



# Louisville Metro Government

## Legislation Text

File #: O-110-13, Version: 1

### ORDINANCE NO. \_\_\_\_\_, SERIES 2014

**AN ORDINANCE AMENDING SECTIONS 51.300 TO REQUIRE THE REMOVAL OF GARBAGE CANS BY WASTE HAULERS WITHIN 48 HOURS OF CANCELLATION BY CUSTOMER.**

**Sponsored By: SPONSORSHIP WITHDRAWN**

**WHEREAS**, Louisville Metro Council wishes to eliminate the problem of waste haulers failing to remove garbage cans after customers cancel their garbage service.

**BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**

**Section 1:** LMCO Section 51 section 300 is hereby amended to read as follows:

§ 51.300 WASTE HAULERS.

(A) Any public or private waste hauler engaged in the business of hauling waste within the county must register, obtain and maintain a Metro Government Waste Hauler License pursuant to regulations duly adopted by the Board of Directors.

(B) To obtain the Metro Government Waste Hauler License, waste haulers must register with the Waste Management District by completing a license application in a form specified by the Waste Management District pursuant to regulations duly adopted by the Board of Directors.

(C) *License to operate.*

(1) Any waste hauler engaged in the business of hauling waste or providing waste hauling services within the County must register, obtain and maintain a Metro Government Waste Hauler

License ("license").

(2) To obtain the license, waste haulers must register with the District by completing a license application in a form specified by the Department. The application will require, at a minimum:

(a) Name, address and principal place of business of the applicant;

(b) A copy of applicant's state application for a license to operate municipal solid waste transportation vehicles as described in Section 1 of 601 KAR 40:020;

(c) A copy of applicant's current Kentucky Transportation Cabinet Application for Kentucky Solid Waste Transporter Vehicle Identification Card form as required by KRS 174.450 and 601 KAR 40:020.

(3) To obtain and maintain the license, waste haulers operating within the county must offer a basic service package to all residential customers. The basic service must consist of once-a-week curbside collection of household waste; once-a-week seasonal collection of yard waste; and once-a-week curbside collection of recyclables. Other alternative collection service scenarios may be used if approved by the Board. Haulers must provide for the collection of the following recyclable materials at a minimum: newspaper; aluminum and steel cans; clear, green and brown container glass; HDPE and PETE plastic bottles and jugs.

(4) All private waste haulers operating within the county must, as a condition of the license, have a variable service rate pricing structure for their respective residential customers.

(5) All private waste haulers must offer collection of source separated recyclable materials to all commercial and industrial customers.

(6) All private waste haulers must retrieve garbage can(s) supplied to their customer within

48 hours of the last scheduled pickup after the receipt of cancellation notice from a customer. Failure to retrieve garbage can(s) within said time period results in liability of the waste hauler for the garbage can(s).

(6) (7) To obtain and maintain the license, all waste haulers must be in compliance with all state, federal and local laws and regulations pertaining to waste haulers and waste hauling.

(D) *License fee.* The license fee for a waste hauler operating in the county shall be \$100 per year and \$10 per waste collection vehicle operated by the licensee. The annual renewal fee shall be due and payable on or before July 31 of each year. The annual renewal fee shall be based on the most current renewal of the Kentucky Municipal Solid Waste Transporter License. A copy of the current Carrier Inventory Listing (with corrections) for municipal solid waste transporters should accompany the annual renewal fee.

(E) *Required reporting.*

(1) All waste haulers operating within the county shall file an annual report with the District.

(2) Such reports shall be due on February 15 of each year.

(3) Such reports shall be in conformance with the format and requirements set forth by the Department. The report will provide data to the District on at least the following items:

(a) Number of households and businesses served;

(b) Amounts of solid waste collected by weight;

(c) Geographic area served;

(d) Frequency of service;

- (e) Amounts of recyclables collected by weight;
- (f) Disposal facilities used and amount by weight delivered to each facility;
- (g) Yard waste facilities used and amount by weight delivered to each facility;
- (h) Amount of bulk waste, if collected separately; and
- (i) Recycling facilities used and amount by weight delivered to each facility.

(F) *Vehicle requirements.*

(1) Only closed, leak proof and self-unloading packer trucks shall be used for the collection of residential solid waste.

(2) All vehicles used for the collection, transportation and disposal of solid waste within the county must be registered with the District in a form provided by the Department.

(3) All vehicles used for the collection, transportation and disposal of solid waste within the county must display their registration on the vehicle in the form and location set by the Department.

(G) *Prohibited activities.*

(1) No waste hauler may commingle yard waste and solid waste in a collection vehicle, unless using a "single pass" or "co-collection" type of vehicle especially designed and constructed to segregate two different collection streams. If such vehicles are used, the hauler(s) must notify the District in writing.

(2) No waste collection vehicle may be parked or stored within 1,000 feet of a residentially

zoned or used property.

**Section 2:** This Ordinance shall take effect upon its passage and approval.

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H. Stephen Ott Metro Council Clerk                      King President of the Council                      Jim

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Greg Fischer Mayor                      Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

BY: \_\_\_\_\_

Garbage Bin Pick up CM Peden ROC-sjm 6-4-13