-129. Passed 10-5-94.)

848.06 TRANSPORTATION AND DISPOSAL OF MATERIALS.

(a) Each licensed refuse hauler must dispose of recyclable materials at a materials recovery facility meeting the standards approved by the Summit-Akron Solid Waste Management Authority.

(b) No license shall be issued for any motor vehicle not equipped or not properly constructed to prevent dropping or leaking of the materials collected therein during transportation of the same and/or not complying with Ohio R.C. Chapter 4513 or the Traffic Code of the City.

(c) In the event that any licensed motor vehicle is subsequently found not to be in compliance with the requirements of this chapter, the City Manager, in addition to or independent of any other penalties, may revoke the license for such vehicle until the same is brought into compliance.

(Ord. 94-129. Passed 10-5-94.)

848.99 PENALTY.

(a) Whoever violates any of the provisions of this chapter shall be fined not more than five hundred dollars (\$500.00) for a first offense. For a second offense, such person shall be fined not more than one thousand dollars (\$1,000).

(b) Regardless of the penalties provided in subsection (a) hereof, an organization (as defined in Ohio R.C. 2901.23) that is convicted of an offense committed by an officer, agent or employee of such organization, acting in its behalf and within the scope of his or her office or employment, shall be fined not more than one thousand dollars (\$1,000) for a first offense and not more than five thousand dollars (\$5,000) for each subsequent offense.

(Ord. 93-13. Passed 3-15-93.)