

*Town of Old Saybrook, CT  
Monday, May 12, 2014*

## Chapter 181. SOLID WASTE

### Article IV. Refuse Collectors

#### § 181-9. Licensing; registration of vehicles and containers.

##### A. Licensing.

- (1) All refuse collectors shall apply to the Director for a license to collect solid waste in the Town of Old Saybrook. Such application shall be on a form provided by the Director and shall comply with the requirements contained in regulations adopted by the Director.
- (2) Any of the following shall be deemed sufficient grounds for denial of a license:
  - (a) The applicant has been irresponsible in the conduct of solid waste collection, hauling or separation as evidenced by prior suspension and or revocation of a license; or
  - (b) The applicant does not have suitable equipment; or
  - (c) The applicant has not complied with licensing requirements or has not paid required fees to either the Town of Old Saybrook, a participating municipality or the Authority; or
  - (d) The collector has demonstrated a lack of cooperation or has failed to make a good-faith effort to carry out the terms of this chapter or the Regulations adopted by the Director.

B. Licenses. Nontransferable licenses shall be issued for the term of one fiscal year, which shall begin on July 1. No refuse collector shall engage in the business of collecting solid waste in the Town of Old Saybrook without a valid license.

C. Registration of vehicles and containers. Each licensee shall obtain a separate registration for each vehicle and container used to transport solid waste and/or recyclables within the Town of Old Saybrook. Vehicles are subject to such inspection as the Director may require. Registrations may not be transferred from one vehicle to another without permission of the Director.

D. Registration term; fee; renewal. Registrations are issued for a period not to exceed one year, commencing on the first of July. Registration fees may be prorated in accordance with the Regulations if application is made after than date. The registration fee shall be determined in accordance with the Regulations.

E. Reinspection. In the event that a registered vehicle or container is sold or transferred to another licensee during the registration year, it shall be reinspected within seven days of the transfer. No additional registration fee will be required.

- F. Display of registration. Registration numbers shall be displayed conspicuously on the left front body of each vehicle or container or as otherwise required by the Director.
- G. Vehicle identification. Each licensee shall prominently display its business name, address and telephone number on the door of each registered vehicle or container in letters at least four inches high.
- H. Transfer of route. If a licensee transfers all or part of his or her route to another licensee, the transferor shall provide written notice to the Director at least seven days prior to the date of the transfer. Such notice shall provide the name of the transferee and date of intended transfer. Failure to provide such notice shall be reason to deny a full return of the bond.
- I. No licensee shall transfer all or part of his or her route to any refuse collector that is not licensed by both the Town of Old Saybrook and CRRA.
- J. A refuse collector must supply the Director with a customer list and a description of the routes, including the days of collecting solid waste and recyclables before a license will be issued. Such lists must be updated during the term of the license in accordance with the Regulations.
- K. Upon request, each refuse collector shall furnish a list of rates for the service provided to either the Director or any of his or her present or prospective customers.

## **§ 181-10. Revocation or suspension of license or registration.**

- A. Grounds. Failure to comply with the provisions of this chapter shall be grounds for revocation or suspension of any license or registration issued under its provisions.
- B. Notice required. Revocation or suspension shall become effective five calendar days after written notice is mailed by the Director.
- C. Agent for service. Licensees must provide the Director with the name and address of a person who will be available at all times, in person or by designee, to receive notice either by mail or in-hand delivery. Lack of availability on the part of such person shall be deemed a waiver of the required notice.
- D. Request for review. If a refuse collector objects to a revocation or suspension of his or her license or registration, the collector may, within five calendar days after the receipt of said notice, file a written request for review with the Director. Failure to file such a request for review in a timely manner shall render the Director's action final and binding upon the refuse collector.
- E. Timely filing. Timely filing of such a request for review shall operate as an automatic stay of the revocation or suspension action; provided, however, that if the Director or the Authority shall, in the notice of revocation or suspension, find that a stay will be deleterious to public health, safety or welfare, then such stay will not take effect.
- F. Board of review. The First Selectman shall promptly designate a Board of Review consisting of one person qualified to vote in Town Meetings of Old Saybrook and one licensee. These two persons shall designate a third member of the Board of Review. Within 15 days of being so constituted, said Board shall decide whether the revocation or suspension is sustained. Such decision shall be made only after giving the refuse collector whose license is in question a full and fair opportunity to be heard. The decision of the Board of Review shall be final and binding upon the refuse collector.
- G. Customer list to be furnished. In order to assist in maintaining continuity of service, when a refuse collector's license has been suspended or revoked, he or she shall furnish the

Director within 24 hours of the suspension or revocation with a list of the names and addresses of his or her customers.

- H. The Director shall notify the Authority of any action taken under the provisions of this chapter by the Town of Old Saybrook, independent of the Authority.

## **§ 181-11. Licensee's responsibilities and obligations.**

- A. Each licensee collector shall deliver all solid waste collected within the Town of Old Saybrook to the Essex transfer station and pay the disposal charge to the Authority. All other solid waste shall be delivered to such location as the Director may designate and any required charge shall be paid by the licensee. All residential recyclables shall be delivered to such place as the Director designates.
- B. Failure to pay. Any licensee who fails to pay any disposal charge to the Town of Old Saybrook or the Authority, within 30 days of the date of the bill, shall pay in addition to such bill, interest at the rate of 1.5% per month, or fraction thereof, beginning on the date of the bill and all costs of collection, including reasonable attorney's fees. Failure to pay shall be grounds for revocation or suspension of the license.
- C. No licensee shall deliver solid waste meeting the contractual standards to any place other than the site designated by the Director.
- D. All registered vehicles and containers shall be automatic unloading vehicles of watertight construction and shall be maintained free of noxious odors and accumulations of solid waste. Any vehicle with a capacity greater than 10 cubic yards shall be of closed construction. Containers used for nonliquid solid waste need not be watertight, but must be completely enclosed. A vehicle of less than 10 cubic yards may have an open top, provided that it is covered when in motion.
- E. Licensees of the Town of Old Saybrook are hereby made jointly responsible for providing collection service to any resident of the Town. Any resident who is denied the services of a refuse collector or who is dissatisfied with the collection service with cause may make application to the Director, who shall have the right to direct such to provide service. The selected licensee shall comply with the Director's order. In making such designation the Director shall give due consideration to the geographical location of each collector's route.
- F. Designation of licensee to provide service. In the event that refuse collection is not provided in a geographical area of the Town of Old Saybrook, the Director may designate a licensee to provide service to such geographical area. The designee is required to comply with the Director's order.
- G. Licensees shall leave their customers' containers off the highway, in a neat and upright position, with lids replaced.
- H. Licensees shall clean up any solid waste or recyclables that spill while being collected or hauled.