

ORDINANCE NO. 2

AN ORDINANCE PROVIDING FOR THE LICENSING OF PERSONS IN THE BUSINESS OF TRANSPORTING ASHES, TRASH, WASTE, RUBBISH, GARBAGE, INDUSTRIAL WASTE PRODUCTS OR OTHER DISCARDED MATERIALS WITHIN THE UNINCORPORATED AREA OF SUMMIT COUNTY, COLORADO; REQUIRING THE INSPECTION OF VEHICLES USED IN SUCH BUSINESS AND LIABILITY INSURANCE THEREON; AND SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Board of County Commissioners of Summit County Colorado, is authorized to regulate by ordinance the activities of persons in the business of transporting ashes, trash, waste, rubbish, garbage, industrial waste products or other discarded materials within the unincorporated area of the County, pursuant to C.R.S. 1973, as amended, 30-15-401 (1) (a), including the licensing of such persons, the inspection of vehicles used in such business and the requiring of liability insurance thereon; and

WHEREAS, the Board of County Commissioners finds that the provisions set forth herein are necessary to protect the public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, THAT:

Section 1. Trash Carrier Defined. For purposes of this Ordinance, a "trash carrier" shall be defined as any individual, firm, partnership, corporation, or other entity or organization engaged in the business of transporting ashes, trash, waste, rubbish, garbage, industrial waste products or any other discarded materials within the unincorporated area of Summit County, Colorado, excepting the transporting of sludge and fly ash or hazardous materials, as defined in the rules and regulations of the Public Utilities Commission.

Section 2. License Required. On or before October 1, 1980, every trash carrier shall be required to obtain a license from the County Department of Environmental Health, and after said date it shall be unlawful to operate as, or engage in the business of, a

trash carrier without having a license in effect therefor. Licenses shall be valid for a period of one year, expiring the last day of the month of issuance, and may be renewed for a like period.

Section 3. Application. Application for a trash carrier license shall be made to the Department of Environmental Health on forms prepared by the Department and shall include the following:

- (a) the name and address of the applicant;
- (b) if the applicant is other than an individual, the names and addresses of the officers, partners or principals of the applicant;
- (c) a description of each vehicle proposed to be used in the business of the applicant;
- (d) the name and address of the insurance company providing liability insurance on each vehicle, the policy number, effective date, and limits of coverage.

Each application shall be accompanied by the applicable license and inspection fees and evidence of liability insurance as required by this Ordinance. Renewal applications shall be submitted at least 30 days before the expiration date of the current license.

Section 4. Inspection Requirements. Each vehicle to be operated in the conduct of business by a trash carrier must be first inspected and approved by the Department of Environmental Health as having the following:

- (a) a permanent cover of canvas or equally suitable or superior material designed to cover the entire open area of the body of the vehicle;
- (b) a body so constructed as to be permanently leakproof as to discarded materials;
- (c) extensions of sideboard and tailgate, if any, constructed of permanent materials;

Inspections of all vehicles shall be required prior to the issuance of a license, within sixty (60) days prior to renewal of a license, and prior to the operation of an additional vehicle not designated at the time of original licensing or renewal. The

Department shall issue an Inspection Certificate for each approved vehicle, which shall be valid for the term of the license, and shall be maintained with the vehicle at all times. It shall be unlawful for any trash carrier to operate a vehicle not having a current Inspection Certificate.

Section 5. Insurance Requirements. Every trash carrier shall maintain in effect at all times for each vehicle a motor vehicle liability insurance policy, issued by an insurance carrier or insurer authorized to do business in the State of Colorado, providing coverage for property damage of at least \$150,000 per accident and for death or bodily injury of at least \$150,000 per person and \$400,000 per accident. Such policy must further provide for written notice to the County at least thirty (30) days prior to termination or cancellation thereof. Any liability for failure to comply with the requirements of this Section shall be borne by the individual, partnership or corporation owning the vehicle.

Section 6. License and Inspection Fees. The following fees shall be paid by the Applicant:

Original license application	\$100.00
Renewal application	50.00
Inspection (per vehicle)	15.00

Section 7. Disposal Site. Trash carriers shall dispose of discarded materials only at the County Landfill or other County-approved disposal site.

Section 8. Suspension or Revocation of License. The Board of County Commissioners may, after written notice and a reasonable opportunity for a hearing before the Board, suspend or revoke the license of any trash carrier who fails to comply with the licensing, inspection or insurance requirements, or any other provisions of this Ordinance, as now adopted and hereafter amended from time to time.

Section 9. Penalty. Violations of this Ordinance shall be punishable by a fine of not more than \$300.00 for each violation, or by imprisonment in the County Jail for not more than (90) days,

or by both such fine and imprisonment.

Section 10. Repeal of Prior Enactments. All ordinances or resolutions, or parts thereof, in conflict or inconsistent herewith are hereby repealed.

Section 11. Severability. If any part or parts hereof is for any reason held to be invalid, such shall not affect the validity of the remaining portions of this Ordinance.

INTRODUCED, READ, AND ORDERED PUBLISHED IN FULL THIS 7th DAY OF JULY, 1980.

BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO

ATTEST:

BY: Arllys H. Ward  
Arllys H. Ward  
Clerk & Recorder

BY: L. Scott Gould  
L. Scott Gould, Chairman

READ ON SECOND READING, ADOPTED, AND ORDERED PUBLISHED BY THE TITLE ONLY THIS 5th DAY OF August, 1980.



BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO

ATTEST:

BY: Arllys H. Ward  
Arllys H. Ward  
Clerk & Recorder

BY: L. Scott Gould  
L. Scott Gould, Chairman