
Sec. 5-6-24. Commercial refuse/recycling haulers.

- A. *License required.* No person shall be permitted to operate as a commercial refuse/recycling hauler without first having obtained a license therefor from the city clerk. The city clerk shall not issue the license until the application has been approved by the director of public works and the city manager and granted by the city council. Each applicant shall also be required to furnish a letter of credit in the amount of \$5,000.00 from an acceptable responsible institution. Each applicant shall also be required to furnish a certificate of liability insurance with limits of at least ~~\$25,000.00/\$100,000.00/\$300,000.00~~ **1,000,000 for one person and \$3,000,000 for any number of persons injured or killed in one accident and \$100,000 property damage per incident** on each licensed vehicle used in the city. A license fee as specified in the schedule of fees in Title 1 of this Code shall be charged for each vehicle used in the business of refuse and/or recycling hauling in the city. Each license shall expire annually on the first day of July following its issuance.
- B. *Noncommercial haulers.* Notwithstanding subsection A., no person, firm or corporation which hauls refuse or recyclables generated solely by such person, firm or corporation shall be required to obtain a license hereunder. No such person, firm or corporation shall, however, dispose of any such refuse at a licensed landfill and charge the cost for such disposal to the City of Two Rivers. Noncommercial haulers are responsible to report amounts of refuse and/or recyclables disposed of if the amounts are over ten tons per year.
- C. *Vehicle requirements.* All vehicles used by commercial refuse haulers to collect or haul refuse shall be covered over the part of the vehicle which contains the refuse and/or recyclables and shall be so constructed that no garbage and/or recyclables can spill, leak or break. Such vehicles shall be kept clean and as free from offensive odors as possible. While any refuse and/or recyclables are contained in any such vehicle, the vehicle shall not be kept on any street, alley or public place, or upon any private premises in the city longer than is reasonably necessary to collect the refuse and/or recyclables and transport it for disposal. No vehicles may be kept overnight with any refuse and/or recyclables stored in the vehicle, unless the vehicle is removed by 8:00 a.m. the following morning. No vehicles may be parked at any time in any area not zoned to permit the location of a refuse and/or recycling hauling or processing business, whether loaded or unloaded, except while making collections.
- D. *Collection and disposal.* Each commercial refuse/recycling hauler shall make arrangements with his customers to collect refuse/recyclables on a specific day and shall collect all refuse/recyclables on the day scheduled for collection. All refuse collected shall be disposed of at a licensed landfill. All recycling materials shall be disposed of at the Manitowoc County Recycling Facility or through arrangements made with Manitowoc County for processing of recyclable material for market.
- E. *Reporting requirements.* All refuse/recycling haulers shall make quarterly reports to the director of public works. These reports shall be due within 30 days after March 31, June 30, September 30 and December 31. These reports shall include, but not limited to, customers served inside the city, refuse tonnage collected inside the city and recycling tonnage collected in the city. The recycling tonnage collected shall be submitted for each item listed under section 5-6-11 or otherwise required by the department of natural resources. The means and methods to be used for compiling the report shall be submitted with the annual license application or whenever the means and methods are revised or changed through the licensing period. All means and methods shall be approved by the director of public works.
- F. *Dumpsters.*
- (1) Commercial haulers are responsible for the use of and maintenance of refuse dumpsters. Dumpsters shall be secured at all times when not in use. Dumpsters shall be placed as far as possible from public view. Should the city manager, the director of public works, or the police chief determine that a dumpster located on private property constitutes a nuisance or hazard, it shall be removed or

relocated as directed by that official. The city manager, director of public works, or police chief may order the removal of any dumpster from the public right-of-way at his discretion.

- (2) Dumpster permits. No person or commercial hauler shall place a dumpster on streets or other public rights-of-way without first obtaining a permit to do so from the director of public works ("director") or his/her authorized representative. Any person seeking to place dumpsters on streets or public rights-of-way shall submit a written application for permit in a form approved by the director. No dumpster may be placed in a public street or right-of-way unless barricades approved by the director are placed on both ends of the dumpster, or reflective tape approved by the director is placed on all sides of the dumpster in accordance with drawings and specifications prepared by the director. If barricades are used, flashing lights must be placed on the barricades when they remain in the place at any time from 4:00 p.m. to 8:00 a.m. If reflective tape is used, such tape shall be at least six inches in width. If barricades are rented from the city, the city may impose a rental fee of at least \$5.00 a day for their use, which fee shall be payable on submission of the application for permission. Dumpsters must be secured to prevent the spread of debris from the dumpsters. Each applicant shall be required to agree in writing to indemnify and hold the city harmless from any and all claims, actions, liabilities, demands or obligations of any nature whatsoever arising from the placement of the dumpster in a street or other public right-of-way, including actual attorneys' fees and expenses incurred by the city in defending itself therefrom, and agree to comply with all applicable law, ordinances, regulations and any special conditions as are imposed by the director of public works or his/her designee. The city manager, police chief or the director of public works may order any dumpster removed at his discretion, at the cost of the person who applied for permission to place the dumpster. No household refuse shall be allowed to be disposed of in any residential dumpster, and the dumpster shall be emptied at least every two weeks unless otherwise stated in the permit.