

COMMONWEALTH OF KENTUCKY
COUNTY OF METCALFE
AMENDED ORDINANCE NO. 830-17-199

An Ordinance Establishing a Permit Process for the Licensing of Solid Waste Collectors and Haulers

AN ORDINANCE SETTING FORTH REGULATIONS FOR THE
COLLECTION AND TRANSPORTATION OF SOLID WASTE
IN METCALFE COUNTY AND ESTABLISHING A LICENSE FEE
FOR ENGAGING IN THE BUSINESS THEREOF

BE IT ORDAINED BY THE FISCAL COURT OF METCALFE COUNTY

SECTION I. This ordinance shall be known and may be cited as the “Metcalfe County Waste Haulers Licensing Ordinance”.

SECTION II. DEFINITIONS

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words in the present tense include the future, words in the plural number include the singular number, and words in singular number include the plural number. The word “shall” is always mandatory and not merely directory.

(A) BUSINESS – means the collection, and/or hauling, of solid waste for ultimate disposal for persons other than one’s self, for any kind of return or remuneration. (The rendering of assistance for cleaning up of property and/or the assemblage of waste as a handy man or yard worker is excluded from this definition).

(B) PERSON – any individual, partnership, corporation, association, joint stock company, trust, estate, political subdivision, or organization of any kind, or their legal representative, agent or assigns.

(C) SOLID WASTE – any garbage, refuse, sludge, or other discarded material, including solid, liquid, semi-solid or contained gaseous material resulting from industrial, commercial, mining (excluding coal mining waste, coal mining by-products, refuse and overburden), and agricultural operations and from community activities, but does not include solid or dissolved material in domestic sewage, or solid or dissolved materials in irrigation return flows or industrial discharges.

(1) Commercial solid waste – solid waste resulting from operation of any commercial, industrial, institutional or agricultural establishment.

(2) Residential solid waste – solid waste resulting from the maintenance and operation of dwelling units.

(D) VEHICLE – any truck, trailer, or other conveyance used in the collection and/or transport of solid waste.

(E) PERMIT – an authorization to engage in the business of collecting and transporting solid waste under regulations established in this ordinance. May also be referred to as a LICENSE.

SECTION III. APPLICATION OF THIS ORDINANCE

(A) It shall be unlawful for any person to engage in the business of collecting or transporting solid waste without a permit for the conduct of such business issued upon the approval and authority of Metcalfe County Fiscal Court.

(B) Permits shall be issued for a period of one year, subject to continued conformance with the regulations governing the collection and transportation of solid waste in the County.

(C) All applications for a permit, or license, to engage in the business of waste collection and transport must be made on the official form which may be obtained at the office of the County Clerk. Failure to complete any portion of the application form or the giving of false information in the application shall be grounds for denial of the requested permit.

(D) The application form appended to this ordinance, and embodied therein, shall be the official application form of the County. Exact reproduction by copier is permissible.

(E) The initial annual fee of ~~twenty-five (\$25)~~ fifty dollars (\$50) must accompany the application. The fifty dollar fee is effective 7-1-2021 to 1-1-2022, then annually on January 1st of each year. This fee will be refunded in the event that the permit is not granted.

SECTION IV – REGULATIONS GOVERNING THE CONDUCT OF BUSINESS

(A) Any vehicle used for the collection and transportation of solid waste must be in sound operating condition, and must be licensed as a commercial vehicle on conformance with the laws of the Commonwealth of Kentucky.

(B) Vehicles known as "packers" are to be preferred. If other vehicles are used, that portion of the vehicle used for the containment of waste shall be solid on the sides and end, and appropriately covered at the top to prevent the loss of waste in transit.

(C) Persons engaged in the business of solid waste collection and hauling must carry liability insurance, and must furnish proof of such coverage when applying for a permit.

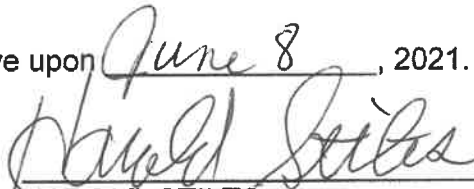
(D) All waste collected in the County must be disposed of in an approved, permitted waste facility. The approved site for disposal is any permitted site in any county other than Metcalfe County until such time as there is a permitted site within aforesaid County.

(E) Solid waste set out for pick-up at agreed to locations must be in either; 1) 30 gallon cans of plastic or metal with tightly fitting tops; 2) Plastic bags with secure ties; 3) In containers provided by the hauler; or 4) Otherwise secured against the ravages of weather or dogs, or other animals.

(F) Any holder of a County-Wide permit must provide service to any rural householder requesting it.

(G) Permit holders must inform the Court annually of the area and the number of customers served.

This ordinance becomes effective upon June 8, 2021.



HAROLD STILTS
Metcalfe County Judge-Executive

ATTEST:



Fiscal Court Clerk

1st Reading held 5/25/21
2nd Reading held 6/8/21