

CHAPTER 30
SOLID WASTES¹

ARTICLE I. GENERALLY.....	3001
<i>Sec. 30-1. Definitions.</i>	3001
<i>Sec. 30-2. Solid waste storage.</i>	3002
<i>Sec. 30-3. Collection of solid waste.</i>	3004
<i>Sec. 30-4. Transportation of solid waste.</i>	3004
<i>Sec. 30-5. Disposal of solid waste.</i>	3005
<i>Sec. 30-6. Permits.</i>	3005
<i>Sec. 30-7. Prohibited practices.</i>	3006
<i>Sec. 30-8. Disposal area license.</i>	3007
<i>Sec. 30-9. Presumption to apply.</i>	3007
<i>Sec. 30-10. Penalty; declaration of nuisance; other remedies.</i>	3007
<i>Secs. 30-11 - 30-19. Reserved.</i>	3007
ARTICLE II. COLLECTION OF RECYCLING AND COMPOSTING MATERIAL.....	3008
<i>Sec. 30-20. Definitions.</i>	3008
<i>Sec. 30-21. Scope of services.</i>	3008
<i>Sec. 30-22. Time of collection.</i>	3009
<i>Sec. 30-23. Recycling containers.</i>	3009
<i>Sec. 30-24. Transportation of recyclable and compostable materials.</i>	3009
<i>Sec. 30-25. Pickup times.</i>	3009
<i>Sec. 30-26. Missed pickup.</i>	3009
<i>Sec. 30-27. Title to materials.</i>	3009
<i>Sec. 30-28. Permits and licenses.</i>	3010
<i>Sec. 30-29. Collection systems.</i>	3010
<i>Sec. 30-30. Insurance.</i>	3011
<i>Sec. 30-31. Collector's records.</i>	3012
<i>Sec. 30-32. Disposal in landfill prohibited</i>	3012
<i>Sec. 30-33. Severability.</i>	3012

ARTICLE I. GENERALLY

Sec. 30-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the following meanings:

Authorized Collector. A person with whom the city has contracted for the collection, removal and disposal of garbage and rubbish.

Bulky rubbish. Nonputrescible solid wastes consisting of combustible and/or noncombustible waste materials from dwelling units, commercial, industrial, institutional, or agricultural establishments which are either too large or too heavy to be safely and conveniently loaded in solid waste transportation vehicles by solid waste collectors, with the normal equipment used therefor. Such items include automobiles and appliances.

Business. Stores, restaurants, hotels, offices, wholesale establishments, retail establishments, hospitals, plants, shops, manufacturing establishments, schools and churches. (The term shall not be construed to include residences, duplexes, and multi-family dwellings.)

Bulk container. Any detachable metal container designed or intended to be mechanically dumped into the packer-type garbage truck used by the trash collector and varying in size from one to eight (8) cubic yards.

Collection. Removal of solid waste from the designated pickup location to the transported vehicle.

Commercial. All multi-dwellings and businesses.

Commercial solid waste. Solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment.

Demolition and construction waste. Waste materials from the construction or destruction of residential, industrial or commercial structures.

Duplex. The term “duplex” shall mean a detached two (2) family structure designed or intended for occupancy by two (2) families.

Garbage. All waste and accumulation of animal, fruit, or vegetable matter that attends or results from the preparation, use, handling, cooking, serving, or storage of meats, fish, fowl, fruit, vegetable matter of any nature whatsoever which is subject to decay, putrefaction, and the generation of noxious and offensive gases or odors, or which may serve as breeding or feeding material for flies and other germ carrying insects.

Garbage cans. Any cylindrical light gauge steel, plastic, or galvanized receptacle, closed at one end and open at the other, furnished with a top or lid and two (2) handles and of not more than thirty-gallon capacity and not weighing more than seventy-five (75) pounds when full.

Hazardous waste. Any waste or combination of wastes which is determined by the state department of natural resources, pursuant to rules and regulations adopted by the hazardous waste management commission, because of its quantity, concentration, or physical, chemical or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness, or pose a present or potential threat to the health of humans or other living organisms.

Health officer. The Director of the Department of Community Development, or his designated representative. (Ord. No. 13301, 11-5-2001).

Rev. 9/30/2009

Multi-family dwelling. Any building or structure containing three (3) or more living units and intended exclusively for residential use excluding duplexes.

Occupant(or “occupies” or “occupy”). Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or of any other improved real property, either as owner or as a tenant.

Residence. A detached single-family structure designed or intended for occupancy by one person or by one family. Each mobile home in a noncontainerized area shall be deemed a "residence" and each pad space shall be deemed a single-family structure.

Residential solid waste. Solid waste from a residential user.

Residential user. Any person, or family unit living in a home, apartment, duplex, mobile home, or other form of private dwelling within the city.

Rubbish. Refuse such as wastepaper, rags, cartons, boxes, excelsior, leather, cloth materials, shrub trimmings tied in bundles, not to exceed four feet in length, yard trimmings, cans, plastics, glass, crockery, ashes, and clinkers from heating plant furnaces, or other materials light in weight and easily handled or a combination of any two or more of the foregoing types of materials. This term shall not include ashes or cinders from other than household or small heating plants, tree limbs, street sweepings, catch-basin murk, concrete, dirt, concrete mortar or plaster mortar, stones, bricks, scrap metal or other similar construction materials, or materials resulting from the erection or destruction of buildings.

Solid waste. Unwanted or discarded waste materials in a solid or semi-solid state, including but not limited to garbage, trash, paper, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, special wastes, industrial wastes, and demolition and construction wastes.

Solid waste container. Receptacle used by any person to store solid waste during the interval between solid waste collections, including disposable solid waste containers, bulk containers, and garbage cans.

Solid waste disposal. The process of discarding or getting rid of unwanted material. In particular, the final disposition of solid waste by humans.

Solid waste management. The entire solid waste system of storage, collection, transportation, processing and disposal.

Storage. Keeping, maintaining or storing solid waste from the time of its production until the time of its collection.

Transportation. The transporting of solid waste from the place of collection or processing to a solid waste processing facility or solid waste disposal area.

Yard wastes. Grass clippings, leaves, tree trimmings.

(Ord. No. 9921, § 2(18-1), 2-7-83; Ord. 14487, §1, 3-2-2009)

Sec. 30-2. Solid waste storage.

- A. The occupant or owner of every dwelling unit and of every institutional, commercial or business, industrial or agricultural establishment producing solid waste within the city, shall obtain or provide sufficient and adequate containers for the storage of all solid waste, except bulky rubbish and demolition and construction

Rev. 9/30/2009

waste, to serve each such dwelling unit and/or establishment. Such solid waste containers shall be maintained at all times in good repair.

- B. The occupant or owner of every dwelling unit and of every institutional, commercial, industrial, agricultural or business establishment shall place all solid waste to be collected in proper solid waste containers, except as otherwise provided herein, and shall maintain such solid waste containers and the area surrounding them in a clean, neat and sanitary condition at all times.
- C. All garbage and rubbish, as defined in § 30-1, within the city, shall be collected, removed and disposed of by an authorized collector, in accordance with and subject to the provisions of this chapter.
- D. The owner of any occupied residence, duplex, or multi-family dwelling shall be required to provide for the removal and disposal of the garbage and rubbish from that structure in the manner required by this chapter, provided however that the owner of such a building may discharge the owner's duty under this section by having a written agreement with the current occupant of the building which specifies that the occupant shall be responsible for providing trash service at the occupant's sole cost.
- E. It shall be unlawful for the owner or possessor of any occupied residence, duplex, or multi-family dwelling or other building operated or used for a residential, commercial or industrial use to not maintain garbage and rubbish disposal service.
- F. Residential solid waste shall be stored in containers of thirty (30) gallons or more capacity. All containers shall be leakproof, waterproof, and fitted with a fly-tight lid and shall be properly covered or closed at all times except when depositing waste therein or removing the contents thereof. Garbage cans and bulk containers shall have handles, bails or other suitable lifting devices or features. Each residential user shall place its cans at the ground level to the front or rear, outside and immediately adjacent to the user's dwelling so the collector shall have free access thereto, unless the collector shall agree to a different location.
- G. Commercial solid waste shall be stored in solid waste containers as approved by the health officer. Containers shall be waterproof, leakproof and shall be covered at all times except when depositing waste therein or removing the contents thereof.
- H. Yard wastes shall be stored in containers so constructed and maintained as to prevent the dispersal of wastes placed therein upon the premises served, upon adjacent premises, or upon adjacent public rights-of-way. The weight of any individual container and contents shall not exceed seventy-five (75) pounds.
- I. Nothing in this chapter shall be construed to prohibit:
 - 1. The disposition of garbage in an approved mechanical garbage disposal unit.
 - 2. The disposal of garbage in an incinerator enclosed within a building and approved by the health officer.
 - 3. The removal by any person of his own solid wastes and disposal thereof at the disposal area of a licensed collector or on the owner's premises in a sanitary manner to prevent a nuisance or hazard to the health of the public.
 - 4. A commercial or industrial establishment from contracting with a company which collects solid waste for separation and recycling.
- J. Violation of this section shall be punishable by a fine of not less than \$50.00.

(Ord. No. 9921, § 2(18-2), 2-7-83; Ord. 14487, §2, 3-2-2009)

Rev. 9/30/2009

Sec. 30-3. Collection of solid waste.

- A. The following collection frequencies shall apply to collections of solid waste within the city:
 - 1. All residential solid waste, other than bulky rubbish, shall be collected at least once weekly. At least forty-eight (48) hours shall intervene between weekly collections.
 - 2. All commercial solid waste shall be collected at least once weekly, and shall be collected at more frequent intervals as may be fixed by the health officer or requested by the commercial establishment upon a determination that the more frequent intervals are necessary for the preservation of the health and/or safety of public.
 - 3. Bulky rubbish shall be collected at least once annually, and shall be collected at more frequent intervals as may be fixed by the health officer upon a determination that the more frequent intervals are necessary for the preservation of the health and/or safety of the public.
- B. Residential solid waste containers shall be stored upon the residential premises. Commercial solid waste containers shall be stored upon private property, unless the owner shall have been granted written permission from the city to use public property for such purposes. The storage site shall be well drained, and fully accessible to collection equipment, public health personnel and fire inspection personnel.
- C. Solid waste collectors shall be responsible for the collection of solid waste from the designated pickup location to the transportation vehicle provided the solid waste was stored in compliance with the provisions of this chapter. Any spillage or blowing litter caused as a result of the duties of the solid waste collector shall be collected and placed in the transportation vehicle by the solid waste collector.
- D. Solid waste collectors are hereby authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this chapter.
(Ord. No. 9921, § 2(18-3), 2-7-83)

Sec. 30-4. Transportation of solid waste.

- A. All vehicles used for transportation of solid waste shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles used for transportation of solid waste shall be constructed with watertight bodies with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternate, the entire bodies thereof shall be enclosed, with only loading hoppers exposed. No solid waste shall be transported in the loading hoppers. The inside of the bed of each vehicle shall be washed and cleaned each day the vehicle is operated. The outer surface of the vehicle shall be washed at least once each week and shall be painted as often as may be necessary to preserve an acceptable appearance to the city.
- B. Permits shall not be required for the removal, hauling or disposal of earth and rock material from grading or excavation activities. All such material shall be conveyed in leakproof vehicles, trucks or receptacles, so constructed and maintained that none of the material being transported shall spill upon the public rights-of-way.
- C. Demolition and construction wastes shall be transported to a disposal area as provided in section 30-5. A permit shall not be required for the hauling of demolition and construction waste. All such material shall

be conveyed in leakproof trucks, or receptacles, so constructed and maintained that none of the material being transported shall spill upon the public rights-of-way.

(Ord. No. 9921, § 2(18-4), 2-7-83)

Cross references - Material escaping on roadways, § 19-314; vehicle load restrictions, § 19-315.

Sec. 30-5. Disposal of solid waste.

A. Solid wastes shall be deposited at a processing facility or disposal area complying with all requirements of the Missouri Solid Waste Management Law, sections 260.200 to 260.245, of the Revised Statutes of Missouri, and the rules and regulations adopted thereunder.

B. Hazardous wastes will require special handling and shall be disposed of only in a manner authorized by state regulations.

(Ord. No. 9921, § 2(18-5), 2-7-83)

Sec. 30-6. Permits.

A. No person shall engage in the business of collecting, transporting, processing or disposing of solid waste within the city, without first obtaining an annual permit from the city. This provision shall not apply to employees of the holder of any such permit.

B. No such permit shall be issued until and unless the applicant, in addition to all other requirements set forth, files and maintains with the health officer evidence of a satisfactory public liability insurance policy, covering all operations of such applicant pertaining to such business and all vehicles to be operated in the conduct thereof, in an amount not less than one hundred thousand dollars (\$100,000.00) per individual and eight hundred thousand dollars (\$800,000.00) per occurrence. The coverage shall apply to both personal injury and property damage. Should any such policy be canceled, the health officer shall be notified of such cancellation by the insurance carrier in writing not less than ten (10) days prior to the effective date of such cancellation, and provisions to that effect shall be incorporated in such policy, which shall also place upon the company writing such policy the duty to give such notice.

C. Each applicant for any such permit shall state in the application:

1. The nature of the permit desired, as to collection, transporting, processing, or disposing of solid waste or any combination thereof.

2. The characteristics of the solid waste to be collected, transported, processed, or disposed of.

3. The number of solid waste transportation vehicles to be operated thereunder.

4. The precise location or locations of solid waste processing or disposal facilities to be used.

5. Such other information as required by the health officer.

D. If the application shows that the applicant will collect, transport, process or dispose of solid wastes without hazard to the public health or damage to the environment, in conformity with the laws of the state and this chapter, and if issuance of the permit will not exceed any limit imposed by council on the number of permits to be issued, then the health office may issue the permit authorized by this chapter. The permit shall be issued for a period of one year, and each applicant shall pay an annual fee of twenty-five dollars (\$25.00). If modifications can be made to the application regarding service, equipment, or mode of operation, so as to bring the application within the intent of this chapter, the health officer shall notify the applicant in writing setting forth the modifications to be made and the time in which it shall be done.

Rev. 9/30/2009

- E. If the applicant does not make the modifications pursuant to the notice in subsection (d) within the time limit specified therein, or if the application does not clearly show that the collection, transportation, processing or disposal of solid wastes will create no public health hazard or be without harmful effects upon the environment, the application shall be denied and the applicant notified by the health officer, in writing, stating the reason for such denial. Nothing in this section shall prejudice the right of the applicant to reapply after the rejection of his application if all aspects of the new application comply with the provisions of this chapter. Nothing in this section shall prevent the denial of a permit if the council has limited the number of permits to be issued.
- F. The annual permit may be renewed upon payment of the fee or fees as designated herein if the business has not been modified, if the collection vehicles meet the requirements of section 30-4 of this chapter, and if the renewal is approved by the health officer. If modifications have been made, the applicant shall reapply for a permit as set forth in subsections (b) and (c). No permits authorized by this chapter shall be transferable from person to person.
- G. In order to insure compliance with the laws of this state, with this chapter and with the rules and regulations authorized herein, the health officer is authorized to inspect all phases of solid waste management within the city. In all instances where such inspections reveal violations of this chapter, the rules and regulations authorized herein for the storage, collection, transportation, processing or disposal of solid waste, or the laws of the state, the health officer shall issue notice for each such violation stating therein the violation or violations found, the time and date and the corrective measure to be taken, together with the time in which such corrections shall be made.
- H. If the corrective measures have not been taken within the time specified, the health officer shall suspend or revoke the permit or permits involved in the violation. Extensions of time may be given if an extension will permit correction and if no public health hazard is created by the delay.
- I. Any person who feels aggrieved by any denial of permit, notice of violation, or order issued pursuant thereto of the health officer, may, within ten (10) days of the act for which redress is sought appeal directly to the city administrator in writing, setting forth in a concise statement the act being appealed and the grounds for its reversal. The decision of the city administrator shall be subject to appeal under the provisions of chapter 536 of the Revised Statutes of Missouri.

(Ord. No. 9921, § 2(18-6), 2-7-83)

Sec. 30-7. Prohibited practices.

- A. No person shall place or allow to be placed, any solid waste, other than paper, on any property owned, occupied, or controlled by him unless such materials are stored in a tightly enclosed container. The user of the container shall cause the contents thereof to be emptied and removed from the premises at least once each week.
- B. No person shall place, permit to be placed, or allow to exist or accumulate, outside of any building on premises owned, occupied, or controlled by him, any paper unless it is confined in a manner to prevent its scattering by animals or the elements.
- C. No person shall burn any refuse or solid waste in this city except in an approved commercial-type incinerator in compliance with all state and federal regulations.
- D. No person shall place any solid waste on any public property or on any private property not owned, occupied, or controlled by such person, even if the solid waste is in containers.

- E. No person shall interfere in any manner with solid waste collection and transportation equipment, or with solid waste collectors in the lawful performance of their duties.
- F. No person shall place any trash container or recycling bin on City right-of-way for more than twenty-four (24) consecutive hours consistent with the day of collection.
- G. No person shall dispose of any solid waste in a dumpster or container on any premises in the City without permission.
 - (1) This regulation shall not be effective unless such signs are erected in place at the time of the alleged offense.
 - (2) As used in this section, a suitable sign shall mean a sign not less than eight and one-half inches (8½") by eleven inches (11") in dimension bearing the words "Disposal of refuse without permission will be prosecuted. Conviction will result in a \$300.00 fine." Said sign shall be conspicuously displayed on the dumpster to make this subsection effective.

(Ord. No. 9921, § 2(18-7), 2-7-83; Ord. No. 11611, § 1, 8-6-91; Ord. No. 12438, § 1, 4-1-96; Ord. No. 12795, § 2, 8-17-98)

Cross references - Burning generally, § 13-3; fee for bonfires and outdoor rubbish fires, § 13-5; litter, § 32-12.

Sec. 30-8. Disposal area license.

No person shall operate, use, or set aside any area in this city as a sanitary landfill or other dumping ground for the disposal of solid wastes, except as the ordinances of this city may allow, unless such disposal area has been approved and licensed by the city.
(Ord. No. 9921, § (18-8), 2-7-83)

Sec. 30-9. Presumption to apply.

In a prosecution for a violation of any provision of this chapter, proof that the violation specified in the complaint or information exists, together with proof that the defendant named in the complaint or information was at the time of the alleged violation the owner or occupier of the premises where the violation occurred, shall create a prima facie presumption that the owner and/or occupier of the premises where the alleged violation occurred was the person who violated that provision.
(Ord. No. 9921, § 2(18-9), 2-7-83)

Sec. 30-10. Penalty; declaration of nuisance; other remedies.

Any person convicted for violating the provisions of this chapter shall be punished as provided in section 1-13 of this Code. In addition to such penalty, the city may seek injunctive relief to enjoin persons who violate provisions of this chapter. Violations of this chapter are hereby declared by the city council to be public nuisances.
(Ord. No. 9921, § 2(18-10), 2-7-83)

Secs. 30-11 - 30-19. Reserved.

ARTICLE II. COLLECTION OF RECYCLING AND COMPOSTING MATERIAL.

Sec. 30-20. Definitions.

For the purposes of this Article, the following words and phrases shall have the following meanings:

Collector. Any business or other entity that collects recyclable or compostable materials.

Collection on Demand. The customer arranges a specific pick-up time with Collector.

Compostable Materials. Leaves, grass clippings, yard and garden vegetation. The term does not include stumps, roots or shrubs with intact root balls.

Drop-Off Center. Container is to be maintained by Collector for the public to drop off recyclable materials as defined in this section.

Processing Costs. All reasonable costs incurred by the Collector with respect to the collection of the recyclable materials from single-family residences and the drop-off center, as well as those reasonable costs associated with the sorting and preparation of the recyclable materials at the Processing Center.

Public Awareness Program. Program developed and provided by Collector to inform and encourage residents to use the Recycling Collection Services.

Recyclable Materials. All newspapers, glass, bi-metal cans, tin cans, aluminum, clear plastic high density polyethylene (HAPE) milk containers, clear and green plastic polyethylene terephthalate (PETE) drink containers, and such other materials as Collector may choose.

Recycling Collection Services. Those services to be performed by the Collector as follows:

- a. The collection of recyclable and compostable materials from locations specifically designated by the City;
- b. Processing of recyclable materials, which includes the sorting and preparation of recyclable materials at the Processing Center for sale; and
- c. Marketing of the recyclable materials.

Recycling Containers. A container made of rigid plastic construction for the purpose of holding recyclable materials for collection.

Residence. A single-family home, duplex, or triplex located within the corporate limits of the City of Jefferson, Missouri.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-21. Scope of services.

The following services shall apply to collections of recyclable and compostable materials:

- A. Collector shall collect and remove all recyclable and compostable materials which are segregated and placed in or adjacent to recycling containers at the curbside on public streets, from all residences located in

Rev. 9/30/2009

the City of Jefferson.

- B. Collector shall, at its sole cost and expense, except as otherwise provided here, furnish all labor and equipment required to perform curbside collection of recyclable and compostable materials.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-22. Time of collection.

- A. Recyclable materials. Collector shall collect the recyclable materials placed at the curbside for collection at least bi-weekly.
- B. Compostable materials. Compostable materials shall be picked up at curbside at least bi-weekly for the thirty-two consecutive weeks between the permissible burning periods as established in Ordinance Number 11610.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-23. Recycling containers.

If recycling containers are provided to citizens by Collector they shall be maintained by Collector in a satisfactory condition.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-24. Transportation of recyclable and compostable materials.

Collector shall be responsible for the proper disposal of all recyclable materials upon pickup from residents and shall be responsible for the sale of such recyclable materials.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-25. Pickup times.

Pickup shall be at the front curb of the residence or residential unit to be served. The starting time for collection services shall not commence before 6:00 a.m. and shall be completed by 5:30 p.m.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-26. Missed pickup.

In case of a missed pickup reported by the City of Jefferson or a resident, Collector shall collect the recyclable materials from such resident within 24 hours of notification. All calls relating to missed pickups shall be logged by Collector and such log shall be made available to the City of Jefferson by the Collector.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-27. Title to materials.

Title to recyclable materials shall be with Collector, and Collector shall have the responsibility for the sale of such recyclable materials.
(Ord. No. 11658, §1, 11-6-91)

Rev. 9/30/2009

Sec. 30-28. Permits and licenses.

Collector, at its sole cost and expense, shall maintain all permits, licenses, and approvals necessary or required for Collector to perform the work and services described herein.
(Ord. No. 11658, §1, 11-6-91)

Sec. 30-29. Collection systems.

Collectors shall be regulated based upon the collection program established by the Collector as follows:

A. Collection of Compostable Materials.

1. The following are exempt from Registration or Permitting under this section but are required to have a valid business license.
 - a. Collection incidental to general landscaping or yard maintenance.
 - b. Collection pursuant to individual contracts.
 - c. Drop-off Sites.
2. Registration Required. Collector is required to have a valid business license and register with the City of Jefferson. Collectors shall register with the Division of Sanitation of the Community Development Department. (Ord. No. 13301, 11-5-2001)

Collection upon demand shall be regulated under this provision.

3. Permit Required.

Level 1. Contiguous Area Collection. Collector is required to have a valid business license, show proof of insurance in the amounts required by Section 30-30, offer curbside collection, submit a performance bond in the amount required by Section 30-30, and pick up all types of compostable materials. Collection shall be in a contiguous area of the City and Collector must expand collection to entire city within two years of beginning collection of compostable materials.

Level 2. Citywide Collection. Collector is required to have a business license, show proof of insurance in the amounts listed in Section 30-30, offer curbside collection, submit a performance bond in the amount required by Section 30-30, and pick up all types of compostable materials. Collection shall be offered throughout the entire city.

B. Recyclable Materials.

1. The following are exempt from Registration or Permitting under this section but are still required to have a valid business license.
 - a. Collection pursuant to individual contracts.
 - b. Drop-off Sites.
2. Permit Required.

Level 1. Contiguous Area Collection. Collector is required to have a valid business license, show proof of insurance in the amounts required by Section 30-30, offer curbside collection, and submit a performance bond in the amount required by Section 30-30. Collection shall be in a contiguous area of the City and Collector must expand its collection to the entire city within two years of beginning collection of recyclable materials.

Level 2. Citywide Collection. Collector is required to have a valid business license, show proof of insurance in the amounts listed in Section 30-30, offer curbside collection, and submit a performance bond in the amount required by Section 30-30. Collection shall be made for the entire city.

(Ord. No. 11658, §1, 11-6-91)

Sec. 30-30. Insurance.

Collector shall obtain and maintain throughout the term of this Agreement, at Collector's sole cost and expense, not less than the insurance coverage set out below:

- A. Workmen's Compensation Insurance for all of its employees to be engaged in work under this contract.
- B. Collector's Public Liability Insurance in an amount not less than \$500,000 for all claims arising out of a single occurrence and \$250,000 for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri Worker's Compensation Law, Chapter 287, RSMo., and Collector's Property Damage Insurance in an amount not less than \$100,000 for all claims arising out of a single accident or occurrence and \$250,000 for any one person in a single accident or occurrence.
- C. Automobile Liability Insurance in an amount not less than \$500,000 for all claims arising out of a single accident or occurrence and \$250,000 for any one person in a single accident or occurrence.
- D. Owner's Protective Liability Insurance - The Collector shall also obtain at its own expense and deliver to the City an Owner's Protective Liability Insurance Policy naming the City of Jefferson as the insured, in an amount not less than \$500,000 for all claims arising out of a single accident or occurrence and \$250,000 for any one person in a single accident or occurrence, except for those claims governed by the provisions of the Missouri Worker's Compensation Law, Chapter 287, RSMo.
- E. Umbrella Liability - The Collector shall also obtain at its own expense and deliver to the City an umbrella liability policy in the amount of \$1,000,000 with a \$25,000.00 self-insurance retention.
- F. Subcontracts - In case any or all of this work is sublet, the Collector shall require the Subcontractor to procure and maintain all insurance required in Subparagraphs (a), (b), and (c) hereof and in like amounts.
- G. Scope of Insurance and Special Hazard. The insurance required under Sub-paragraphs (B) and (C) hereof shall provide adequate protection for the Collector and its subcontractors, respectively, against damage claims which may arise from operations under this contract, whether such operations be by the insured or by anyone directly or indirectly employed by it, and also against any special hazards which may be encountered in the performance of this contract.
- H. Performance Bond. At least fourteen (14) days before beginning collection of materials, the Collector shall deposit with the City Clerk a performance bond in the amount of Twenty-five Thousand Dollars (\$25,000.00).

(Ord. No. 11658, §1, 11-6-91)

Sec. 30-31. Collector's records.

Collector shall maintain books and records related to the regulated activity. The City of Jefferson shall have the right, upon reasonable notice, to audit the records of the Collector to ensure compliance with the regulations in this ordinance.

(Ord. No. 11658, §1, 11-6-91)

Sec. 30-32. Disposal in landfill prohibited.

Items collected pursuant to this article may not be taken to a landfill. Disposal shall be in accordance with state and federal law and all applicable ordinances.

(Ord. No. 11658, §1, 11-6-91)

Sec. 30-33. Severability.

The invalidity of one or more of the sections contained in this Article shall not affect the validity of the remaining portion of the Article.

(Ord. No. 11658, §1, 11-6-91)

NOTES

¹. **Cross references** - Definitions and rules of construction generally, § 1-2; health and sanitation, Ch. 15; litter, § 32-12.

State law references - Solid waste disposal generally, RSMo. § 260.200 et seq.; general municipal authority to provide for solid waste collection, handling, etc., RSMo. § 71.680.