

City of San Marcos
Commercial Solid Waste Hauler Permit
General Instructions and Information

The purpose of Article 3 of Chapter 66 of the City Code is to establish minimum standards for commercial solid waste collection and transport activities in the City, in order to ensure orderly operations and to minimize adverse impacts on the public; and to provide for compensation to the City for wear and tear on the City streets resulting from commercial solid waste collection and transport.

The provisions of this article apply to all commercial haulers that collect, haul, or transport commercial solid waste from any location in the City. Therefore, all haulers of commercial solid waste are required to have a permit. Refer to City code for exceptions.

1.0 Commercial Solid Waste Hauler Permit: It shall be unlawful for a person to collect or offer to collect commercial solid waste (including recyclable materials) from any location in the City and transport that waste on any public street, alley, road or right-of-way in the City, other than on federal or state highways, if the person does not hold a current valid commercial hauler permit issued by the Manager.

Any person desiring a new or renewed commercial hauler permit must submit a permit application to the Department of Neighborhood Enhancement- Resource Recovery Community Enhancement Initiatives Manager. The application shall be completed in its entirety and contain all required signatures and notarized. The Manager will review each permit application. If the Manager determines that the application is complete, the director shall issue a permit to remain in effect for a period of **one year** from the date of issuance or renewal to the applicant. **Permit fee is \$100.00/year.**

1.1 Insurance: Permit holders are required to maintain motor vehicle liability insurance in full force and effect at all times in the amount of at least the stated limits of coverage as a condition of operation under the holder's permit. An insurance certificate verifying the liability insurance required by this article must accompany the permit application form.

1.2 Sales Tax Permit: A copy of the applicant's sales tax permit issued by the comptroller of public accounts must accompany the permit application form.

2.0 Reports Required: Each permitted commercial solid waste hauler shall submit a quarterly report on a form provided by the City, of its gross revenue from commercial solid waste hauling operations in the City. Reports must be submitted so that they are received by the Finance Department within 30 days of the end of the proceeding calendar quarter.

Each permit holder must file with the coordinator a statement of the permit holder's gross revenue for each calendar year not later than the 90th day after the end of the calendar year. The statement must contain a detailed description of gross revenue and uncollectible accounts for the year.

2.1 Street Use Fee: Each permit holder is required to pay a street use fee as a condition of operation under the holder's permit. The amount of the street use fee is 5 % of the permit holder's gross revenue from commercial solid waste hauling operations in the City. The term "gross revenue" means the value of all cash considerations that a permit holder derives from the provision of commercial hauling services in the City.

Payments of street use fees must accompany certified quarterly reports when submitted.

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3.0 Penalty for late payments and reports: If reports and payment in full is not made on or before the due date, the hauler shall pay an administrative late fee of \$100.

4.0 Regulation of Operations: It is unlawful for a commercial hauler to place or maintain a commercial container on any city or state street, alley, road or highway, and on any right-of-way within the city.

A commercial hauler must ensure that all commercial containers serviced by it are placed and maintained on the customer's property. It is unlawful to crossover a curb of a city street.

A commercial hauler must ensure that each commercial container provided or serviced by it is equipped in a manner that prevents blowing or scattering of solid waste materials, is in good repair and appearance and in sanitary condition, is clearly marked with the hauler's name and telephone number, and is emptied not less than one time per week.

A commercial hauler must ensure its employees take all reasonable measures to prevent spilling or leaving of solid waste when making pickups. If a hauler's vehicle spills any solid waste in the course of collection or transport, the hauler's employee must clean the spill by whatever means necessary before the vehicle leaves the premises. The hauler must clean up liquid and hydraulic spills with an absorbent that is carried on all vehicles.

A commercial hauler must ensure that any damage caused to city property, facilities or equipment in connection with the hauler's provision of commercial hauling services is reported immediately to the Neighborhood Enhancement Department-Resource Recovery Division, and is promptly repaired.

4.1 Penalty: Any person who violates any provision of Article 3 of chapter 66 of the City Code commits a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than \$150.00 nor more than \$2,000.00 for each violation.

5.0 City Ordinance: A copy of Article 3 of Chapter 66, Commercial Solid Waste Haulers, of the City Code is included in this packet.

For questions or information on the permitting process, please contact the Community Enhancement Initiatives Manager at (512) 393-8419.