

## Chapter 5.29

### COMMERCIAL WASTE HAULERS

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**5.29.010. Definitions.**

A. As used in this Chapter, the following words and terms shall be defined as follows:

“Commercial waste hauling” is the provision of a service of collecting, transporting or disposing of waste for another for a fee, by a private entity, on a regular or periodic basis, but shall not be construed to include the hauling, transporting, collecting or disposing of trash or waste by a construction contractor, which activity is directly associated with construction or excavation activities.

“Waste” includes all discarded matter from the preparation of food, all condemned food products, and all refuse and discarded matter from the handling, storage, preparation and sale of produce, and all substances which are discarded from dwellings, rooming houses, hotels, clubs, restaurants, boarding houses, eating places, shops, stores or other places of business, recreation, or residence. Septage, sewage, materials collected for reuse or recycling, and/or byproducts of waste water and/or water treatment facilities, shall not be defined as waste for the purposes of this Ordinance. (Ord. O-2014-6 § 1, 2014).

**5.29.020 License Required.**

A. It shall be unlawful for any Commercial Waste Haulers to operate within the City of Lakewood, Colorado, without a Commercial Waste Hauler License.(Ord. O-2014-6 § 1, 2014).

**5.29.030 License Not Required.**

A. The following persons or entities are not required to obtain a Commercial Waste Hauler License:

1. A Civic, community, benevolent or charitable nonprofit organization that collects, transports and markets materials for resource recovery solely for the purpose of raising funds for a civic, benevolent or charitable activity;
2. A person who transports waste or recyclable materials produced by such person;
3. A property owner or agent thereof who transports waste or recyclable materials left by a tenant upon such owner’s property, so long as such property owner does not provide waste collection service for compensation for tenants on a regular or continuing basis;

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4. A demolition or construction contractor or landscaper who produces and transports waste in the course of such occupation, where the waste produced is merely incidental to the particular demolition or construction work being performed by such person.

B. A copy of the Commercial Waste Hauler License must be kept in each Licensee's s vehicle while operating in the City of Lakewood.

C. Licensee's vehicles must meet all state and federal motor vehicle safety requirements. (Ord. O-2014-6 § 1, 2014).

## **5.29.040 Application.**

All applicants for a Commercial Waste Hauler License shall file an application for such license with the City Clerk on forms to be provided by the Clerk. Each applicant will include name and address of headquarters and provide the number of trucks operating in the City of Lakewood, location of the disposal sight and other information as required by the City Clerk. (Ord. O-2014-6 § 1, 2014).

## **5.29.050 License Fee.**

The annual license fee of fifty dollars (\$50.00) shall be payable to the City of Lakewood at the time an initial application for a Commercial Waste Hauler License is filed or at the time a renewal application is filed. Each license issued pursuant to this chapter shall be for a period of one year from the date of issuance, and an application for renewal shall be filed not less than thirty days (30) prior to the expiration of the period for which the license is issued. The City Manager or his/her designee shall have the authority to set and change the license fee. (Ord. O-2014-6 § 1, 2014).

## **5.29.060 Insurance Required.**

A. Licensees are required to maintain the following levels of insurance and a copy of the insurance certificate shall be provided to the City Clerk:

1. All motor vehicles used in the operation of the licensed business shall be insured under the laws of the State of Colorado.

2. The Licensee shall at all times have Comprehensive General Liability Insurance with a minimum combined single limit of liability for bodily injury and property damage of one million dollars (\$1,000,000.00) per occurrence and in the aggregate.

3. The City of Lakewood shall be named as additional insured.

4. Failure to maintain such insurance or to provide such evidence on request shall be cause for immediate revocation of the license. (Ord. O-2014-6 § 1, 2014).

## **5.29.070 Hours of Operation.**

No Licensee shall operate any trash compacting mechanism on any motor vehicle nor engage in any trash, rubbish or garbage collection activity between the hours of ten (10) p.m., and seven (7) a.m., when such compacting or collection activities takes place within 300 ft of a residential use area or hotel. (Ord. O-2014-6 § 1, 2014).

## **5.29.080 Disposal.**

Licensee's must dispose of trash in a state or federally approved site or facility and the disposal shall meet all federal, state, county or City laws, rules, regulations and requirements. (Ord. O-2014-6 § 1, 2014).

**5.29.090 Report of Changes.**

The licensee shall report any relocation or change in ownership to the City within thirty (30) days of the change. (Ord. O-2014-6 § 1, 2014).

**5.29.100 Transferability.**

Commercial Waste Hauler Licenses are not transferable. (Ord. O-2014-6 § 1, 2014).

**5.29.110 Sanctions.**

It shall be unlawful for any person to violate a provision of this Chapter. It shall be a violation of this Chapter for any person, firm or entity to engage in any commercial waste hauling within the City of Lakewood without first having obtained a Commercial Waste Hauler License. (Ord. O-2014-6 § 1, 2014).