

ARTICLE II. SOLID WASTE COLLECTION*

***Cross references:** Licenses, permits and businesses, ch. 78.

Sec. 102-51. Compliance with this article required.

No person shall engage in the collection or transportation of solid waste in the unincorporated areas of the county as presently or hereafter established without having first complied with the provisions of this article and all applicable state and federal regulations.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-52. Grant or privilege.

Any permit issued pursuant to the provisions of this article shall be a mere grant or privilege to carry on business during the term of such permit subject to all terms and conditions imposed by this article and related laws, applicable provisions of this Code, and other ordinances and resolutions of the county relating to such business.

(Ord. of 10-22-96)

Sec. 102-53. Permit and registration required--Generally.

(a) In addition to a business license or any other permit required by the county, all persons now or hereafter engaged in the primary business of the collection or transportation of solid waste in the unincorporated areas of the county shall annually apply for a solid waste permit to operate such business. The application shall be filed with the business license office, and neither a business license nor a solid waste permit shall be issued by the business license office until the solid waste department shall have approved the solid waste permit application in writing.

(b) No person shall engage in the primary business of the collection or transportation of solid waste office until a permit for the same has been issued by the business license office after approval of the solid waste permit application by the solid waste department as provided for in subsection (a) hereinabove.

(c) All persons required by this article to obtain a solid waste permit shall submit an application for said permit concurrently with the application submitted for a business license. The fees required for a solid waste permit shall be paid in full by each applicant upon issuance of the solid waste permit as required by section 102-54 herein. Each such permit shall expire one year subsequent to the issuance date of the original permit, at which time the permit holder must submit a new application for a solid waste permit.

(d) Any failure to comply with the requirements of this provision shall constitute a violation of this chapter pursuant to section 102-14.

(Ord. of 10-22-96)

Sec. 102-54. Permit fee schedule.

A permit fee shall be paid to the business license office [for] the issuance of a solid waste permit as required by this article and shall be as set forth in the solid waste permit fee schedule as approved and adopted by the board of commissioners. A fee schedule shall be on file and available from the clerk of the board of commissioners and the solid waste department.

(Ord. of 10-22-96)

Sec. 102-55. Application for permit.

(a) No solid waste permit shall be issued or renewed except upon a written application available from the solid waste department in a form specified by the county and setting forth such facts as the county may deem appropriate, including but not limited to the following information:

- (1) If the applicant is an individual, partnership or proprietorship, the names and addresses of all persons, partners and owners (including corporations) and their respective percentages of ownership in the prospective collector's business in the county; and
- (2) If the applicant is a corporation, the name and addresses of the officers and directors thereof; and
- (3) Whether each driver of a motor vehicle employed by applicant possesses a valid Georgia drivers license, and whether this license is of the appropriate class and type to permit such driver to operate the vehicle which has been employed by applicant to operate; and
- (4) A current certificate or certificates of insurance as evidence of compliance with the insurance requirements specified in this article; and
- (5) The contact person employed by applicant for customer service; and
- (6) A verified statement that the applicant, if a corporation, is in good standing in the State of Georgia, and that the applicant, if a corporation organized under the laws of any other state, is licensed to do business in the State of Georgia.

(b) All applications or renewal applications and the information or documentation submitted in connection therewith shall be open to the public inspection to the extent required by the Georgia Open Records Law, O.C.G.A. § 50-18-70 et seq., and shall be kept on file a reasonable length of time at the discretion of the solid waste department.

(c) Incomplete applications will be held for 30 days and if still incomplete at that time will be denied. Any solid waste collector who collects or transports solid waste without a valid solid waste permit or having been denied a solid waste permit will be in direct violation of the county solid waste ordinance and subject to penalties as specified in section 102-14.

(Ord. of 10-22-96)

Sec. 102-56. Denial of application for issuance of solid waste permit.

(a) An application for a solid waste permit submitted pursuant to this article may be granted or denied by the director of the water system or his or her designee. Application may be denied only for due cause as defined by subsection (b) herein. If the application is denied by the

director of the water system or his or her designee the applicant may appeal such denial in accordance with section 102-60 of this article to the board of commissioners by filing a written certified appeal with the clerk of the board of commissioners and with director of the water system. A hearing shall then be set before the board of commissioners and prior written certified notice of such hearing shall be sent to the applicant. This notice shall state the time, place and purpose of such hearing and the reasons for denial of the application. Three business days' written notice shall be deemed reasonable, but shorter or longer periods of notice shall be authorized as the board of commissioners may deem justified by the circumstances. Unless the circumstances otherwise justify, the hearing shall be held within 30 days after the appeal is filed with the clerk of the board of commissioners and the director of the water system.

(b) An application for a solid waste permit submitted pursuant to this article may be denied only if one or more of the following circumstances exist:

(1) The applicant has failed to obtain any paper or document necessary to pursue its business as required or as may be required by any officer, official, agency or department of the county, state or the United States under authority of any law, ordinance or resolution of the county, state or United States.

(2) The applicant has supplied false information to director of the water system of the solid waste division or his/her designee.

(3) The applicant has failed to pay any permit fee, fees, penalty or interest required under this article or has otherwise failed to comply with any of the provisions contained in this chapter.

(4) The applicant, during the 12-month period preceding the filing of the solid waste application, has engaged in any deceptive business practices as are hereinafter defined in section 102-59 of this article.

(5) The applicant has failed to meet any of the procedural, legal or technical requirements hereinafter enumerated in this article, including but not limited to insurance and equipment requirements.

(6) An applicant has previously declared bankruptcy under one name and subsequently attempts to procure a solid waste collection permit in a new or different name.

(c) No application for a solid waste permit submitted hereunder shall be accepted, processed or approved if the applicant has submitted the same or a similar application for a solid waste permit within the preceding 12-month period and such application has been dismissed, denied or abandoned. No permit shall be granted if the applicant is presently or has been within the 12 months preceding submission of the application in violation of any provision of this article or any other article of this chapter or any other law or ordinance regulating the activities for which such permit is sought.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-57. Transferability of permit.

No solid waste permit issued pursuant to this article shall be transferable.

(Ord. of 10-22-96)

Sec. 102-58. Revocation and suspension of solid waste permit--Authorized.

Subject to the provisions of section 102-59 herein, a solid waste permit maybe temporarily suspended by the director of the water system or his/her designee for up to 30 days without bringing

the matter before the board of commissioners. Only the board of commissioners may suspend for more than 30 days or permanently revoke any solid waste permit issued pursuant to this article.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-59. Same--Procedure; notice; hearing required; "due cause" prerequisite.

(a) No solid waste permit which has been issued or which may hereafter be issued by the county to any person shall be suspended or revoked, except for due cause as hereinafter defined. The director of the water system or his/her designee may temporarily suspend for up to 30 days a solid waste permit when grounds of "due cause" exist or are reasonably believed to exist by the director of the water system or his/her designee subject to subsection (e) upon three days written certified notice of the grounds. Temporary suspension by the director of the water system or his/her designee shall not require a hearing prior to the suspension.

(b) The permit holder may either work with the director of the water system or his/her designee to correct the problem or may appeal the temporary suspension to the board of commissioners.

(1) If the violation for which the 30-day temporary suspension has been issued is not a public health or safety hazard as herein defined, the permit holder will be allowed to continue operating while attempting to correct the violation.

(2) If the violation for which the 30-day temporary suspension has been issued is a public health or safety hazard as herein defined, the permit holder will not be allowed to continue operating while attempting to correct the violation.

At the end of the 30-day temporary suspension period if the permit holder fails to correct the problem and does not appeal the suspension to the board of commissioners, the director of the water system or his/her designee shall bring before the board of commissioners, at the next regularly scheduled commission meeting a request to permanently revoke the solid waste permit or to suspend the solid waste permit for a period greater than 30 days. Notice to the holder of such permit of the time, place and purpose of such hearing of the charge upon which the hearing shall be held shall be given by prior certified written notice. Three business day's written notice shall be deemed reasonable, but a shorter or longer period of notice shall be authorized as the board of commissioners may deem justified by the circumstances

(c) To appeal the temporary suspension the permit holder must comply with the requirements of section 102-60.

(d) In all hearings before the board of commissioners conducted pursuant to this provision, the following procedures shall apply; and the proceeding shall be as informal as is compatible with due process:

(1) The chairman of the board of commissioners shall read or cause to be read the charges against the permit holder or solid waste collector. The chairman shall then read or cause to read any response filed by the permit holder or collector.

(2) The board of commissioners shall hear the evidence upon which the charges have been filed against the permit holder and shall not consider any additional evidence beyond the scope of these charges. The board may exclude evidence which is purely cumulative in nature.

(3) The order of proof shall be as follows:

a. The county representative shall present evidence in support of the charges.

b. The permit holder shall then present its evidence.

c. The evidence of each party may be supported by the submission of pertinent documents.

d. The board of commissioners shall allow each party to present pertinent rebuttal evidence.

(4) The permit holder and county may each be represented by counsel, and may present, examine, and cross-examine witnesses. Additionally, the board of commissioners may question both parties and all witnesses to obtain any information deemed necessary to evaluate the charges.

(e) Due cause for the suspension or revocation of a solid waste permit shall consist of any one or more of the following:

(1) A permit holder commits a deceptive business practice including but not limited to any act or business practice designated as unlawful in the Fair Business Practice Act, O.C.G.A. 10-1-390 et seq.

(2) Violation of any laws, chapters, or resolutions regulating such business, or violation of regulations made pursuant to authority granted for the purpose of regulating such business.

(3) The permit holder has supplied false information to the manager of the business license division or the director of the water system or their respective designees regardless of when either shall have become aware of the same.

(4) The permit holder has failed to obtain, or has suffered the expiration, suspension, or revocation of any paper or document required hereunder for its business or as may be required for its business by any officer, official, agency, authority, or department of the county, state or the United States.

(5) The permit holder has failed to comply with any of the provisions of this article of this chapter.

(6) The permit holder makes any misrepresentation of fact which is intended to mislead the public or to mislead any party with whom the permit holder deals in pursuance of the permitted business. The term "misrepresentation of fact" as used herein shall embrace not only express misrepresentation arising by virtue of the permit holder's conduct, including acts and omissions.

(7) Failure by the permit holder to obtain and/or file all pertinent papers regarding insurance as required by this chapter.

(8) The solid waste division documents in any given permit year five or more substantiated complaints against and/or violations of this chapter involving a particular solid waste permit holder. The solid waste division shall record each such complaint and/or violation in a true and accurate log maintained for this purpose and shall record in connection therewith the name and address of any complainant and the substance or basis of the complaint. Such records shall be made available to the permit holder and shall be deemed a public record.

(9) The permit holder fails or has failed to stop collection activities as directed by the director of the water system or his/her designees in written notification issued pursuant to this section.

(10) The permit holder fails or has failed to pay to the solid waste division within 60 days of the due date any fees or fines incurred in pursuance of solid waste collection activities or who does not have an approved payment plan by the director of water or his/her designee.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-60. Appeals.

(a) Any person or entity aggrieved by an action or decision of the director of the water system or his or her designee or employees may appeal such action or decision to the board of commissioners by filing written notice of appeal with clerk of the board of commissioners and the director of the water system within 10 days of the decision or action prompting appeal. The board of commissioners shall hear the appeal within 30 days of the receipt of such notice, and in connection therewith, shall give three business days' prior written certified notice of the hearing date to all parties. The board of commissioners may affirm, reverse or modify, either wholly or in part, any decision or action from which the appeal was sought by the petitioner.

(b) This provision shall not apply to citations issued pursuant to section 102-14 for violations of this chapter.

(c) Any request to revoke for failure to correct the 30-day suspension violation or request to suspend for the solid waste permit for greater than 30 days brought forth by the director of the water system or his/her designee shall proceed procedurally according to section (a) of the section as if the permit holder had filed an appeal.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-61. Temporary permit.

(a) A temporary permit may be issued by the solid waste division for a period not to exceed 15 calendar days from the issuance date thereof. At the conclusion of 15 days, an additional 15-day extension may be granted if justification for such extension is presented to and accepted by the director of the water system or his or her designee.

(b) A temporary permit will be issued only in the following circumstances:

(1) The collector is a solid waste permit holder in good standing or has an approved plan by the director of the water system or his/her designee for correction of any problems; and

(2) The collector can provide adequate proof of the temporary status of its noncompliance with any provision of this article or any article of this chapter; and

(3) The collector must return to complete compliance with all provisions of the solid waste ordinance at the conclusion of the temporary permit period specified at the date of issuance; and

(4) The temporary permit issued pursuant to this section must be posted and visible at all times on any vehicle used by the collector in solid waste collection activities.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-62. Insurance.

(a) Any collector with a solid waste permit issued pursuant to this article shall at all times during the permit period obtain, maintain, and pay all premiums for, and file with the solid waste division, certificates of insurance evidencing the types and amounts of insurance specified in the solid waste insurance schedule.

(b) The solid waste insurance schedule shall be as approved, adopted and amended from time to time by the board of commissioners.

(c) The solid waste insurance schedule shall be on file and available in the office of the solid waste division and clerk of the board of commissioners.

(d) All collectors shall comply with any and all federal, state, and local insurance laws, regulations and/or requirements.

(e) All insurance contracts or policies procured so as to obtain the coverage required by the solid waste insurance schedule shall be in a form reasonably satisfactory to the county and shall be issued and maintained by companies authorized to do business in the State of Georgia and reasonably acceptable to the county. All such policies shall require 30 days' written certified notification to all insured parties prior to any cancellation thereof.

(f) All insurance contracts must specify that the vehicles covered by such contracts are for "trash collection."

(g) The collector shall provide the county with annual proof of the insurance required by the solid waste insurance schedule. Any failure to provide such evidence of insurance shall be grounds for denial or revocation of a solid waste permit.

(h) A collector shall notify the solid waste division in writing of any insurance policy changes, renewals and/or cancellation by written certified notice atleast 30 days prior to any change, renewal, and/or cancellation.

(i) Any failure to comply with or violation of the provisions contained herein, in addition to any other penalty or course of action which may be sought for such violation, shall be subject to those penalties specified in section 102-14.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-63. Indemnity.

(a) A collector shall, at its sole cost and expense, fully indemnify, defend and hold harmless the county, its officers, boards, commissions and employees, from and against any and all claims, suits, actions, liability and judgements obtained by third parties for damage of any kind, including personal injury and/or death, which may be the result of willful, negligent or tortious conduct or operations by such collector arising out of the collection, transportation or disposal of solid waste, whether or not the act or omission complained of is authorized, allowed or prohibited by this article.

(b) The collector shall pay all expenses incurred by the county, in defending from any of the claims or actions specified above, including attorneys fees and other litigation costs.

(Ord. of 10-22-96)

Sec. 102-64. Vehicle requirements.

All persons collecting and disposing of solid waste material for a fee shall comply with the following requirements:

(1) *Solid waste collection vehicles:*

a. *Type and size:* Solid waste collection vehicles shall comply with the regulations and licensing requirements of the Georgia Department of Transportation and with applicable local ordinances specifying weight and size restrictions for any streets or roads traveled to collect solid waste.

b. *Compactor and cover:*

1. Vehicles used for the collection or transportation of solid waste shall be covered compactor-type trucks and shall be enclosed, weather-tight, substantially leakproof, easily cleanable and constructed of durable metal.

2. Vehicles used for the collection or transportation of solid waste shall be covered at all times, except during the loading and unloading thereof, so as to prevent the contents from falling, leaking or blowing out of the vehicle.

c. *Scout or satellite vehicle:* A scout or satellite vehicle shall mean a vehicle with the maximum material capacity of eight cubic yards, or 216 cubic feet. The "box" of the truck may be configured in any manner not to exceed eight cubic yards so long as the dimensions thereof comply with all state and local laws. The scout should be used to collect materials in areas not easily accessible to compactor trucks after which the material shall then be hydraulically or manually emptied into a compactor truck. The scout shall not be allowed to make direct use of disposal facilities such as landfills or transfer stations. The scout shall be leakproof and covered in such a manner as to prevent waste from falling, leaking or blowing from the vehicle when travelling to the compactor truck.

d. *Audible alarm:* Each vehicle used for collection or transportation of solid waste shall have an operating, audible alarm which sounds when any such vehicle backs up or is in reverse.

e. *Emergency lights:* Each compactor vehicle used for the collection or transportation of solid waste shall have an operating, flashing or revolving amber light mounted on top of the vehicle and visible from its rear. All collectors shall comply with any corresponding state or federal laws or regulations.

(2) *Identification:* The following items shall at all times be clearly visible on each and every vehicle used in the collection or transportation of solid waste, including temporary replacement vehicles and scouts:

- a. The identity and telephone number of the collector on both sides of the vehicle displayed by letters or characters at least three inches in height;
- b. A permit decal placed on the front of the truck.

(3) *Ownership/lease:* Registration of and title to the vehicle(s) shall be in the name of the collector or a leasing agent with a duly authorized power of attorney issued in the name of the collector.

(4) *Exempt equipment:* The following solid waste collection equipment shall be exempt from the vehicle requirements enumerated in subsection (1)b.1. above; however, nothing in this section excludes compliance with all other vehicle requirements specified by this section, article, or chapter:

- a. Roll-off equipment (to be used solely for the collection of construction debris and inert material which does not constitute solid waste);
- b. Brush collector equipment;
- c. Knuckle-boom picker equipment;
- d. Open-top equipment (to be used solely for the collection of construction debris and inert material which does not constitute solid waste);

(5) *Penalties:* Any failure to comply with or violation of the provisions contained in this section shall subject the offender to the penalties specified in section 102-14.

(Ord. of 10-22-96)

Sec. 102-65. Mandatory offer of recycling service.

(a) All collectors must offer to their residential customers the option of having their recyclable materials collected at least once each week. Recyclable materials to be collected shall include at a minimum the following items: newspapers, glass and aluminum.

(b) All collectors must offer an appropriate container for those residential customers opting for this recycling service. Any collector providing such a container to any residential customer may charge a fee for such a container.

(c) In no event shall any of the recyclable materials collected pursuant to this optional recycling service be disposed of in any landfill.

(d) Any failure to comply with or violation of the provisions contained in this section shall subject the offender to penalties as specified in section 102-14.

(Ord. of 10-22-96)

Sec. 102-66. Unauthorized collection of recovered materials.

No person other than the owner of recovered material shall remove any such recovered material which has been separated from solid waste and placed at a designated recovered material collection location for recycling.

(Ord. of 10-22-96)

Sec. 102-67. Mandatory reporting requirements.

(a) *Operators of disposal facilities:* Any operator of a disposal facility in the county must report to the solid waste department by July 15 of the following year the annual tonnage of solid waste received at said facility, segregated by point of origin (inside versus outside of the county).

(b) *Solid waste collectors:* All solid waste collectors must submit a written report on a yearly basis to the solid waste division no later than fifteenth day of January. This report shall include the following information.

- (1) Tonnage figures showing total waste collected by that collector in the county; and
- (2) Tonnage figures showing total municipal solid waste delivered to any and all disposal facilities and/or transfer stations outside the limits of unincorporated Cobb County, including municipalities located within the county; and
- (3) Tonnage figures showing total recyclable materials collected by that collector by segregated type newspaper, aluminum, glass and others, and the entity to whom the recyclable materials were sold or donated; and
- (4) Total number of customers receiving waste collection service; and
- (5) Total number of customers participating in curbside recyclable materials collection program; and
- (6) The name, address and location of any disposal facility used by any solid waste collector permitted pursuant to this article.

(c) *Penalties:* Any failure to comply with or violation of this provision shall subject the offender to penalties as specified in section 102-14.

(Ord. of 10-22-96; Ord. of 6-9-98)

Sec. 102-68. Exemptions.

- (a) Nothing in this chapter shall limit the right of an individual or company to donate, sell or buy recovered materials.
- (b) Private recyclers, authorized recycling agents and charitable recycling groups shall be exempt from the provisions of this chapter except section 102-71 to the extent that such exemption does not adversely affect the public health.
- (c) Nothing in this article shall be deemed to limit the right of a contract-recovered material collection agent to bring any civil action against any person.

(Ord. of 10-22-96; Ord. of 3-9-99)

Sec. 102-69. Customer's requirements.

All persons receiving solid waste collection and disposal services from a permitted collector in residential areas shall comply with the following minimum two requirements:

- (1) All solid waste must be enclosed in plastic or plastic-lined bags which are or have been tied, except as provided in paragraph (2) of this section.
- (2) Yard trimmings, if collected, shall be sorted and separated from all municipal solid waste in order to facilitate collection and ultimate handling in accordance with section 102-70(5) of this chapter.

Nothing in this article shall prohibit persons from disposing of their own solid waste provided that all solid waste is bagged, tied, contained and/or covered when transported for disposal.

(Ord. of 10-22-96)

Sec. 102-70. Services required to be performed.

All residential collectors shall comply with the following requirements:

- (1) *Collection schedule:* Collectors shall provide residential collection service at least once per week. No undue disturbance shall be created in residential areas during residential collection.
- (2) *Collection during holidays:* During a week which includes a legal holiday, collectors shall alternate collection days, if necessary, to ensure that collection service is provided at least once during such a holiday week.
- (3) *Notice to customer and county:* Residential collectors shall give written notice of any change in policy or level of service as follows:
 - a. To the county at least ten days prior to the implementation of any such change, including but not limited to sale of company, termination of business, or change of phone number; and
 - b. To the customer at least ten days prior to the implementation of any such change, including but not limited to termination of service; change of phone number, and change of rates, but excluding any sale of the company; however, the customer shall be notified of any such sale of the company within 30 days after the occurrence of such sale.
- (4) *Disposal of solid waste:* All collectors, including commercial collectors, must dispose of any solid waste in an approved disposal facility permitted and regulated by the state department of natural resources and/or the county.

(5) *Disposal of yard waste:*

a. Effective September 1, 1996, it shall be unlawful within unincorporated Cobb County to dispose of yard trimmings in all municipal solid waste landfills with liners or leachate collection systems; and to dispose of yard trimmings in all municipal solid waste landfills which have received a vertical expansion under O.C.G.A. § 12-8-40.2. Collectors violating this provision shall be subjected to the penalties outlined in section 102-14.

b. All collectors, including commercial collectors, must dispose of yard trimmings, if collected, in the following manners:

1. Sorting and stockpiling; or
2. Chipping; or
3. Composting; or
4. Using as mulch; or
5. By otherwise beneficially reusing or recycling it to the maximum extent feasible; or
6. By delivering it to certain types of landfills that are permitted to accept yard trimmings under O.C.G.A. § 12-8-40.2.

c. Notwithstanding the provisions of paragraphs (1) through (e) of this section, collectors may combine municipal solid waste and yard waste which is transported to an authorized composting facility for processing.

(6) *Customer service:* Each collector permitted hereunder shall maintain a published telephone number and a responsible person in charge of customer service so as to provide the following to the manager of the solid waste department and to each customer:

- a. A written policy specifying the terms of any and all services to be afforded to or agreements with each customer; and
- b. A customer service system to resolve disputes with or complaints against the collector.

(Ord. of 10-22-96)

Sec. 102-71. Hours of collection.

(a) At such time as any second noise complaint has been received or recorded by the solid waste division, the county police department, or the code enforcement division of the community development agency in a 45-day period at a specific location in the county, the following provisions shall take effect in the area of such incident if upon inquiry and investigation the solid waste division, the county police department, or the code enforcement division of the community development agency is able to verify and substantiate the factual basis for such complaint:

(1) No person or entity shall engage in the collection, transportation or disposal of any solid waste or recyclables from dumpsters, containers or receptacles of any kind or type between the hours of 11:00 p.m. and 7:00 a.m. except to perform emergency work required to safeguard the immediate health, safety and welfare of the public. Every subsequent noise complaint received and recorded by the solid waste division, the county police department, or the code enforcement division of the community development agency at that location shall constitute a violation of this provision and shall result in the issuance of a report to the county police department, the code enforcement

division of community development agency or the division manager of the solid waste division or his or her designees or employees for full enforcement of this chapter.

(2) If a partnership, corporation or other business entity controls, directs and/or owns a solid waste collection business, both the person directing the operation of such business, and all partners, directors, officers, shareholders, agents, representatives or employees exercising significant managerial responsibility over any employee or agent whose acts violate the terms of this article or chapter shall, in addition to such employee or agent, be considered to have violated the provisions of this chapter.

(b) Specifically excluded from the applicability of this section are the dumpsters located at any of the schools in the county.

(Ord. of 10-22-96; Ord. of 3-9-99)

Sec. 102-72. Excluded services.

(a) Collectors shall not be required to collect, remove or transport materials which exhibit any of the following characteristics:

- (1) Toxic;
- (2) Ignitable;
- (3) Reactive; or
- (4) Corrosive.

(b) Collectors shall not be required to collect, remove or transport dead animals.

(Ord. of 10-22-96)

Sec. 102-73. Commercial containers.

It shall be unlawful for any person to use a privately owned commercial container without prior authorization of the owner. Persons violating this provision shall be subject to the penalties outlined in section 102-14.

(Ord. of 10-22-96)

Sec. 102-74. Transportation of solid waste across county lines prohibited.

No person, solid waste handler, solid waste collector, solid waste permit holder, firm, corporation or business shall transport, pursuant to a contract, garbage, trash, solid waste or refuse across any county boundary line of this county for the purpose of dumping the same within the boundaries of this county, whether or not such material is to be dumped at a publicly or privately owned disposal facility unless permission is first obtained and a written permit is granted by the board of commissioners as required by the O.C.G.A. § 36-1-16.

(Ord. of 10-22-96)

Sec. 102-75. Penalties.

Any failure to comply with or violation of any provision of this article or any article of this chapter shall subject the offender to penalties as specified in section 102-14.

(Ord. of 10-22-96)

Secs. 102-76--102-90. Reserved.