



**Amherst County  
License Application  
Curbside Collection of Solid Waste**

**Company Name:**

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**Contact Person:**

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**Address:**

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**Telephone Number:**

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**Fax Number:**

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**Emergency Contact Person:**

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**Email Address:**

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**Describe business organization and identify office headquarters:**

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**List vehicles and/or equipment to be used and identification numbers for each piece of equipment:**

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List temporary back-up vehicles and/or equipment to be used and identification numbers for each piece of equipment:

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Identify service areas and routes to serve:

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Frequency of collections along identified routes:

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Hours of services to be provided:

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Identify locations and manner of disposal of solid waste collected in Amherst County:

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I have read and understand Amherst County Code Section 13-10 (attached).

\_\_\_\_\_ (Applicant)

Please send application and license fees and required bond to:

Amherst County Department of Public Works  
PO Box 779  
Madison Heights, VA 24572  
Phone: 434-846-3324

Sec. 13-10. - Licenses for haulers of certain wastes.

- (a) It shall be unlawful for any person, unless that person is a license holder, to engage in the curbside collection of solid waste in the service area. The director may issue licenses to qualified applicants in accordance with the provisions of this article.
- (b) Applications shall be made on a form supplied by the director. Required information may include the applicant's name, address, phone number, fax number and e-mail address and the applicant's designated contact person for curbside collection of solid waste in the service area, a description of the applicant's form of business organization, a description of the equipment to be used in the collection of solid waste including such identification information as may be determined by the director, a description of the area or areas within the service area that the applicant proposes to serve, the frequency of collections, the number and types of vehicles to be used, the type of other equipment to be utilized, the hours of service to be provided, the place and manner of disposal, and other information as required by this article.
- (c) The director may issue a license upon receipt of a valid application and upon satisfactory finding that the applicant has complied with and will be able to comply with all applicable requirements of this article. Prior to the issuance of any license, the director may inspect any vehicle regulated by such license. Such license shall assign such vehicle a number.
- (d) All licenses shall expire on June 30 following the date of issue and shall be renewed between May 1 and May 31 of each year.
- (e) At the time of the issuance of the license, the applicant shall pay the license fees and furnish the required bond or letter of credit as set forth in subsections (f) and (g) below.
- (f) The license provided for in this article shall be issued by the director for each vehicle to be used for curbside collection of solid waste in the service area upon demonstration of compliance with this article and the payment of a license fee of two hundred fifty dollars (\$250.00) per vehicle used to collect curbside solid waste. The license fee shall not apply to temporary backup vehicles. The license shall be renewed annually between May 1 and May 31 of each year in which the license holder wishes to operate, and the fee shall not be prorated for the period of time covered by the license.

- (g) Applicants must furnish a letter of credit or payment and performance bond payable to the county in an amount equal to not less than five hundred dollars (\$500.00) for each vehicle proposed for licensure under this article, but not to exceed a total of five thousand dollars (\$5,000.00) for all vehicles proposed for licensure by the applicant, with surety approved by the county attorney and conditioned to indemnify and save harmless the county as well as any person from all expense or damage that may be caused by the license holder's failure to comply with the provisions of this article or neglect in the handling of solid waste.
- (h) Handling of solid waste shall be deemed neglected when the license holder fails to meet the frequency of collection as required by the license. If the license holder fails to correct any such neglect or noncompliance with this section within forty-eight (48) hours after receipt of written notice from the approving authority, the county shall immediately either (i) make a demand on the letter of credit or (ii) declare the licensee in default such that the surety shall investigate the claim and make such recompense or take such other action as specified in the payment and performance bond. Such bond or letter of credit shall be deposited with the county treasurer. The bond or letter of credit shall be for a period of not less than the term of the license.
- (i) All license holders must, during the term of the license, provide an adequate number of vehicles, including backup vehicles, to properly and efficiently transport solid waste in accordance with the requirements of this article. The vehicles shall be licensed and operated in compliance with all applicable federal, state, and local law and regulations.

All vehicles and other equipment shall be kept in proper repair and sanitary condition. Each vehicle shall bear, at a minimum, the name and phone number of the license holder plainly visible on both cab doors or otherwise prominently displayed on the left and right sides of the vehicle. Each vehicle shall be uniquely numbered in lettering at least three (3) inches high. All vehicles shall be sufficiently secure so as to prevent any littering of solid waste or leakage of fluid. No vehicles shall be overloaded. The license holder shall collect all litter resulting from the operation of the license holder's vehicles.

- (j) The license holder shall have all vehicles subject to a license available for inspection by the director of public works or designee at a reasonable time and place within the county. In the event of an emergency requiring the immediate

replacement of a vehicle, the license holder shall notify the director of public works of such replacement and have the replacement vehicle available for inspection by the director of public works within five (5) days after its acquisition.

- (k) Vehicles subject to a license must provide against solid waste leaking, spilling, and being blown or hurled from or deposited upon any street or public way during loading or while in transit. Two (2) types of vehicles will be permissible:
  - (1) A vehicle with a watertight body, completely enclosed and covered, by construction.
  - (2) A vehicle with a nonwatertight body, with built-in cover, or with tarpaulin or equally effective cover. Such a vehicle must have secured and covered watertight containers for all liquid or semisolid material.
- (l) Curbside collection of solid waste in the service area shall occur only between the hours of 7:00 a.m. and 7:00 p.m. All collection shall be done in such manner that it does not create a nuisance or adversely affect public health.
- (m) Solid waste shall be collected in such a manner and transported so that it does not spill or fall into a street or public way, nor shall it be dumped, spilled, or thrown into any street, court, lane, alley, sewer, inlet or public or private lands. Any license holder shall cause disposal of all solid waste within the control of such license holder in accordance with all applicable local, state and federal laws.
- (n) License holders shall not collect any hazardous waste, prohibited waste or harmful material, including materials which are explosive, toxic, radioactive or highly combustible by nature or burning. If a license holder collects and disposes in the landfill hazardous waste or prohibited waste, federal, state and local officials shall be immediately notified to the extent required by law and every action must be taken by the license holder to contain and remove said materials immediately. The license holder shall be responsible for all costs for containment and removal of any and all hazardous waste or prohibited waste under the guidance and control of federal, state and county officials. This subsection, however, is not applicable to materials loaded and carried at the direction of public officials executing their duties in emergencies.
- (o) The license holder shall comply with all rules and regulations of the Amherst County Landfill and the department of public works.
- (p)

The license holder shall notify in writing the director and each customer at least thirty (30) days prior to date of the license holder's termination and discontinuance of business. On the date of the license holder's termination or discontinuance of business, the license holder will surrender any license held by the license holder to the director.

- (q) No license issued hereunder may be transferred, sold, or assigned without the express permission of the director, and any permission so granted may impose such conditions on any transfer, sale or assignment as necessary in the opinion of the director to protect the public health and safety. Should the license holder be a corporation or other association, sale or transfer of a controlling interest therein shall constitute an assignment for the purpose of this provision.
- (r) There shall be no commingling of waste as defined herein. If a license holder determines that inadvertent commingling of solid waste has occurred on a load of solid waste deposited at the landfill, the license holder shall notify the director within forty-eight (48) hours of such determination. The willful commingling of waste shall be subject to the penalties set forth in section 13-12.
- (s) Any solid waste collected by a license holder under the authority of this article shall not be subject to a disposal fee at the Amherst County Landfill.

(Ord. of 3-18-03(1); Ord. of. 5-18-04(4); Ord. of 9-6-05; Ord. No. 2016-0005, § 1, 4-19-16)

**State Law reference**— Code of Virginia, § 15.2-930.