

ARTICLE 3. PRIVATE SOLID WASTE COLLECTION SERVICE.

Division 1. General Provisions.

§ 15-6-41 APPLICABILITY.

This article does not apply to:

- (1) a City employee or agent;
- (2) the operator of a vehicle owned by a governmental body and used to transport the governmental body's solid waste;
- (3) a sloop or swill hauler who complies with Section [10-5-62](#) (*Permit Required for Sloop and Swill Hauler*); or
- (4) a private collection service that hauls refuse from single-family residences only.

Source: 1992 Code Section 12-3-63; Ord. 031204-14; Ord. 031211-11.

§ 15-6-42 VEHICLES AND EQUIPMENT.

(A) A licensee shall keep a vehicle or equipment used in a private collection service in clean, sanitary, and safe condition. The department may inspect a licensee's vehicle or equipment at any time.

(B) A licensee may not place a mechanically-handled solid waste container on public property or a public right-of-way, except with the director's approval or the execution of a license agreement with the City.

Source: 1992 Code Section 12-3-61; Ord. 031204-14; Ord. 031211-11.

§ 15-6-43 DISPLAY OF BUSINESS INFORMATION.

(A) A licensee shall prominently display the name and telephone number of the private collection service on both sides of each vehicle used in the operation of the service.

(B) The licensee shall prominently display the name and telephone number of the private collection service on at least one side of each container used for collection, storage, or disposal of solid waste in the city.

Source: 1992 Code Sections 12-3-62(A) and (B); Ord. 031204-14; Ord. 031211-11.

§ 15-6-44 REPORTING REQUIREMENTS.

(A) A licensee shall maintain a list of the containers used for the collection, storage, or disposal of solid waste that are owned or serviced by the licensee, with the customer number and the location of each container.

(B) A licensee shall file a quarterly report of the number of containers it services in the city. A licensee shall submit the container fee required by this article with a report filed under this section.

(C) On or before the first day of January, April, July, and October, a licensee who provides recycling service under [Article 5](#) (*Commercial and Multi-Family Recycling*) shall file a quarterly report with the department that includes:

- (1) the amount and type of recyclable materials collected; and
- (2) other information required by the director.

Source: 1992 Code Section 12-3-83; Ord. 031204-14; Ord. 031211-11.

§ 15-6-45 DRIVERS.

(A) A licensee shall employ competent drivers to drive its solid waste collection vehicles.

(B) A driver must have in effect all motor vehicle operators licenses required by the state.

Source: 1992 Code Section 12-3-45; Ord. 031204-14; Ord. 031211-11.

Division 2. Licensing.

§ 15-6-51 LICENSE REQUIRED.

(A) To operate a private collection service, a person must obtain a license.

(B) An applicant for an initial license or a renewal license must file an application with the director on a form and in the manner prescribed by the director.

(C) A license expires at midnight on December 31 of the year in which it is issued.

(D) A license is not transferable.

Source: 1992 Code Section 12-3-81(A) through (C); Ord. 031204-14; Ord. 031211-11.

§ 15-6-52 LICENSE PREREQUISITES.

The director may not issue an initial or renewal license under this article to an applicant unless the applicant includes with the application:

- (1) a statement listing all claims, suits, or other actions pending against the applicant for personal injuries or property damage arising out of the operation of a vehicle or equipment that the applicant proposes to use under the license, with the amount and status of the claim;
- (2) a certificate of insurance that conforms to Section [15-6-53](#) (*Insurance*); and
- (3) the fee required under this article.

Source: 1992 Code Sections 12-3-82(A) and (B)(3) and (4); Ord. 031204-14; Ord. 031211-11.

§ 15-6-53 INSURANCE.

(A) An applicant for a license under this article must file with the director a certificate of general and commercial auto liability insurance, executed by a company authorized to do business in the state and performable in Travis County.

(B) The insurance shall insure the general public against loss or damage that may result to any person or property from the operation of the private collection service or from a vehicle or equipment operated by the service.

(C) The insurance must have minimum limits of \$250,000 per individual and \$500,000 per occurrence for bodily injury and \$100,000 for property damage or \$600,000 on a combined single limit basis.

(D) The applicant must also include a statement from the applicant's insurance company that the insurer will furnish to the City written notice of its intention to cancel a policy at least 30 days before the liability of the insurer expires.

Source: 1992 Code Sections 12-3-81(A) and 12-3-82(B)(1) and (2); Ord. 031204-14; Ord. 031211-11.

§ 15-6-54 DECAL.

(A) The director shall issue a decal to a licensee for each refuse collection vehicle included in the license.

(B) A licensee shall display the decal in the upper passenger side corner of the front windshield of the vehicle.

Source: 1992 Code Sections 12-3-82(A) through (C) and 12-3-62(C); Ord. 031204-14; Ord. 031211-11.

§ 15-6-55 TEMPORARY DECAL.

(A) A licensee must obtain a temporary decal for a vehicle that is temporarily substituted for a vehicle subject to the license.

(B) A temporary decal is valid for not more than 30 days after the date the licensee submits to the director a signed statement that the vehicle subject to the license is out of service for maintenance or repair.

(C) The requirements of Sections [15-6-52](#) (*License Prerequisites*), [15-6-44](#) (*Reporting Requirements*), and [15-6-45](#) (*Drivers*) apply to an applicant for a temporary decal.

(D) The director shall issue a temporary decal to an applicant who complies with this section.

Source: 1992 Code Section 12-3-8(D); Ord. 031204-14; Ord. 031211-11.

§ 15-6-56 LICENSE FEES.

(A) The department shall charge a licensee an annual operation fee set by the city council. The department shall calculate the fee based on the number of vehicles used in the private collection service's operation. The department shall prorate the fee charged for a vehicle that is added to the service's operation during the calendar year.

(B) The department may not assess an additional fee for a vehicle that replaces a vehicle permitted during the same permit year.

(C) A licensee shall pay the annual operating fee quarterly, on or before the first day of January, April, July, and October of each year.

(D) The department shall charge a licensee a container fee set by the city council. The department shall calculate the fee based on the number of containers in service and the number of days a container is in service.

(E) A licensee shall pay the container fee quarterly. A licensee shall pay the accrued container fee not later than the 60th day after the end of the calendar quarter for which the fee is due.

Source: 1992 Code Sections 12-3-85(A) through (D); Ord. 031204-14; Ord. 031211-11.

§ 15-6-57 AUDIT.

(A) At the department's request, a licensee shall provide the department access to its container and vehicle records for audit purposes annually.

(B) City personnel may not copy or remove from the licensee's premises:

- (1) a customer list;
- (2) route information;
- (3) price information; or

- (4) other confidential business information.

Source: 1992 Code Section 12-3-8(E); Ord. 031204-14; Ord. 031211-11.

§ 15-6-58 LICENSE REVOCATION.

The city manager may revoke a license issued under this article if the licensee:

- (1) fails to timely pay a fee or file a report required under this article; or
- (2) fails to comply with this article.

Source: 1992 Code Section 12-3-86; Ord. 031204-14; Ord. 031211-11.

§ 15-6-59 APPEAL.

(A) A person may appeal to the city council a decision by the director or the city manager to:

- (1) deny a license;
- (2) revoke a license; or
- (3) refuse to renew a license.

(B) An aggrieved person must file an appeal with the city clerk not later than the 10th day after the decision is rendered. The person must include a written statement of the decision being appealed and the specific grounds for the appeal.

(C) Not later than the 30th day after a person files an appeal with the city clerk, the city council shall schedule a hearing to consider the appeal.

(D) The city council may sustain, reverse, or modify the action appealed.

Source: 1992 Code Section 12-3-87; Ord. 031204-14; Ord. 031211-11.