

ORDINANCE NO. 2(A)

BOARD OF COUNTY COMMISSIONERS

OF THE

COUNTY OF SUMMIT

STATE OF COLORADO

AN ORDINANCE ESTABLISHING SUMMIT COUNTY'S PROGRAM FOR THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE; REQUIRING EACH SOLID WASTE HAULER OPERATING WITHIN THE COUNTY TO OBTAIN AN ANNUAL LICENSE; AND DESIGNATING THE SUMMIT COUNTY RESOURCE ALLOCATION PARK (SCRAP) AS THE EXCLUSIVE SOLID WASTE DISPOSAL SITE FOR ALL SOLID WASTE GENERATED WITHIN THE UNINCORPORATED AREA OF SUMMIT COUNTY

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SECTION 1: AUTHORITY

- A. Section 30-15-401(1)(a)(IV), C.R.S. (concerning waste services).

- B. Section 30-20-100.5, C.R.S. (concerning the importance of proper waste disposal).
- C. Section 30-20-107, C.R.S. (concerning the power to designate an exclusive waste disposal site and facility for the unincorporated area of the County).
- D. Such other authority as provided by law.

SECTION 2: FINDINGS

- A. The Colorado General Assembly has declared that properly disposing of solid wastes is a matter of local concern. “Optimal solid waste management . . . should include . . . local efforts . . . focused toward the reduction of the volume . . . of the waste stream . . . through source reduction, recycling, composting, and similar waste management strategies.” The General Assembly also recognizes that “improper disposal of solid wastes poses significant public health risks and environmental hazards.” Section 30-20-100.5, C.R.S.
- B. The Board of County Commissioners is empowered by C.R.S. section 30-15-401(1)(a)(IV) “to regulate the activities of persons in the business of transporting . . . waste . . . or any other discarded materials within the unincorporated area by requiring each such person to secure a license from the county and charging a fee therefor . . . and requir[e] adherence to such reasonable standards of health and safety as may be prescribed by the board of county commissioners and to prohibit any such person from commercially collecting or disposing of . . . waste . . . or any other discarded materials within the unincorporated area without a license and when not in compliance with such standards of health and safety as may be prescribed by the board[.]”
- C. The Board of County Commissioners is empowered by C.R.S Section 30-20-107 to designate and approve by ordinance a solid waste disposal site and facility as its exclusive solid waste disposal site and facility, and thereafter such facility shall be used for the disposal of solid waste generated from within its jurisdiction.
- D. The Summit County Resource Allocation Park (“SCRAP”) is the only licensed solid waste disposal facility located in Summit County, Colorado and is operated by the Board of County Commissioners (“County”) in conjunction with the County’s recycling, composting, and other solid waste management programs and facilities on County-owned property within the Summit County Resource Allocation Park Planned Unit Development.
- E. The Board of County Commissioners has the legal authority to adopt ordinances or resolutions regulating solid waste disposal, including the performance of trash hauling services in the unincorporated area of Summit County.

- F. Persons or companies in the business of hauling discarded material, including recyclable materials, within Summit County, through their collection and transportation activities, are able to supply the County with information necessary for long-term solid waste management planning and therefore should be required to submit annual information about their hauling activities to the County.
- G. The Board of County Commissioners has approved an Intergovernmental Agreement Regarding Collection, Transportation and Disposal of Solid Waste in Summit County, Colorado in order to cooperate with municipalities in the development and implementation of a licensing and regulatory program regarding the provision of trash hauling services and other community environmental and solid waste management goals stated therein; the Board finds that the adoption of this Ordinance promotes the terms of the Intergovernmental Agreement.
- H. As required by Section 30-20-107, C.R.S., prior to adopting this Ordinance the Board of County Commissioners held a public hearing to review the disposal method to be used at the Summit County Resource Allocation Park (SCRAP), as well as the fees to be charged for such disposal method. The Board of County Commissioners finds such disposal method and fees to be reasonable and necessary and in the best interest of the public health, safety, and welfare.
- I. The Board of County Commissioners is empowered by Section 30-15-401 C.R.S. to require every person in the business of transporting solid waste to and from disposal sites to have, before commencing such operations, in such motor vehicle a motor vehicle liability insurance policy or evidence of such policy issued by an insurance carrier or insurer authorized to do business in the state of Colorado in the amounts required by law.
- J. The Board of County Commissioners resolved on August 9, 2005 to "...continue to pursue the goal of Zero Waste by promoting reduced consumption, reuse of materials, and increased recycling" (Resolution 2005-64).

SECTION 3: INTENT

- A. Promote the state and local solid waste management goals references above as well as other applicable solid waste laws, rules, regulations and policies;
- B. Encourage more recycling of certain solid waste materials;
- C. Accurately measure the volume of wastes entering the waste stream to assist in designing programs to reduce those volumes and otherwise obtain information for long-term solid waste management planning;
- D. Protect the health, safety and welfare of the public by providing for the long term viability of the Summit County Resource Allocation Park (SCRAP);

- E. Maintain and enhance the quality of the environment, conserve natural resources and prevent pollution by providing a comprehensive and effective program to regulate solid waste in Summit County; and
- F. Protect the health, safety, welfare and well-being of the citizens and property owners within Summit County.

NOW, THEREFORE BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT AS FOLLOWS:

SECTION 4: DEFINITIONS

For the purpose of this Ordinance, the following words, terms, and phrases will have the following meanings:

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| APPLICANT: | A person who has submitted an application for license pursuant to this Ordinance. |
| APPLICATION: | An application for license submitted pursuant to this Ordinance. |
| COUNTY MANAGER: | The County Manager of Summit County. |
| DAY: | A calendar day, unless otherwise indicated. |
| GOOD CAUSE:
(for the purpose of refusing or denying a license renewal under this Ordinance) | <ul style="list-style-type: none"> A. The Licensee has violated, does not meet, or has failed to comply with any of the terms, conditions or provisions of this Ordinance; or any other law applicable to Licensee; or B. The Licensee has failed to comply with the terms, conditions or provisions of its Solid Waste Hauler License issued pursuant to this Ordinance. |
| LICENSEE: | The person to whom a Solid Waste Hauler License has been issued pursuant to this Ordinance. |
| RECYCLABLE MATERIALS: | Solid Waste from any residential, commercial, or other source that is collected separately for the purpose of such material being re-processed into new or different products or packaging materials, |

provided that such materials have been designated by the licensing authority as recyclable.

RECYCLING:

The process of recovering useful materials from Solid Waste, including items for reuse.

SOLID WASTE:

All putrescible and non-putrescible solid wastes discarded from any source including recyclable materials. The term "solid waste" shall exclude liquid wastes, sewage, sewage sludge, septic tank or cesspool pumpings; sand, asphalt, concrete, gravel, rock, dirt or other segregated construction materials to be used or reused in any construction project; timber, wood chips or vegetative matter hauled from the property where it is cut; agricultural wastes, solid or dissolved materials in irrigation return flows; industrial discharges which are point sources subject to licenses under the provisions of the Colorado Water Quality Control Act; materials handled at facilities licensed pursuant to the provisions on radiation control in Article 11 of Title 25, C.R.S.; waste material under the jurisdiction of and regulated by the Mined Land Reclamation Board except such non-hazardous wastes as may be deposited at a commercial solid waste facility; exploration and production waste as defined in Section 34-60-103(4.5), C.R.S., except such non-hazardous wastes as may be deposited at a commercial solid waste facility; excluded scrap metal that is being recycled; shredded circuit boards that are being recycled; discarded or abandoned vehicles or parts thereof; residential appliances; materials used as fertilizers or for other productive purposes; household hazardous wastes; and hazardous materials as defined in the rules and regulations adopted by the Hazardous Materials Transportation Act of 1987.

SOLID WASTE HAULER:

Any person in the business of collecting, transporting to a landfill, disposal site, transfer station or other like facility, or disposing of Solid Waste, for a fee or other compensation within the unincorporated area of Summit County, Colorado.

SOLID WASTE HAULER
LICENSE (OR LICENSE):

A solid waste hauler license issued pursuant to this Ordinance.

SUMMIT COUNTY
RESOURCE ALLOCATION

PARK (SCRAP):

The Solid Waste disposal site and facility owned and operated by the Board of County Commissioners of Summit County, Colorado, located at 639 Landfill Road, Dillon, Colorado 80435. The County Solid Waste drop off facilities within Summit County are also part of the SCRAP and the depositing of Solid Waste at such drop off facilities shall be treated as depositing such Solid Waste at the SCRAP, which drop off facilities include, but are not limited to, the facilities located at 284 Coyne Valley Road in the Town of Breckenridge, and the drop off facility located at 221 Peak One Boulevard in the County Commons Planned Unit Development.

TRANSFER STATION:

A facility at which Solid Waste, awaiting transportation to a disposal site, is transferred from one type of containerized collection receptacle and placed into another or is processed for compaction.

SECTION 5: LICENSE REQUIRED; EXEMPTIONS

- A. No person or entity shall operate as a Solid Waste Hauler within the unincorporated area of Summit County, Colorado without a current Solid Waste Hauler License for such activity.
- B. A Solid Waste Hauler License is non-transferable and non-assignable. Any attempt to transfer or assign a license voids the license.
- C. The following persons or entities are not required to obtain a Solid Waste Hauler License:
 - 1. A demolition, construction, or landscaping contractor who produces and transports Solid Waste in the course of its performance of a project, where the waste produced is merely incidental to the particular demolition or construction work being performed by such contractor. However, any such Solid Waste shall be disposed of at the Summit County Resource Allocation Park (SCRAP) as required by Section 10 below.

2. A civic, community, benevolent or charitable nonprofit organization that collect, transports and markets Solid Waste for resource recovery solely for the purpose of raising funds for a charitable, benevolent or civic activity.
3. A property owner or agent thereof who transports Solid Waste left by a tenant upon such owner's property, so long as such property owner does not collect, transport or dispose of Solid Waste for compensation for tenants on a regular or continuing basis. However, any such Solid Waste shall be disposed of at the SCRAP, as required by Section 10 below.
4. Furniture or appliance vendors and their delivery agents who deliver furniture or appliances sold by such vendor and dispose of the purchaser's used furniture or appliances being replaced by such purchase.
5. A person who transports his or her own Solid Waste, or who transports Solid Waste for another person without compensation. However, any such Solid Waste shall be disposed of at the Summit County Resource Allocation Park (SCRAP) as required by Section 10 below.
6. Haulers engaged solely in the transport of discarded materials that are expressly excluded from the definition of Solid Waste in Section 4 above.

SECTION 6: LICENSING PROCESS

- A. The Summit County Manager's Office is designated as the Licensing Authority for Solid Waste Hauler Licenses, with licensing decisions subject to review by the Board of County Commissioners as provided herein.
- B. A Solid Waste Hauler License will be valid for one (1) year from the date of approval unless otherwise specified in such license and may be renewed as provided herein.
- C. An application for a Solid Waste Hauler Annual License shall be submitted to the Summit County Manager's Office along with a completed Summit County Solid Waste Hauling License Self-Certification Form. At time of license application or renewal, each Solid Waste Hauler shall provide and attest to the truthfulness of the information requested in the Solid Waste Hauling License Self-Certification Form. An example of such form is included as **Exhibit A** to this Ordinance.
- D. Within thirty (30) days of receipt of the application, Licensing Authority staff will review the application and make a recommendation to the Licensing Authority. The Licensing Authority may make such additional investigations as deemed necessary.
- E. The Licensing Authority shall issue a Solid Waste Hauler License if the application meets all applicable requirements and it makes all of the following findings:

1. The applicant has successfully completed the Solid Waste Hauling License Self-Certification Form and such form is true and accurate;
2. The applicant has paid the annual license fee in full at the time of application;
3. The applicant has submitted a complete list of all vehicles to be used for the collection, transportation or disposal of Solid Waste within Summit County along with information that identifies such vehicles, including but not limited to the Department of Motor Vehicle registration forms and license plate numbers for such vehicles. Whenever a Licensee desires to add or changes vehicles authorized to operate within the unincorporated area of Summit County, the Licensee shall submit a written request for a license amendment to the Licensing Authority, together with identifying information for each new vehicle to be included under such Solid Waste Hauler License. The requested amendment shall be approved, approved with conditions or denied in accordance with the provisions of this Ordinance in like manner as a new license application;
4. The applicant has provided adequate evidence of liability insurance in the amount shown on the Solid Waste Hauler License Self-Certification Form from a company authorized to do business in Colorado;
5. Granting the license will not result in a negative impact to the public's health, safety and welfare and such license will promote the Solid Waste management goals of the community. In making such determination the Licensing Authority shall consider:
 - i. the character of the applicant or its officers or directors, including any prior license violations or criminal convictions,
 - ii. the ability of the applicant to provide Solid Waste Hauler services in Summit County in a manner consistent with the Solid Waste management goals of the community,
 - iii. if the applicant has previously done business in the Summit County including the applicant's ability to operate in Summit County's high alpine environment and any prior complaints received from citizens or property owners in Summit County;
 - iv. any statement by the applicant regarding a description of any business plan or efforts to support recycling, waste diversion or other Solid Waste management goals of the community.

- F. The amount of the license fee shall not exceed the cost of administering the Solid Waste Hauler licensing program. The fee for a Solid Waste Hauler Annual License is initially established in the amount of \$20, and may be amended as part of the Board of County Commissioner's annual budget process.
- G. Once the Licensing Authority approves, approves with exemptions or conditions, or denies an application for a Solid Waste Hauler License, it shall promptly notify the applicant in writing of such decision and the basis therefore.
- H. The applicant may appeal such decision to the Board of County Commissioners in writing within ten (10) days of receiving such decision. Any appeal shall include a written statement of the grounds for such appeal and any adverse effects that may result.
- I. The Board of County Commissioners shall promptly review any appeal at a regular or special meeting as a public hearing agenda item and shall provide the appellant at least ten days prior notice of such public hearing.
- J. The Board of County Commissioners shall approve, conditionally approve, or deny an application within thirty (30) days of the conclusion of the public hearing on the applicant's appeal.
- K. The Board of County Commissioners shall issue a Solid Waste Hauler License when, from a consideration of the application, the evidence received at the public hearing, and from such other information as may otherwise be obtained, the Board of County Commissioners determines that the applicant is entitled to the issuance of such license under the standards set forth in this Ordinance.
- L. The Board of County Commissioners shall deny an application for a Solid Waste Hauler License under this Ordinance if it determines that:
 - 1. Information contained in the application, or supplemental information requested from the applicant, is found to be false in any material respect;
 - 2. The applicant is not entitled to the Solid Waste Hauler License under the standards set forth in this Ordinance.
 - 3. The operation of the proposed business operation is likely to:
 - i. create a substantial inconvenience or annoyance to the public; or
 - ii. cause a public nuisance.
 - 4. The granting of the application will endanger public health or safety.

- M. If the application is denied, the Board of County Commissioners shall clearly set forth in writing the grounds for denial.
- N. If the application is conditionally approved, the Board of County Commissioners shall clearly set forth in writing the conditions of approval.
- O. If an application is denied the application fee shall not be refunded.

SECTION 7: DUTIES OF LICENSEE; INSPECTIONS

It is the duty of each Licensee to do the following:

- A. Comply with all of the terms and conditions of the license.
- B. Comply with all of the requirements of this Ordinance.
- C. Comply with all other laws, rules, regulations and ordinances that are applicable to the business for which the license was issued. All vehicles operated or proposed to be operated by a Solid Waste Hauler for the collection, transportation or disposal of Solid Waste within the unincorporated area of Summit County shall, among other things, have (i) a permanent cover of canvas or equally suitable or superior material designed to cover the entire open area of the body of such vehicle, and (ii) a body so constructed as to be permanently leak-proof as to such Solid Waste.
- D. Submit an annual report on the weight (in tons) of Solid Waste, including Recyclable Materials by commodity, collected and transported from within the unincorporated area of Summit County. The Licensing Authority shall be responsible for designating materials as recyclables for purposes of the reporting requirements of this Section. The initial list of Recyclable Materials is shown in Exhibit B to this Ordinance, and such list may be changed from time to time by the Licensing Authority. Solid Waste reports shall be submitted to the Director, Summit County Solid Waste Department, P.O. Box 3789, Dillon, Colorado 80435, by February 1st of each year for the period of the previous calendar year (January 1- December 31).
- E. The Licensing Authority or its designee shall have the authority to inspect any vehicle operated or proposed to be operated by a Solid Waste Hauler for the collection, transportation or disposal of Solid Waste.

SECTION 8: RENEWAL OF LICENSE

- A. A Licensee does not have a vested right or a property right in the renewal of its Solid Waste Hauler License.

- B. Each Solid Waste Hauler License may be renewed as provided in this Section. The term of a renewal license shall be one (1) year, unless suspended or revoked as provided herein.
- C. An application for the renewal of an existing license shall be made to the Licensing Authority not less than forty-five (45) days prior to the date of expiration. No application for renewal shall be accepted by the Licensing Authority after the date of expiration. The Licensing Authority may waive the forty-five (45) day time requirement set forth in this Section C if the applicant demonstrates an adequate reason.
- D. The timely filing of a renewal application shall extend the current license until a final decision is made on the renewal application.
- E. At the time of the filing of a renewal application the Licensee shall pay a renewal fee, which shall be the same amount as the license fee, unless otherwise established by the Board of County Commissioners as part of its annual budget process.
- F. The Licensing Authority may refuse to renew a license for good cause; provided, however, that the Licensing Authority shall not refuse to renew a license without holding a public hearing on the renewal application. If a public hearing on a renewal application is held, notice of such hearing shall be given to the Licensee at least ten (10) days prior to the hearing.
- G. The Licensee may appeal any decision of the Licensing Authority conditionally approving or denying its renewal application to the Board of County Commissioners in writing within ten (10) days of receiving such decision. Any appeal shall include a written statement of the grounds for such appeal and any adverse effects that may result.
- H. The Board of County Commissioners shall similarly approve, conditionally approve, or deny a renewal application within thirty (30) days of the conclusion of the public hearing on the Licensee's appeal.

SECTION 9: SUSPENSION OR REVOCATION OF LICENSE

- A. A Solid Waste Hauler License may be suspended or revoked for any of the following reasons:
 - 1. Fraud, misrepresentation, or a false statement of material fact contained in the license application.
 - 2. A violation of any local, state, or federal law, rule or regulation pertaining to the operation of the business for which the license was issued.

3. A violation of any of the terms and conditions of the license.
- B. The Licensing Authority shall hold a public hearing to consider whether to suspend or revoke a Solid Waste Hauler License. A public hearing held by the Licensing Authority pursuant to this Section shall be held in accordance with the provisions of this Ordinance in like manner as a new license application. In connection with the suspension of a license, the Licensing Authority may impose reasonable conditions.
 - C. For the purpose of disciplinary action imposed pursuant to this Section, a Licensee is responsible and accountable for the conduct of the Licensee's employees, agents, and contractors occurring in connection with the operation of the business for which a license has been issued.
 - D. In deciding whether a license should be suspended or revoked, and in deciding what conditions to impose in the event of a suspension, if any, the Licensing Authority shall consider all of the following:
 1. The nature and seriousness of the violation.
 2. Corrective action, if any, taken by the Licensee.
 3. Prior violation(s), if any, by the Licensee.
 4. The likelihood of recurrence.
 5. All circumstances surrounding the violation.
 6. Whether the violation was willful.
 7. The number of previous violations by the Licensee.
 8. Previous sanctions, if any, imposed against the Licensee.
 - E. The Licensee may appeal any decision of the Licensing Authority suspending or revoking its license to the Board of County Commissioners in writing within ten (10) days of receiving such decision. Any appeal shall include a written statement of the grounds for such appeal and any adverse effects that may result.
 - F. In connection with an appeal taken to the Board of County Commissioners pursuant to this Section, Sections A – E of this Section shall apply equally to the review by the Board of County Commissioners.
 - G. It shall be a violation of this Ordinance for any Solid Waste Hauler to dispose of any Solid Waste at any location other than the designated disposal site.

- H. The Licensing Authority may, after written notice and a reasonable opportunity for a hearing before the Board of County Commissioners, suspend or revoke the license of any Solid Waste Hauler who fails to comply with the licensing, insurance requirements, disposal site, or any other provisions of this Ordinance, as now adopted and hereafter amended from time to time.
- I. Pursuant to C.R.S 30-15-402 (1), any violation of this County Ordinance is a Class 2 Petty Offense and shall be punishable by a fine of not more than one thousand dollars (\$1000.00) for each separate violation.
- J. Law enforcement personnel may use the Penalty Assessment Procedure described in C.R.S. Section 16-2-201 for violations of this Solid Waste Licensing Ordinance. This statute permits an arresting officer to issue a penalty assessment notice and release an alleged violator upon the terms of the notice or take the alleged violator before a county court judge. The penalty assessment notice shall be a summons and complaint, and shall contain the identification of the person, firm or entity that has violated this Ordinance. The penalty assessment notice shall also specify the offense, the applicable fine and require that the alleged violator pay the fine or appear to answer the charge at a specified time and place.

SECTION 10: DESIGNATED DISPOSAL SITE

- A. The Board of County Commissioners of Summit County hereby designates the Summit County Resource Allocation Park as the exclusive Solid Waste disposal site for all Solid Waste generated within the unincorporated area of Summit County (“designated disposal site”). All Solid Waste Haulers shall dispose of all Solid Waste generated within the unincorporated area of Summit County only at the Summit County Resource Allocation Park, unless otherwise expressly authorized in accordance with the provisions of this Ordinance.
- B. All Solid Waste generated within the unincorporated areas of Summit County shall be disposed of only at the Summit County Resource Allocation Park unless otherwise expressly authorized in accordance with the provisions of this Ordinance.
- C. If the Summit County Resource Allocation Park is closed during normally scheduled business hours due to a weather event, an official County holiday, or other special event, Solid Waste Haulers are authorized during such closure to transport and dispose of Solid Waste in another licensed disposal facility in lieu of depositing such Solid Waste at the SCRAP. Furthermore, the Licensing Authority may exempt from the requirements of this Section 10, with or without conditions, the transportation and disposal of Solid Waste by a Solid Waste Hauler who primarily transports only one category of recyclable material in accordance with the Solid Waste management goals and requirements of this Ordinance.

SECTION 11: PENALTIES; INJUNCTIVE RELIEF

It shall be unlawful and a misdemeanor offense for any person to:

- A. Fail or refuse to make or file any record, report, or other document required to be made or filed by this Ordinance, or to make any false or fraudulent record or report, or any false or fraudulent statement in any such document.
- B. Operate as a Solid Waste Hauler anywhere within the unincorporated area of Summit County without a valid Solid Waste Hauler License, or to continue to do business during a period of suspension of such license or after such license is revoked.
- C. Dispose of any Solid Waste generated within the unincorporated area of Summit County at any location other than the designated disposal site as required by this Ordinance, without express authorization as provided herein.
- D. If a business is required to have a Solid Waste Hauler License issued pursuant to this Chapter the operation of such business within the unincorporated areas of Summit County without a valid Solid Waste Hauler License may be enjoined by the County in an action brought in any court of competent jurisdiction, in addition to any other available remedy. In any case in which the County prevails in a civil action initiated pursuant to this Section D, the County may recover its reasonable attorney fees plus costs of the proceeding to the extent authorized by law.

SECTION 12: SAVINGS CLAUSE

If any section, clause, sentence or part of this Ordinance or Ordinance #2 is adjudged by any court of competent jurisdiction to be invalid, such invalidity shall not affect, impair or invalidate the other provisions of this ordinance which can be given effect without such invalid provision.

SECTION 13: CONSTRUCTION OF ORDINANCE

This ordinance shall be known as and be referred to as the “Solid Waste Program Ordinance #2(A)” and shall be deemed to provide independent approval and authority for the enforcement of the provisions contained herein. To the extent the provisions of this Ordinance are the same in substance to provisions in Ordinance #2 of Summit County, dated August 5, 1980, or any other previously adopted County regulations; they shall be considered as a reenactment and continuation thereof. All provisions of this Ordinance and all provisions of previously adopted County ordinances and regulations shall be construed to be consistent and harmonious to the extent possible. Where the provisions of this Ordinance conflict with previously adopted County ordinances or regulations, the provisions of this Ordinance shall supersede and replace such provisions.

SECTION 14: REVIEW OF DISPOSAL METHOD AND FEES

The Board of County Commissioners has reviewed the disposal method to be used at the SCRAP as well as the fees to be charged for such disposal methods and finds them to be reasonable and necessary and in the best interest of the public health, safety and welfare.

SECTION 15: EFFECTIVE DATE

The provisions of this Ordinance shall be effective on April 1, 2017.

INTRODUCED, READ, ORDERED PUBLISHED IN FULL IN THE SUMMIT COUNTY JOURNAL AND SET FOR PUBLIC HEARING ON THIS 10TH DAY OF JANUARY, 2017.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF SUMMIT, COLORADO

/s/ Karn Stiegelmeier
Karn Stiegelmeier, Chair

ATTEST:

/s/ Kathleen Neel
Kathleen Neel, Clerk and Recorder

READ PASSED AND ADOPTED AFTER PUBLICATION IN THE SUMMIT COUNTY JOURNAL ON JANUARY 10, 2017, AND PUBLIC HEARING ON SECOND AND FINAL READING ON THE 24TH DAY OF JANUARY, 2017. THIS ADOPTED ORDINANCE SHALL BE PUBLISHED IN FULL, ALONG WITH ANY AMENDMENTS FOLLOWING INITIAL PUBLICATION.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF SUMMIT, COLORADO

/s/ Karn Stiegelmeier
Karn Stiegelmeier, Chair

ATTEST:

/s/ Kathleen Neel
Kathleen Neel, Clerk and Recorder

Exhibit "A"

Solid Waste Hauling License Self-Certification Form

The applicant must initial the items below, complete and sign for self-certification:

_____ Each vehicle operated in the performance of waste hauling services, as licensed under Summit County Ordinance 2(A) is insured through a policy issued by an insurance carrier or insurer, authorized to do business in the State of Colorado, in the sum of not less than \$____,000.00 for damages for or on account of any bodily injury to or the death of any person(s) as the result of any one accident, and in the sum of not less than \$____,000.00 for damage to the property of others.

_____ Each vehicle operated in the performance of waste hauling services, as licensed under Summit County Ordinance 2(A), is maintained in road-worthy and good condition and statements one through five below, where applicable, are correct and true.

1. All compaction and roll-off vehicles designed and used for hauling putrescible (liquid containing) wastes are leak proof at all times during operation.
2. All compaction vehicles are regularly maintained to ensure that compaction blades move freely, hopper plugs and seals are in place, in good condition (not cracked), and are leak proof.
3. Only vehicles designed to haul putrescible (liquid containing) wastes are used for this purpose. Regular pickups and flat bed vehicles are only used to haul dry wastes.
4. All open-bed or open-top vehicles are provided with a tarpaulin of sufficient size to cover all loads entirely, and to be used whenever waste is being transported to avoid littering or loss of load onto the highway.
5. If vehicles have sideboards or a tailgate, these components are constructed of permanent materials.

I have completed the information being submitted above for compliance with the Summit County Ordinance 2(A) and, based on information and belief formed after reasonable inquiry, I certify that the statements and information contained in this submittal are true, accurate and complete.

I am aware that failure to provide true and accurate and complete information on this self-certification form constitutes a violation of requirements in Ordinance No. 2(A) and may also result in the suspension or revocation of my license.

Exhibit "B"

List of Materials Designated As Recyclables

Materials may be collected in single stream or source separated form from residential customers covered by this ordinance and shall include the following:

1. Materials: Aluminum cans, tin/steel cans, cardboard (OCC), paperboard, newspaper, magazines, catalogs, junk mail, office paper, and plastic containers #1 and #2 (may be collected separately or comingled in a single container).
2. Glass: If glass is collected, it shall be collected in a separate container or stream and volumes tracked separately.
3. Other Materials: Any other materials collected as recyclable shall be collected in source-separated containers.