

Solid Waste Plan

ATHENS-CLARKE COUNTY

3.1 Description of the County

3.1.1 Background

Athens-Clarke County is located in the north central portion of the planning area. The University of Georgia, the nation's oldest land grant university, is located in the County. The Athens-Clarke County government is one of three consolidated governments in the State. The only other municipality in the County is Winterville.

3.1.2 Population

Athens-Clarke County is by far the most populated County in the ten-county region. The most recent population figures from the 2000 U.S. Census showed the County population to be 101,489; in 2004, the population is estimated at 108,196. Table 3-1 shows the 2000 population, by census zone.

Table 3-1
Athens-Clarke County and Census Zone Population

City	Population
Athens CCD, Clarke County, Georgia	76,500
Bogart CCD, Clarke County, Georgia	10,908
Winterville CCD, Clarke County, Georgia	14,081
Total	101,489

Source: 2000, U.S. Census

3.1.2.1 Seasonal Population Changes

The County does not experience any significant seasonal changes in population. The University of Georgia is located in Clarke County but the seasonal influx and out flux of students remains fairly constant throughout the year and does not have a significant impact on the County.

3.1.2.2 Number of Households

The total number of households in the County planning area in 2000 was 42,126. Table 3-2 shows the number of single and multi-family households in the planning area from the 2000 U.S. Census.

Table 3-2
Housing Units in Athens-Clarke County

Type	Amount
Single Family Housing	20,942
Multi-Family Housing	21,184
Total	42,126

Source: 2000, U.S. Census

3.1.3 Economic Activity

As identified by the Georgia Department of Labor (2002) Table 3-3 indicates for the County the number of businesses and number of employees for each sector identified by NAISC code.

Table 3-3
Athens-Clarke County Employment by NAICS Category

ATHENS-CLARKE COUNTY		
Industry	Number of Firms	Number of Employees
Goods Producing	255	3,190
Agriculture, forestry, & fishing	*	*
Mining	*	*
Construction	178	800
Manufacturing	72	2,185
Food Manufacturing	*	*
Beverage & tobacco mfg	*	*
Textile mills	0	0
Textile product mills	*	*
Apparel Manufacturing	7	244
Leather & allied product mfg	*	*
Wood product Manufacturing	5	44
Paper Manufacturing	*	*
Printing and related activities	*	*
Petroleum and coal products mfg	0	0
Chemical Manufacturing	4	193
Plastics & rubber products mfg	*	*
Nonmetallic mineral product mfg	9	489
Primary metal Manufacturing	*	*
Fabricated metal product mfg	8	33
Machinery Manufacturing	9	81
Computer & electronic product mfg	*	*
Electrical equipment/appliance	0	0
Transportation equipment	*	*
Furniture and related product mfg	10	99
Miscellaneous mfg industries	0	0
Service Producing	586	6,062
Wholesale trade	49	300
Retail trade	131	1,936
Transportation and warehousing	37	277
Utilities		*
Information	6	73
Finance and insurance	42	280

ATHENS-CLARKE COUNTY		
Industry	Number of Firms	Number of Employees
Real estate and rental and leasing	37	109
Professional, scientific/tech svcs	61	269
Management: companies/enterprises	0	0
Administrative and waste svcs	58	849
Educational services	5	12
Health care and social services	43	724
Arts, entertainment and recreation	7	20
Accommodation and food services	48	977
Other services (except government)	62	222
Unclassified - industry not assigned	12	17
Total - Private Sector	853	9,269
Total - Government	46	2,447
Federal government	6	106
State government	19	220
Local government	21	2,120

Source: 2002, Georgia Department of Labor

3.2 Waste Disposal Stream Analysis

This section addresses the waste disposed in the County. It includes a description of tons disposed in MSW and C&D landfills, statewide characterization of the waste disposed, a discussion of conditions that may change the waste disposed, and disposal projections for the planning period.

3.2.1 Inventory of Waste Disposed

The Georgia Division of Environmental Protection reported that Athens-Clarke County disposed of 113,314 tons of solid waste in MSW landfills and 49,900 tons of waste in construction and demolition landfills (C&D) from fourth quarter of 2002 through third quarter of 2003, the most recent four quarters for which data were available. The resulting 5.98 pounds per capita per day of waste disposed in MSW landfills is probably an overestimate. It is likely that private haulers and individuals delivering waste from other counties to the Athens-Clarke County landfill report that the waste was collected in Athens-Clarke County. This may happen because 1) only waste from Athens-Clarke County and Oglethorpe County is accepted at this landfill and the hauler or individual does not want to be turned away and 2) commercial haulers are bringing loads that contain waste from Athens-Clarke County as well as other counties. The Athens-Clarke County landfill is constantly working on ways to better identify where waste delivered to their MSW landfill was collected. However,

any strategy depends on the honesty of the haulers in reporting the source of their waste.

Table 3-4 shows the results of analysis that break down the waste disposed from Athens-Clarke County in MSW and C&D landfills by sector. This analysis is based on a telephone survey of landfills in the State of Georgia, conducted by R. W. Beck, Inc., which indicated that of the waste delivered to MSW landfills, 66.6 percent is MSW (generated by the commercial or residential sector), 12.3 percent is construction and demolition debris, 14 percent is industrial, and 7.1 percent is sludge or biosolids. These percentages were allocated to the amount of waste disposed of in MSW landfills from Athens-Clarke County.

Table 3-4
Waste Disposed by Sector (2003)
Athens-Clarke County

Sector	Tons to MSW Landfill	Tons to C&D Landfill	Total Tons
Residential	44,506.15		44,506.15
Commercial	30,960.80		30,960.80
Industrial	15,863.93		15,863.93
C&D	13,938.00	49,925	63,863.00
Sludge/Biosolids	8,045.28		8,045.28
TOTAL	113,314.16	49,925	163,239.16

To breakdown the MSW portion of the waste by residential and commercial generators, preliminary results from the first season of sampling for the Georgia Department of Community Affairs (DCA) waste composition study were used. Results from 120 samples taken from three landfills in the State indicated that approximately 32 percent of MSW comes from commercial generators and 46 percent comes from residential generators. The remaining 22 percent was from transfer trailers and was not classified under any other generating category (e.g., commercial or residential). It is assumed in this analysis that the waste in the transfer trailers has the same residential/commercial split as the rest of the MSW.

3.2.1.1 Waste Characterization

Preliminary analysis of waste characterization from the DCA sampling study shows the percentage of each type of material in the commercial and residential waste disposed of in an MSW landfill, shown in Table 3-5. Once the waste characterization study is complete, these percentages can be revised to be more specific to the northeast

Georgia region. These results suggest that 63 percent of the residential and commercial waste disposed of in Athens-Clarke County is paper or organic material.

Table 3-5
Projected Characterization of MSW Disposed from Athens-Clarke County¹

Material	Average
Newspaper	4.9%
Corrugated Cardboard	9.6%
Office	2.5%
Magazine/Glossy	3.0%
Paperboard	3.9%
Mixed (Other Recyclable)	3.3%
Other (Non-recyclable)	10.0%
Total Paper	37.2%
#1 PET Bottles	1.7%
#2 HDPE Bottles	1.2%
#3-#7 Bottles	0.3%
Expanded Polystyrene	1.6%
Film Plastic	8.1%
Other Rigid Plastic	3.9%
Total Plastic	16.9%
Clear	2.0%
Green	0.5%
Amber	1.6%
Other	0.5%
Total Glass	4.6%
Steel Cans	1.9%
Aluminum Cans	1.0%
Other Ferrous	2.9%
Other Non-Ferrous	0.8%
Total Metal	6.6%

Material	Average
Yard Waste	1.5%
Wood (non-C&D)	2.1%
Food Waste	11.9%
Textiles	3.8%
Diapers	2.7%
Fines	3.3%
Other Organics	0.8%
Total Organics	26.0%
Drywall	0.2%
Wood	3.1%
Inerts	0.2%
Carpet	1.4%
Other C&D	1.0%
Total C&D	5.9%
Televisions	0.1%
Computers	0.1%
Other Electronics	1.3%
Tires	0.3%
HHW	0.2%
Other Inorganics	0.9%
Total Inorganics	2.8%
Total	100.0%

¹ Based on sampling data from Georgia Waste Characterization, fall 2003

3.2.1.2 Unique Conditions and/or Seasonal Variations

The County does not experience any significant seasonal changes in population. The University of Georgia is located in Clarke County but the seasonal influx and out flux of students remains fairly constant throughout the year and does not have a significant impact on the County.

3.2.1.3 Waste Generating Disasters

Without knowing the type and degree of the unanticipated disasters, Athens-Clarke County can not project the additional amount of waste that would require management from such an incident. However, any additional yard trimmings would be delivered to the landfill to be ground. Any additional MSW would be delivered to the Athens-Clarke County landfill which also has an onsite facility that could function as a transfer station.

3.2.2 Projections of Waste to be Disposed

Table 3-6 shows waste projections based on the estimated per capita waste disposed in the most recent year for which data are available. In Athens-Clarke County, approximately 1.57 tons were reportedly disposed each year per person, 1.09 in the MSW landfill. Although, as described above, it is assumed that this includes waste actually collected from other counties. If this per capita disposal rate were to remain the same, it is estimated that 205,614 tons per year would be disposed by the end of the planning period, 142,730 into an MSW landfill.

Table 3-6
Waste Disposal Projections at Current per Capita Disposal Rate
Athens-Clarke County

Estimated Per Capita Disposed	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Population	108,196	110,420	112,690	115,006	117,370	119,783	123,100	125,631	128,213	130,849
Tons	170,019	173,514	177,081	180,721	184,436	188,228	193,440	197,416	201,474	205,616

3.2.2.1 Per Capita MSW Disposal Reduction Goal

In 1991, the Northeast Georgia Regional Solid Waste Management Plan estimated that 1.51 tons per capita per year were being disposed in MSW landfills from Athens-Clarke County. In 2003, the per capita disposal rate (into an MSW landfill) based on EPD reports were 1.09 tons per year, resulting in a decrease of 28 percent between 1991 and 2003.

3.3 Waste Reduction Element

3.3.1 Inventory of Waste Reduction Programs

This section provides detailed information on Athens-Clarke County's existing waste reduction programs that target the residential, commercial/institutional, industrial, construction and demolition, and yard trimming sectors and waste streams.

3.3.1.1 Source Reduction Programs

Athens-Clarke County has a Pay As You Throw rate structure in place that encourages residents to reduce waste either through recycling or source reduction. Private haulers in the County are required by ordinance to offer a similar fee structure to residential customers; however, the private haulers do not always comply with this requirement on a consistent basis.

Athens-Clarke County has a public education coordinator on staff and operates a Keep Athens-Clarke County Beautiful program that promotes source reduction through a number of media campaigns, workshops, events, and school programs.

3.3.1.2 Recycling

In Athens-Clarke County, public solid waste management is provided by the unified government, created in 1991 through consolidation of the City of Athens and Clarke County. Public curbside collection of recyclables is provided in the Urban Service District (USD), the area within the old boundaries of Athens, on a once per week basis. Newspaper, junk mail, mixed paper, magazines, brown paper bags, paperboard, steel cans, aluminum cans, tin cans, milk and juice cartons, glass bottles and jars, #1 and #2 plastics, and corrugated cardboard are collected and delivered to the Athens-Clarke County Recovered Materials Processing Facility. The area outside the USD is known as the General Service District (GSD). GSD customers contract individually with private haulers for collection services including recyclables. GSD vendors are required by ordinance to collect the same recyclables as the County.

There are eight drop-off centers for collection of recyclables throughout Athens-Clarke County that accept office paper, junk mail, cardboard, boxboard, newspaper, magazines, paper bags, telephone books, bottles and cans, drink boxes, and small scrap metal.

Athens-Clarke County collects scrap metal at the landfill. Athens Auto Wrecking receives collected metal, transporting about 250 tons per year for processing. A tub grinder for yard trimmings operates at the landfill and the County sells mulch by the truckload. Keep Athens-Clarke County Beautiful also has annual programs for recycling phone books and mulching Christmas trees.

Athens-Clarke County also offers commercial recyclables collection in the USD. This includes dumpster collection for downtown businesses. Many companies contract for OCC removal. The majority of industrial customers in Athens-Clarke County contract with private firms, but there are some who contract with the County.

The University of Georgia, located in Athens-Clarke County, operates drop-off sites for newspaper, aluminum, glass, and plastic (pilot collection at one site for plastic). Cardboard is collected on an on-call basis. The University also operates an office paper recycling program and composts tree limbs, leaves, brush, grass, and some waste from animal facilities. Most of the compost is used on campus for landscaping projects. The University also arranged for use of incinerator flyash, previously sent to the landfill for disposal, by a local asphalt company.

The County has a Recovered Materials Processing Facility which is operated under contract with FCR. Processing activities involve further separating colors and crushing glass, baling cardboard and plastic, and separating aluminum and steel cans. Community workers and/or employees of the College Avenue Transfer Station process collected materials. Tables 3-7, 3-8, and 3-9 summarize the recycling programs, markets according to Georgia Recycling Markets Directory, and recycling facilities in the County.

Table 3-7
Recycling Programs in Athens-Clarke County (2003)

Type of Program	Jurisdictions	Population Served	Operated by	Materials Accepted	Tons Diverted (2003)
Curbside Recycling	USD	35,000	Athens-Clarke County	Newspaper, junk mail, mixed paper, magazines, brown paper bags, paperboard, steel cans, aluminum cans, tin cans, milk and juice cartons, glass bottles and jars, #1 and #2 plastics, and corrugated cardboard	1,820
Curbside Recycling	GSD	N/A	Private Haulers	Newspaper, junk mail, mixed paper, magazines, brown paper bags, paperboard, steel cans, aluminum cans, tin cans, milk and juice cartons, glass bottles and jars, #1 and #2 plastics, and corrugated cardboard	6,835
Drop-Off Center	Athens-Clarke County	14,081	Athens-Clarke County	Office paper, junk mail, cardboard, boxboard, newspaper, magazines, paper bags, telephone books, bottles and cans, drink boxes, and small scrap metal	2,358
Commercial Recycling Program	USD	N/A	Athens-Clarke County	Newspaper, junk mail, mixed paper, magazines, brown paper bags, paperboard, steel cans, aluminum cans, tin cans, milk and juice cartons, glass bottles and jars, #1 and #2 plastics, and corrugated cardboard	929

Type of Program	Jurisdictions	Population Served	Operated by	Materials Accepted	Tons Diverted (2003)
Industrial Recycling Program	USD and GSD	N/A	Private Hauler and Athens-Clarke County	N/A	N/A

Source: Athens-Clarke County 1998 Short-Term Work Plan Collection Element

Table 3-8
Businesses that Accept Recyclables from the Planning Area

Name	Location	Accepts Material from:		Materials Accepted
		Geographic Area	Sector	
Omnisource	Athens, GA	Athens-Clarke County	Residential and Commercial	metals, ferrous metals, steel cans, metal appliances, autos, non ferrous metals, aluminum cans, scrap tires
Rush Wood	Athens, GA	Athens-Clarke County	Commercial	Wood pallets

Source: Georgia Recycling Markets Directory

**Table 3-9
Recycling Facilities**

Facility Name	Facility Type	Owner/Operator	Jurisdictions Served	Sectors Served	Materials Accepted	Tons Processed (2003)
Athens-Clarke County Materials Recycling Facility	RMPF	FCR	Athens-Clarke County	Residential and Commercial	Newspaper, cardboard, office paper, junk mail, mixed paper, magazines, brown paper bags, paperboard, steel cans, aluminum cans, tin cans, milk and juice cartons, glass bottles and jars, #1 and #2 plastics	13,126

3.3.2 Yard Trimmings Programs and Facilities

Yard trimmings are currently collected by the County. A tub grinder for yard trimmings operates at the landfill or the County contracts to have the trimmings mulched. The County then sells the mulch at \$7.00 per truckload.

**Table 3-10
Yard Trimmings Programs (2003)**

Program	Owner/Operator	Jurisdictions Served	Sector Served	Materials Accepted	Quantity	Program Maximum Capacity	Final Disposition
Municipal curbside yard trimmings	Athens-Clarke County	Athens-Clarke County	Residential	Yard Trimmings	6,000 tons	N/A	Mulched and sold for \$7 per pick-up load

Source: Athens-Clarke County 1998 Short Term Work Plan

3.3.2.1 Items Requiring Special Handling

Athens-Clarke County holds periodic household hazardous waste collection days, held a pilot electronics collection day, and collects tires and white goods on an ongoing basis at the landfill. The County's website contains information about the proper way to manage or dispose of items require special handling.

3.3.2.2 Contingency Strategy

In the event of a natural disaster or emergency situation that interrupted the County's regular operations, the County would contract with a private hauler to collect and transport waste to the County's landfill.

3.3.3 Assessment of Waste Reduction Programs

Athens-Clarke County's wastereduction and recycling programs are available to all waste generators. The County has implemented a Pay-As-You-Throw Program to encourage participation. The County has a Recovered Materials Processing Facility to process and market materials collected. Athens-Clarke County can strengthen its waste reduction programs by ensuring that private haulers offer the level of recycling service and Pay-As-You-Throw fee structures as required by County ordinance.

3.3.4 Needs and Goals

Based on the inventory and assessment, adequacy of current programs and other programmatic options, including costs, Athens-Clarke County has developed the following waste reduction needs and goals:

- To ensure a 25 percent reduction in the amount of solid waste received at disposal facilities; and
- To sustain waste reduction programs for the next 10 years.

3.4 Collection Element

3.4.1 Inventory of Existing Collection Programs

Athens-Clarke County provides public collection in the urban service district; the remainder of the county is served by private collection. In the urban service district, the county provides residential collection (once-a-week, backyard), curbside commercial collection (daily pick-up, twice daily in downtown area), and dumpster service to commercial customers. There are no public access dumpsters in Athens-Clarke County. Curbside commercial customers are primarily in downtown Athens, although waste from businesses in residential areas such as the Normaltown area are often collected curbside (i.e., businesses are treated as residential customers). The county also collects yard trimmings in the urban service district (twice-a-month, curbside) and will collect bulky goods by special pickup. The Transfer Station on College Avenue processes all waste except leaf/limb collection, which goes to tub grinder at landfill.

Residential collection in the general service district (the old unincorporated area) is provided through private collection by contract with the generator. Private haulers operating in the County operate under a permit to the County. Among the permit requirements is for haulers to offer recycling and a Pay As You Throw rate structure to their residential customers. (See permit requirements at the end of this Section)

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The University collects its own waste for disposal at the county landfill, but there is no formal agreement between the University and the County government. The University also collects recyclables and operates an office paper recycling program throughout the campus. Tables 3-11 and 3-12 show the haulers operating in the planning area and existing collection programs, respectively.

Table 3-11
Haulers Operating in Planning Area

Hauler Name	Hauler Address	Sector Served ¹	Jurisdiction(s) Served	Arrangement ²
AAA Sanitation	7090 Hickory Drive Winterville, GA 30683	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Personal Touch	324 ¼ Arch Street Athens, GA 30601	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Sterling Sanitation	50 Gaines School Road Athens, GA 30605	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Bulldog Waste Services	162 Commerce Blvd. Bogart, GA 30622	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Curbside Services	P.O. Box 395 1390 Lane Creek Road Bogart, GA 30622	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
F-4 Sanitation	921 Wolfskin Road Arnoldsville, GA 30619	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Johnson and Son	410 Norwood Circle Athens, GA 30601	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
United Waste Service	51 Patrick Mill Road, SW Winder, GA 30680	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Georgia Waste/ Waste Industries	4999 Bold Spring Road Monroe, GA 30656	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
BFI Waste Services	75 Curtis Road Lawrenceville, GA 30045	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Waste Pro	3021 Atlanta Highway Suite 103 Athens, GA 30606	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.

Hauler Name	Hauler Address	Sector Served ¹	Jurisdiction(s) Served	Arrangement ²
United Waste Service	51 Patrick Mill Road, SW Winder, GA 30680	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Alewine Waste Management	8223 Highway 29 South Hull, GA 30426	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Roll-off Systems, Inc.	1100 B. Garrett Drive Statham, GA 30666	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Oconee Waste Transport, Inc.	1183 Experiment Station Rd. Watkinsonville, GA 30677	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.
Advanced Disposal Services	5374 Goshen Springs Road Norcross, GA 30093	R, C	Athens-Clarke County	Operates under permit from Athens-Clarke County and contracts directly with customers.

¹ R= Residential, I=Institutional, C= Commercial, CD= C&D

² i.e., contract with local government, franchise agreement with local government, independent contract with generators, etc.

Source: 1993 Solid Waste Management Plan

**Table 3-12
Inventory of Collection Programs**

Type	Collector	Program Description	Jurisdictions Served	Sectors Served ¹	Number of Households/Businesses served, if available ²	Contractual Arrangements
Curbside Collection	Athens-Clarke County	Weekly curbside collection of garbage, recyclables, and yard trimmings.	Urban Service Area	R	35,000 households	Residents are billed by County based on level of service
Curbside Collection	Permitted Private Hauler	Weekly curbside collection of garbage, recyclables.	General Service Area	R	N/A	Residents contract directly with haulers.
Commercial Collection	Athens-Clarke County	Recyclables and dumpster services	Urban Service Area and General Service Area	C	N/A	Entities arrange for collection with hauler of choice.
Commercial Collection	Private Hauler	Recyclables and dumpster collection (USD only)	Urban Service Area and General Service Area	C	N/A	Entities arrange for collection with hauler of choice.

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Type	Collector	Program Description	Jurisdictions Served	Sectors Served ¹	Number of Households/Businesses served, if available ²	Contractual Arrangements
University Collection Program	University of Georgia	Campus Collection Program	University of Georgia	I	N/A	The University operates its own collection program.

¹ R= Residential, I=Institutional, C= Commercial, CD= C&D

² Private haulers may not be willing to provide this information.

Source: 1993 Solid Waste Management Plan

3.4.1.1 Contingency Strategy

In the event of an emergency situation or natural disaster that interrupted the County's collection service, the County would contract with an interim private hauler to transport waste to the County's landfill. The County estimates that it would take about two to three days to implement a contingency plan.

3.4.2 Assessment of Collection Programs

Existing collection programs serve all residents and businesses in the County. Some of the permitted private haulers are not meeting the permit requirements and offering services comparable to the County crews.

3.4.3 Inventory of Illegal Dumping/Littering

The County does not perceive illegal dumping to be a significant problem.

3.4.4 Assessment of Programs to Address Illegal Disposal

The County has a community protection unit that enforces illegal dumping violations. The unit uses a Norvalis database to track violations.

3.4.5 Needs and Goals

Athens-Clarke County goal for collection is to ensure efficient and effective collection of solid waste in the region over the next ten years. To this end, the County is considering approaches to ensuring that residents in the general service district receive the same level of service as those in the urban service district. Some of the options being considered include franchising, contracting, or expanding the County's service area.

3.5 Disposal Element

3.5.1 Inventory of Solid Waste Disposal Facilities

Athens-Clarke County owns and operates a Subtitle D landfill on the eastern border of the county. Fees at the landfill are \$34 per ton. The original site is 222 acres with 92 acres usable for disposal. An expansion of 84 acres (30 usable acres) was permitted since the last Solid Waste Management Plan was adopted. The currently permitted space is expected to last until 2016 at current fill rates, according to the most recent Remaining Capacity Report included at the end of this Section. Athens-Clarke County is investigating the possibility of mining waste from the landfill to increase capacity at the existing site and to potentially recover materials.

The Athens-Clarke County landfill primarily receives waste from within the County limits. The majority of the municipal solid waste from Athens-Clarke County is delivered here. Private haulers in the County delivered just over 45,000 tons to Oak Grove landfill in Barrow County in 2003. Much smaller amounts were disposed in Chambers R&B, Live Oak, and the Pecan Row landfills. Biomedical waste from Athens Regional Medical Center goes to a private company.

The University of Georgia hauls most of its waste to the county landfill for disposal and also operates an inert landfill for non-degradable materials. Athens-Clarke County operates two inert disposal facilities in the county which have recently been permitted. There have been reports of two unpermitted C&D disposal sites in the county. One of these has recently been closed, and the other is reportedly in the process of seeking a permit.

Athens-Clarke County also has an agreement with Oglethorpe County to dispose of C&D at its landfill. Fees at the landfill are about \$23 per ton. A small amount of construction and demolition debris in the County is taken to other landfills by private haulers.

Most of the solid waste in the County will continue to be delivered to the Athens-Clarke County landfill. However, private haulers in the County are likely to deliver solid waste and construction and demolition debris to other landfills in the region. Table 3-13 indicates the landfills where waste from Athens-Clarke County is likely to be delivered during the planning period.

Table 3-13
Inventory of Disposal Facilities and Thermal Treatment Technologies to be Used During
the Planning Period (2004 – 2013)

Facility Name	Jurisdiction(s) Using Facility	Physical Address	Owner/ Operator	Facility Type	Types of Waste Accepted	Year Expected to Reach Capacity
Clarke County- Athens Dunlap Road	Athens-Clarke County	US 78 4.5 MI E Athens, GA	Athens-Clarke County	MSWL	MSW	7/29/2016
WMI-Live Oak #2 (SL)	Athens-Clarke County	Old McDonough Rd AT I-285 Atlanta, GA	Waste Management	MSWL	MSW	12/31/2004
Oak Grove Landfill	Athens-Clarke County	Off SR 324 3 mi SW of Winder	Republic Waste	MSWL	MSW	11/1/2008
Rogers Lake Road C&D Landfill	Athens-Clarke County	Ws Rogers Lake Rd N Maddox Rd Lithonia	Apollo Waste Industries	C&D	C&D	4/10/2008
Oglethorpe CO-US 78 C/D Landfill	Athens-Clarke County	US 78 One Mile NE Of Crawford	Oglethorpe County	C&D	C&D	2014

3.5.1.1 Assurance of 10-Year Capacity

Athens-Clarke County owns and operates its own Municipal Solid Waste landfill. This landfill is projected to last through the middle of 2016 at current fill rates. Thus, Athens-Clarke County has sufficient disposal capacity to accept all MSW disposed from county sources for the planning period. However, it is likely that private haulers may deliver some of the MSW elsewhere. Construction and demolition debris will continue to go to the Oglethorpe County landfill, or other C&D landfills as selected by the hauler, for the planning period. Table 3-14 shows the disposal capacity assurance analysis for the next ten years.

Table 3-14
Disposal Capacity Assurance Summary (2004-2013)

Athens-Clarke County	Year 1 (2004)	Year 2 (2005)	Year 3 (2006)	Year 4 (2007)	Year 5 (2008)	Year 6 (2009)	Year 7 (2010)	Year 8 (2011)	Year 9 (2012)	Year 10 (2013)
Amount of Waste	123,002	125,530	128,111	130,744	133,431	136,175	139,945	142,822	145,758	148,754
Amount to Athens-Clarke County landfill	71,003	72,462	73,952	75,472	77,023	78,607	80,783	82,444	84,139	85,868
Amount to Oglethorpe C&D landfill	51,999	53,068	54,159	55,272	56,408	57,568	59,162	60,378	61,619	62,886

¹ This assumes all projected MSW will be delivered to the Athens-Clarke County landfill. In actuality, private haulers in the County are likely to deliver some waste to other landfills in the area.

3.5.1.2 Contingency Strategy

In the event of an emergency situation or natural disaster that interrupted the County's disposal operations, the County would contract with an interim private hauler to transport waste to the County's landfill. The County has a facility on site that could be used as an interim transfer station. The County estimates that it would take about two to three days to implement a contingency plan.

3.5.2 Assessment of Disposal

The Athens-Clarke County landfill serves the county's needs for the planning period.

3.5.3 Statement of Needs and Goals

Athens-Clarke County's goal is to ensure that disposal facilities in the region meet regulatory requirements and can continue to support and facilitate effective solid waste handling programs for the next ten years.

3.6 Education and Public Involvement Element

3.6.1 Inventory of Education and Public Involvement

Athens-Clarke County has a public education coordinator on staff that provides information, education, and customer service to students, citizens, and businesses on all county solid waste and recycling programs. The County coordinates school education programs; teaches solid waste, landfill, waste reduction, recycling and other environmental education topics to a variety of age groups; conducts workshops, presentations, and facility tours for school and community groups; designs and produces newsletters, brochures, manuals, reports and other print media; and plans, coordinates, and directs special events.

Section 3

In addition, Keep Athens-Clarke County Beautiful (KACCB) has a paid, full-time staff that operates a number of education and public involvement programs including Adopt-a-Highway, Adopt-a-Road, America Recycles, and Adopt-a-Stream. KACCB maintains a speakers bureau, conducts occasional media campaigns, and school programs. KACCB also sponsors litter pick-up events and KACCB staff clean up the roadways near the landfill.

Athens-Clarke County also operates a Citizens' Solid Waste Advisory Committee. Table 3-15 describes the public education and involvement activities of Athens-Clarke County.

Table 3-15
Existing Environmental Education Initiatives

Program/Activity	Jurisdictions Covered	Operated by	Target Audience	Description of Impact
Brochures, special events, tours, presentations, web site	Athens-Clarke County	Athens-Clarke County	Residents and businesses	Encourages waste reduction and recycling
Adopt-a-Highway	Athens-Clarke County	KACCB	Businesses and Civic Groups	Keeps highways clean
Adopt-a-Road	Athens-Clarke County	KACCB	Businesses and Civic Groups	Keeps highways clean
America Recycles	Athens-Clarke County	KACCB		Promotes Recycling
Adopt-a-Stream	Athens-Clarke County	KACCB	Businesses and Civic Groups	Keeps streams clean
School Programs	Athens-Clarke County	KACCB	Public School Students	Educates students on recycling
Speakers Bureau	Athens-Clarke County	KACCB	School, Businesses, Civic Groups	Educates schools, businesses and civic groups on benefits of recycling
Solid Waste Advisory Committee	Athens-Clarke County	Athens-Clarke County	Proactive Citizens	Allows citizens a chance to become active in recycling issues

3.6.2 Assessment of Education and Public Involvement

Athens-Clarke County dedicates significant resources to public education and involvement in the County, in the region, and in the State. Staff is available at the County and through KACCB to implement these programs. The MRF is used as a general education center. The public has the opportunity for involvement through volunteering through KACCB, assisting the County with its many programs, or participating on the Citizen's Advisory Committee.

3.6.3 Statement of Needs and Goals

Athens-Clarke County's goal with regard to public education and involvement is to ensure that residents and businesses in the region understand the issues, needs, and goals of the solid waste management system.

3.7 Land Limitation Element

3.7.1 Inventory of Land Areas

In 1997, the Northeast Georgia Solid Waste Management Authority conducted a regional landfill site suitability study. As part of this study, the ten counties developed siting criteria and screened all land within the ten-county area to determine the suitability of all sites for landfill development.

Figure 3-1 shows a map of the ten county region with areas shaded that are considered unsuitable and of limited suitability for a solid waste disposal facility. These determinations were made based on water protection and land use criteria and host community concerns established by the Northeast Georgia Regional Solid Waste Management Authority. Table 3-16 identifies the criteria and whether the presence of these factors excluded a site altogether or lowered the ranking of the site for landfill suitability.

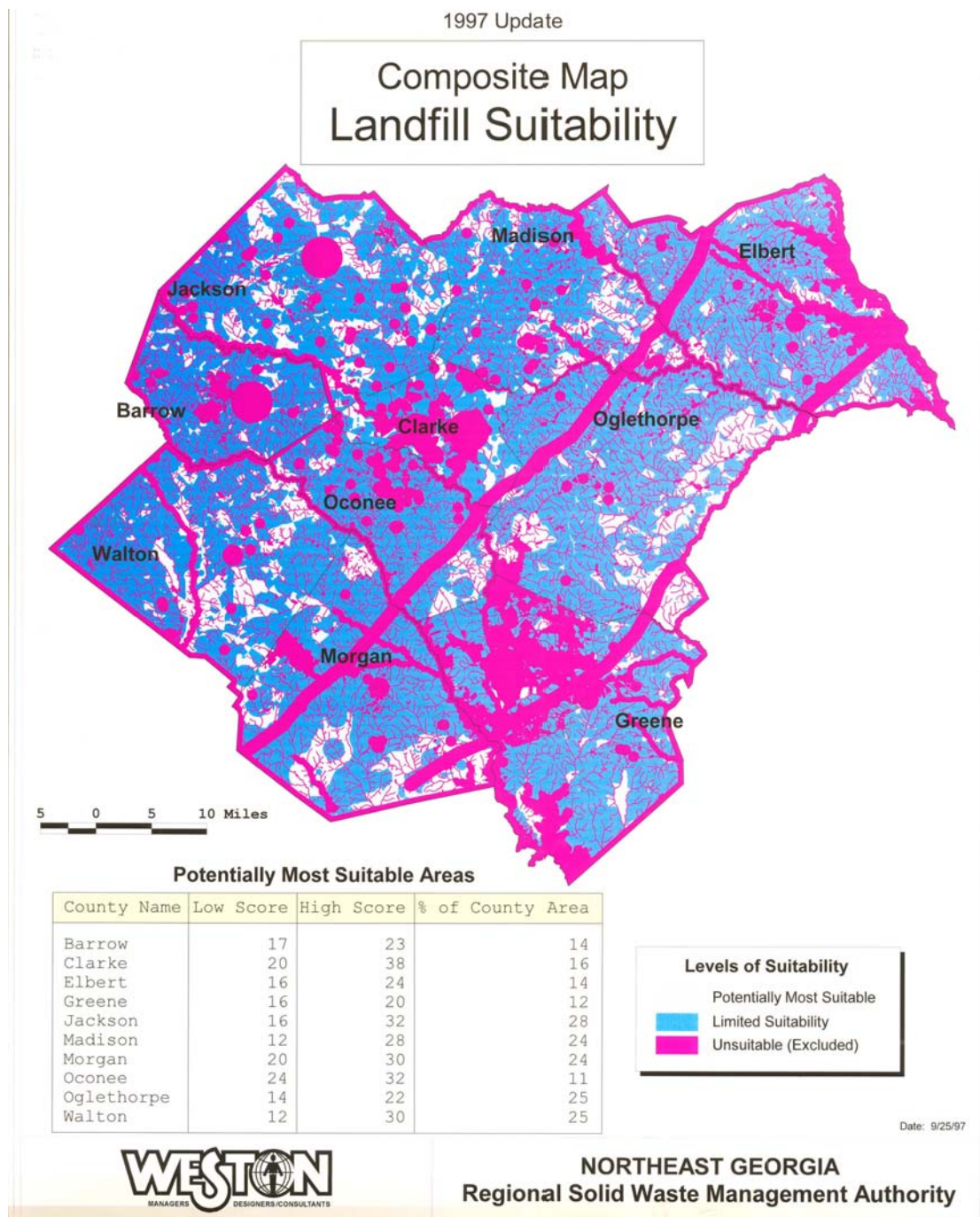


Figure 3-1

**Table 3-16
Regional Landfill Suitability Criteria**

	Criteria	Type
Water Protection (Geotechnical)	Major Fault Zone	Exclusionary
	Public Drinking Water Sources	Exclusionary
	Hydrologically Sensitive Area	Ranked
	Private Drinking Water Wells	Ranked
	Lakes, Rivers, and Creeks	Exclusionary
	Floodplains	Exclusionary
	Wetlands	Exclusionary and Ranked
	Steep Areas	Exclusionary
Land Use	Airports	Exclusionary
	Nonparticipating County Borders	Exclusionary
	Public Lands and Parks	Exclusionary
	Population Density	Exclusionary and Ranked
	Historic and Key Archaeological Sites	Ranked
	Biological/Rare Element Sites	Ranked
Host Community Concerns	Existing Pollution Sources	Ranked

Athens-Clarke County also has a zoning ordinance that would limit where solid waste handling facilities could be sited in the County.

3.7.2 Procedures for Siting Solid Waste Facilities

Any entity requesting a renewal or issuance of a solid waste handling permit from EPD must demonstrate that the facility or facility expansion is consistent with the local government's solid waste management plan. The County will use the following criteria to determine whether the issuance of the requested permit is consistent with the Solid Waste Management Plan.

- Determine whether the proposed facility or facility expansion is sited in an area deemed unsuitable according to one of the criteria list above (in groundwater recharge area; located within two miles of a municipal water supply; on soils poorly suited for development; on slopes of greater than 25 percent; presence of major highways, roads, and airports; on urban or built up lands; water bodies or wetlands; or on federal, state, or public lands).
- Determine whether the proposed facility or facility expansion is sited in a location that is consistent with local zoning ordinances.
- Determine whether the proposed facility or facility expansion negatively impacts other natural or cultural resources of the County.

- Determine whether the proposed facility or facility expansion negatively impacts the current solid waste management infrastructure of the County;
- Determine whether the proposed facility or facility expansion negatively impacts collection capability and disposal capacity identified in the Plan.
- Determine whether the proposed facility or facility expansion negatively impacts the County's ability to contribute to the State's 25 percent waste reduction goal.
- Determine whether the proposed facility or facility expansion negatively impacts the financial viability of the County's solid waste management system.

No proposed facility or facility expansion will be sited in the County without a letter from the County Commission stating that the facility is consistent with the Solid Waste Management Plan. The County Commission will hold at least one public hearing to gather input to make this determination.

3.7.3 Assessment of Land Limitation

Based on the results of the site suitability study, shown in Figure 3-1, approximately 84 percent of the land area in Athens-Clarke County is considered unsuitable or of limited suitability for siting a landfill.

The procedure described in Section 3.7.2, once put into place, will help ensure that facilities sited in the County are consistent with this Plan.

3.7.4 Needs and Goals

To ensure that proposed solid waste handling facilities are compatible with surrounding areas and are placed in areas suitable for such developments.

3.8 Implementation Strategy

3.8.1 Summary of County Need and Goals

Athens-Clarke County has established the following needs and goals as part of its Solid Waste Management Plan:

- To determine the amount and composition of solid waste generated in the region in order to establish a sound information base upon which to make management decisions and determine if state and local goals are met.
- To ensure a 25 percent reduction in the amount of solid waste disposed of in the region Landfill and to sustain waste reduction programs for the next 10 years.
- To ensure efficient and effective collection of solid waste in the region over the next ten years.
- To ensure that disposal facilities in the region meet regulatory requirements and can continue to support and facilitate effective solid waste handling programs for the next ten years.

- To ensure that residents and businesses in the region understand the issues, needs, and goals of the solid waste management system.
- To ensure that proposed solid waste handling facilities are compatible with surrounding areas and are placed in areas suitable for such developments.
- To achieve a balanced and affordable solid waste management plan implementation strategy, while also meeting the goals and requirements of state law.

3.8.2 Statement/Demonstration of 10-Year Collection Capability

Athens-Clarke County will continue to ensure efficient and effective collection of solid waste in the County over the next ten years by collecting residential waste with its own forces in the urban service district and licensing private haulers to collect in the general service district. The County is evaluating whether it needs to establish exclusive franchises or strengthen licensing regulations for residential and commercial pick up in the general service district to maintain efficient and effective collection. Residents in the City of Winterville will continue to contract directly with private firms.

3.8.3 Statement/Demonstration of 10-Year Disposal Capacity

Athens-Clarke County will continue operating a Subtitle D landfill that is able to handle all MSW disposed of from the County for the ten year planning period.

3.8.4 Short Term Work Program (5-Year List of Programs/Work Activities)

Table 3-17 indicates the five year implementation strategy to meet the County's needs and goals, by element.

Table 3-17
 Northeast Georgia Solid Waste Management Plan
 Short-Term Work Program 2004 – 2008
 Athens-Clarke County

Action	04	05	06	07	08	Responsible Party	\$	Possible Funding
AMOUNT OF WASTE ELEMENT								
<i>Goal: To determine the amount and composition of solid waste generated in the region in order to establish a sound information base upon which to make management decisions and determine if state and local goals are met.</i>								
1. Conduct a composition study of residential waste generated in the Urban Service District.		x		x		ACC	\$6,000	ACC
2. The County will continue to develop and implement strategies improve documentation of where solid waste delivered to its landfill originated.								
COLLECTION ELEMENT								
<i>Goal: To ensure efficient and effective collection of solid waste in the region over the next ten years.</i>								
1. Continue residential backyard collection in the urban service district, mixed public and private commercial collection, and licensing of private haulers for residential collection in the general service district. Government residential and commercial collections are subscription, Pay-As-You Throw Fee Systems. Ordinance requires the same for private, franchised haulers.	x	x	x	x	x	ACC	\$1,938,110 annually	ACC Urban Service District Residential Monthly User Fees
2. Evaluate establishing curbside collection as standard service in Urban Service District, with backyard collection offered only in special cases; making necessary collection changes.	x	x	x	x	x	ACC	\$0	ACC
3. Maintain and replace vehicle fleet.	x	x	x	x	x	ACC	\$150K/yr	ACC

Table 3-17
Northeast Georgia Solid Waste Management Plan
Short-Term Work Program 2004 – 2008
Athens-Clarke County

Action	04	05	06	07	08	Responsible Party	\$	Possible Funding
<i>(COLLECTION ELEMENT CONTINUED)</i>								
<i>Goal: To ensure efficient and effective collection of solid waste in the region over the next ten years.</i>								
4. Continue "bulky item pickup" in Urban Services District. Evaluate ways to reduce cost from current \$35/load and identify pricing for pickup of standard items (e.g., dryer, etc.).	x	x	x	x	x	ACC	\$0	ACC
5. Conduct pre-disposal sorting of targeted loads heavy with recyclable materials through the Materials Recycling Facility at the landfill.	x	x	x	x	x	ACC	\$2,000/yr	ACC
6. Study feasibility of establishing exclusive franchise and/or enhancing current non-exclusive hauler franchise regulations (ie: identifying collection zones, etc.) for residential and commercial collection.	x	x	x			ACC	\$0	ACC
7. Continue pickup of residential leaf & limb throughout Athens-Clarke County and City of Winterville.	x	x	x	x	x	ACC	\$550,000/yr	ACC General Fund
8. City of Winterville residents will continue to contract with private firms directly. These firms operate in Athens-Clarke County general services district and therefore <i>de facto</i> under the ACC hauler franchise regulations.	x	x	x	x	x	NA	\$0	City of Winterville Resident Pays Monthly User Fee to Hauler

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Table 3-17
Northeast Georgia Solid Waste Management Plan
Short-Term Work Program 2004 – 2008
Athens-Clarke County

Action	04	05	06	07	08	Responsible Party	\$	Possible Funding
WASTE REDUCTION ELEMENT								
<i>Goal: To ensure a 25 percent reduction in the amount of solid waste disposed of in the region Landfill and to sustain waste reduction programs for the next 10 years.</i>								
1. Evaluate adopting a countywide requirement that all refuse pickup be separated for recyclable products.	x	x	x	x	x	ACC	\$0	ACC
2. Pursue new recycling opportunities and/or partnerships with area schools, institutions, businesses, and industries.	x	x	x	x	x	ACC	\$0	ACC
3. Ongoing effort to enhance residential curbside recycling program by adding more recyclable materials to list as markets become available.	x	x	x	x	x	ACC	\$0	ACC
4. Continue curbside recycling in Urban Services District.	x	x	x	x	x	ACC	See #1 Collection Element	ACC Resident Monthly User Fee
5. Continue requiring residential franchised waste haulers to offer full scope of curbside/backdoor recycling in general service district.	x	x	x	x	x	ACC	\$0	ACC
6. Continue to operate drop-off recycling centers.	x	x	x	x	x	ACC	\$190,000/yr	ACC

Table 3-17
Northeast Georgia Solid Waste Management Plan
Short-Term Work Program 2004 – 2008
Athens-Clarke County

Action	04	05	06	07	08	Responsible Party	\$	Possible Funding
(WASTE REDUCTION ELEMENT CONTINUED)								
<i>Goal: To ensure a 25 percent reduction in the amount of solid waste received at disposal facilities and to sustain waste reduction programs for the next 10 years.</i>								
7. Continue to fund recycling and waste reduction efforts (includes RMPF fees).	x	x	x	x	x	ACC	\$460,000/yr	ACC (Grants)
8. Continue to explore the possibility of establishing a southeast Athens recycling drop-off site.	x	x	x	x	x	ACC	\$25-\$30,000	ACC
9. Investigate feasibility of compost bin distribution events for residents.	x	x	x	x	x	ACC	\$0	ACC
10. If feasible, implement compost bin distribution events for residents.	x	x	x	x	x	ACC	\$1,500	ACC
11. Investigate feasibility of residential collection events for special wastes (eg: computers, electronics, household hazardous waste, etc.).	x	x	x	x	x	ACC	\$0	ACC
12. If feasible, implement residential collection events for special wastes (eg: computers, electronics, household hazardous waste, etc.)	x	x	x	x	x	ACC	\$12,000 - \$15,000 per event	NA
13. Continue landfill mulching operation for leaf and limb and other wood waste.	x	x	x	x	x	ACC	\$90,000/yr	ACC Landfill User Fees
14. Winterville residents use ACC drop-off site located in the City of Winterville.	x	x	x	x	x	ACC	See Item #4 above	NA

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Table 3-17
Northeast Georgia Solid Waste Management Plan
Short-Term Work Program 2004 – 2008
Athens-Clarke County

Action	04	05	06	07	08	Responsible Party	\$	Possible Funding
DISPOSAL ELEMENT								
<i>Goal: To ensure that disposal facilities in the region meet regulatory requirements and can continue to support and facilitate effective solid waste handling programs for the next ten years.</i>								
1. Continue operation of MSW Subtitle D landfill in cooperation with Oglethorpe County.	x	x	x	x	x	ACC	\$2,170,000 annually	ACC Landfill User Fees
2. Maintain and replace depreciated equipment and vehicles for landfill operation.	x	x	x	x	x	ACC	\$200,000 annually	ACC Landfill User Fees
3. Construct and operate Phase II of the MSW Subtitle D Landfill.		x	x	x	x	ACC	\$3.2 million	ACC Landfill User Fees
4. Evaluate the redesign of Phase II, MSW Subtitle D Landfill, to incorporate an overlay of the unlined, Existing Disposal Area 2 Landfill.	x	x				ACC	\$0	ACC Landfill User Fees
5. Investigate feasibility of mining waste from unlined, Existing Disposal Area 1 Landfill.	x	x	x			ACC	\$20,000	ACC Landfill User Fees
6. If feasible, implement the mining of waste from unlined, Existing Disposal Area 1 Landfill.				x	x	ACC	\$2.5 million	ACC Landfill User Fees

Table 3-17
Northeast Georgia Solid Waste Management Plan
Short-Term Work Program 2004 – 2008
Athens-Clarke County

Action	04	05	06	07	08	Responsible Party	\$	Possible Funding
PUBLIC EDUCATION AND INVOLVEMENT ELEMENT								
<i>Goal: To ensure that residents and businesses in the region understand the issues, needs, and goals of the solid waste management system.</i>								
1. Publish solid waste reduction/recycling newspaper as funds and time permit.	x	x	x	x	x	ACC	\$13,000 annually	ACC
2. Continue development of ongoing waste reduction and recycling education.	x	x	x	x	x	ACC	See Item #5 Waste Reduction	ACC (Grants)
3. Support the Keep Athens-Clarke County Beautiful program by funding a full time Executive Director and related program costs.	x	x	x	x	x	ACC	\$75,000/yr	ACC
4. Continue support of Environmental and SW Compliance Officer positions for compliance and enforcement of environmental ordinances, including litter, scrap tire enforcement/education, and other SW ordinance violations.	x	x	x	x	x	ACC	\$75,000 annually	ACC (EPD Grant)
5. ACC will continue to sponsor citizens' advisory committee on solid waste.	x	x	x	x	x	ACC	\$0	ACC
6. City of Winterville relies on ACC's education program except for enforcement, which is carried out by the City of Winterville's police department.	x	x	x	x	x	ACC/City of Winterville	–	ACC/City of Winterville

Section 3

Table 3-17
Northeast Georgia Solid Waste Management Plan
Short-Term Work Program 2004 – 2008
Athens-Clarke County

Action	04	05	06	07	08	Responsible Party	\$	Possible Funding
(PUBLIC EDUCATION AND INVOLVEMENT ELEMENT CONTINUED)								
<i>Goal: To ensure that residents and businesses in the region understand the issues, needs, and goals of the solid waste management system.</i>								
7. Provide technical assistance to commercial businesses, institutions, and industries in an effort to further reduce solid waste generated and disposed of in the Athens-Clarke County landfill.	x	x	x	x	x	ACC	–	ACC
LAND LIMITATION ELEMENT								
<i>Goal: To ensure that proposed solid waste handling facilities are compatible with surrounding areas and are placed in areas suitable for such developments.</i>								
1. County will ensure sufficient land use controls are in place.	x	x	x	x	x	ACC	–	ACC
FINANCING ELEMENT								
<i>Goal: To achieve a balanced and affordable solid waste management plan implementation strategy, while also meeting the goals and requirements of state law.</i>								
1. County will continue to participate in the Northeast Georgia Regional Solid Waste Management Authority for planning purposes.	x	x	x	x	x	Athens-Clarke County/City of Winterville/ Authority	\$9,000/yr	Athens-Clarke County/City of Winterville/ Authority
2. ACC will continue to fund SW activities under an enterprise fund.	x	x	x	x	x	ACC	–	ACC
3. City of Winterville will continue to rely primarily on ACC and private firms for SW management.	x	x	x	x	x	City of Winterville	–	City of Winterville



**JORDAN
JONES &
GOULDING**

745 South Milledge Avenue
Athens, Georgia 30605
T 706.353.2868
F 706.549.0423
www.jjg.com

July 29, 2003

Mr. Scott Callaway, Environmental Specialist
Georgia Department of Natural Resources
Northeast Georgia EPD Regional Office
745 Gaines School Road
Athens, Georgia 30605

RE: Athens-Clarke County MSW Landfill – Dunlap Road (EPD Permit # 029-012D(SL))
Remaining Capacity Report for July 02 to June 03

Dear Mr. Callaway:

Attached please find the completed Remaining Capacity Report for the referenced MSW Landfill.

Please do not hesitate to contact me if you have any questions or comments.

Sincerely,

JORDAN, JONES & GOULDING, INC.

A handwritten signature in cursive script, reading "Abe Abouhamdan", followed by a horizontal line.

Abe Abouhamdan, PE

Enclosure

cc: ✓ Brad Rickard, ACC
Jim Corley, ACC
Murray Griffin - JJG, Atlanta
EPD- Atlanta

RETURN TO:
REMAINING CAPACITY REPORT
Environmental Protection Division
Land Protection Branch
4244 International Parkway, Suite 104
Atlanta, Georgia 30354

REMAINING MSW CAPACITY REPORT

Permit Holder: The Unified Government of Athens-Clarke County


Address: P.O. Box 1868 Athens, Georgia 30603

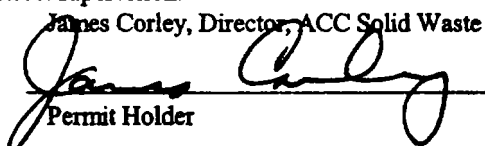
Site Name: Clarke County – Athens/Dunlap Road Municipal Solid Waste Landfill

EPD Permit Number: 029-012D(SL)

CALCULATED	
I. SURVEY DATA	
A. Date of Topographic Survey	<u>June 1, 2000</u>
B. Remaining MSW Volume (Available Fill Volume Based on Survey)	<u>2,269,127</u> cy
C. Estimated Percent by Volume of Total Used by Cover Soil	<u>25</u> %
D. Net Remaining MSW Waste Volume (Line B Reduced by Line C)	<u>1,701,845</u> cy
II. AMOUNT OF SOLID WASTE DISPOSED	
E. Tons Per Day Received for Disposal	<u>213.2</u> ton/day
F. Total Operational Days Per Year	<u>306</u> days
G. Total Estimated Annual Tons Disposed	<u>65,249</u> tons
III. WASTE PLACEMENT	
H. Estimated Waste Compaction Density	<u>1.000</u> lbs/cy
I. Estimated Waste Compaction Density	<u>0.50</u> tons/cy
J. Net MSW Volume Used Per Day (Line E Divided by Line I)	<u>426.4</u> cy/day
K. Net MSW Volume Used Per Year (Line G Divided by Line I)	<u>130,498</u> cy/yr
IV. REMAINING SITE LIFE	
L. Remaining Capacity (Line D Divided by Line J)	<u>3,991</u> days
M. Remaining Capacity (Line D Divided by Line K)	<u>13.04</u> years
N. Estimated Date of Completion for Facility	<u>July, 2016</u>
V. ADDITIONAL INFORMATION	

I hereby certify the above determinations were performed under my direct supervision.


Abbas M. Abouhamdan, P.E.
Registered Professional Engineer
Georgia Registration No. 23652
7/29/03
Date

James Corley, Director, ACC Solid Waste

Permit Holder
7-31-03
Date

ORDINANCES AND
AGREEMENTS

STATE OF GEORGIA

COUNTY OF CLARKE

CONTRACT FOR USE OF LANDFILL

THIS CONTRACT, made and entered into this 5th day of August, 1992 between THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY, GEORGIA, a body corporate and politic and a political subdivision of the State of Georgia, hereafter called "Athens-Clarke County", and THE BOARD OF COMMISSIONERS OF OGLETHORPE COUNTY, GEORGIA, a political subdivision of the State of Georgia, hereafter referred to as "Oglethorpe County",

W I T N E S S E T H :

WHEREAS, Athens-Clarke County is the owner of land in Oglethorpe County which is adjacent to the existing Athens-Clarke County Landfill, and

WHEREAS, Oglethorpe County is approaching full capacity at its current landfill, and

WHEREAS, Athens-Clarke County and Oglethorpe County agree to develop the land in Oglethorpe County presently owned by Athens-Clarke County for landfill purposes, as shown on Exhibit "B" and designated as Parcel C of the Potentiometric Map (revised dated 4/3/92) of the EPD approved Site Suitability Study, and

WHEREAS, Oglethorpe County is attempting to obtain approval for its current landfill to be used for inert materials and construction/demolition debris for the joint use of Athens-Clarke County and Oglethorpe County, and

WHEREAS, Athens-Clarke County and Oglethorpe County desire to develop a strategy that addresses the short term, interim and long term landfill, recycling, and all other waste management needs of both counties; and

WHEREAS, both counties realize that the first step in addressing this strategy is to enter into a contract regarding the use of the present Athens-Clarke County Landfill for solid wastes and the possible use of the Oglethorpe County landfill for inert material and construction/demolition debris,

NOW THEREFORE, for and in consideration of the mutual promises and benefits set out below, it is agreed between the parties as follows:

1. TIPPING FEES

a. Athens-Clarke County and Oglethorpe County shall pay the published tipping fee for use of the Athens-Clarke County Landfill as recorded at the Athens-Clarke County Landfill, and as approved by the Athens-Clarke County Commission.

b. Athens-Clarke County and Oglethorpe County shall pay the published tipping fee for use of the Oglethorpe County Landfill for inert wastes and construction/demolition wastes, as recorded at the Oglethorpe County Landfill, and as approved by the Oglethorpe County Board of Commissioners.

c. Fees are to be reviewed annually and, as appropriate, updated. The annual review of fees should consider cost elements similar to those evaluated in the "Landfill Tipping Fee Analysis" attached hereto as "Exhibit A".

d. Athens-Clarke County agrees to defer all fees, with no interest, incurred by Oglethorpe County for a period of six (6) months from the date Oglethorpe County begins to dispose solid wastes in the Athens-Clarke County Landfill. This deferment is based on the recognition that Oglethorpe County shall have significant start-up expenses in connection with this contract. The first payment on this deferred amount shall be due at the end of the twelfth (12th) month after solid waste is placed in land located in Oglethorpe County and owned by Athens-Clarke County or on January 1, 1995, whichever date is later. Payment of this deferment shall be made on a monthly basis, in an amount equal to five percent (5%) of the total deferred fees, until the deferred amount is paid in full.

e. Each party shall be billed at the end of every month with the fees being due and payable by the last day of the following month. If said fees are not received by the Athens-Clarke County Finance Department, or the Oglethorpe County Commission, by the due date, a 10% penalty on any balance due shall be assessed. If all past due amounts are not received within ninety (90) days of the date of billing, the government responsible for the operation of the respective landfill shall not accept any solid wastes or inert and/or construction/demolition wastes for disposal until the amounts are paid in full by the owing party, and/or shall take appropriate action to collect amounts owed.

f. Changes in Tipping Fees shall be reviewed by the Joint Solid Waste Coordinating Committee, as outlined in Section 14 of this document, prior to implementation by either government.

2. HOST FEES

a. The "host county" shall be that County in which the landfill property, currently receiving solid wastes for disposal, is located. The "non-host county" shall be that County which is depositing wastes within the boundaries of the host county.

b. The host county shall receive a one dollar (\$1.00) per ton host fee, from the approved and published tipping fee, on the total waste weight/volume entering the Athens-Clarke County Landfill. The weight/volume totals are to be accumulated monthly with a copy being available to either county upon request. Said host fee shall increase at the rate of five (5) cents for every one (1) dollar, or part thereof, increase in the tipping fee (exclusive of host fee). For the purpose of future calculations, the initial tipping fee for the Athens-Clarke County Landfill is established at \$11.00 per ton. Any host fee charged by Oglethorpe County for the inert and/or construction/demolition landfill shall not exceed, on a percentage basis (host fee divided by tipping fee), that charged at the landfill operated by Athens-Clarke County for municipal solid waste.

c. The host fee for the preceding month shall be due and payable by the last business day of the following month. If said fees are not received by the Athens-Clarke County Finance Department, or the Oglethorpe County Commission, by the due date, a 10% penalty on any balance due shall be assessed. If all past due amounts are not received within ninety (90) days of the date of billing, the government responsible for the operation of the respective landfill shall not accept any solid wastes or inert

and/or construction/demolition wastes for disposal until the amounts are paid in full by the owing party, and/or shall take appropriate action to collect amounts owed.

3. TERM OF CONTRACT

a. This contract shall begin on the date of execution of this contract by both parties and shall remain in effect until such time as the existing Athens-Clarke County Landfill is no longer in operation, unless terminated by the action of either Athens-Clarke County or Oglethorpe County, as specified in Section 16.

b. The non-host county shall give thirty (30) days' written notice to the host county of its intent to begin disposing wastes in their respective landfills.

4. WASTE TRANSPORTATION

Each party shall be responsible for providing its own waste transportation to the Athens-Clarke County Landfill or the Oglethorpe County Landfill.

5. COMPLIANCE WITH ORDINANCES

Both parties agree that they will comply with all present and future Athens-Clarke County Ordinances, policies and regulations regarding the use and operation of the Athens-Clarke County Landfill and all present and future Oglethorpe County Ordinances, policies and regulations regarding the use and operation of the Oglethorpe County Landfill. Both parties shall have prior notification and opportunity for input on any proposed changes or

revisions to these ordinances and/or policies before said changes or revisions are implemented as provided in Section 14. Athens-Clarke County agrees to amend its present Landfill Ordinance to prohibit the disposal of inert wastes (with the exception of yard trimmings) and construction/demolition wastes in the Athens-Clarke County Landfill when the Oglethorpe County Landfill becomes permitted as an inert wastes and construction/demolition wastes landfill.

6. PERMIT REQUIREMENTS

Athens-Clarke County shall be responsible for all regulations regarding the management of the Athens-Clarke County Landfill that are required under any Georgia Department of Natural Resources - Environmental Protection Division (EPD) permit(s). Oglethorpe County shall be responsible for all regulations regarding the management of the Oglethorpe County Landfill that are required under any EPD permit(s).

7. ORIGIN OF WASTE

The host county agrees to accept solid waste generated within the boundaries of the non-host county. Anyone depositing waste in either landfill under this paragraph shall comply with all present and future ordinances, policies and regulations regarding the use and operation of said landfill.

8. RESTRICTIONS ON USE OF BOTH LANDFILLS

Both parties agree to prohibit the placement of solid waste,

inert materials, or construction/demolition debris originating outside the geographical limits of Athens-Clarke County and Oglethorpe County within either of the current landfill areas. Any and all exceptions to this restriction must be approved, in writing, by both the Athens-Clarke County and Oglethorpe County Commissions.

9. USE OF LAND IN OGLETHORPE COUNTY

It is specifically agreed by the parties that expansion of the existing Athens-Clarke County Municipal Solid Waste Landfill shall be limited to the areas designated as Parcels B & C on the Potentiometric Map (revised dated 4/3/91) of the EPD approved Site Suitability Study and attached hereto as Exhibit B.

Should Oglethorpe County decide for any reason to terminate this contract, it agrees that Athens-Clarke County shall be allowed continued use of Parcel C, as more particularly described on the Potentiometric Map referenced above, for landfill purposes without any recourse or interference from Oglethorpe County.

10. DIVISION OF FEES

a. Recycling elements of the tipping fee structure, similar to that element identified as "recycling" in Exhibit A, shall be distributed each month to the respective counties based on their pro-rata share of the monthly usage at the landfill including any such fee element in the tipping fee structure. Each county's percentage, of this element of the tipping fee, during any year will be determined by multiplying the estimated population for the

element of the landfill tipping fee, will be based on the estimated population for the county, for each of the calendar years in which fees were paid, times the annual average per capita tons of solid waste generated by each county's population during that calendar year divided by the total number of tons of solid waste placed in the landfill during that calendar year. The total payment to each county shall be the sum of the yearly contributions of each county plus accrued interest, as calculated using the above defined method, during the life of this contract.

The annual, or most recent, population estimates of the U.S. Bureau of Census (Series P-26) will be used for each year's calculation, unless an alternate method is agreed to by the Joint Solid Waste Coordinating Committee. Further, for the purpose of calculating this fee, the annual average per capita generation of solid waste for Oglethorpe County will be no less than 0.6388 tons (3.5 pounds per capita per day).

c. The future site development element of the landfill tipping fees shall be maintained separately in a manner to be determined by the Joint Solid Waste Coordinating Committee. The division of the account on termination of this agreement shall be governed by this contract.

d. All other elements of the tipping fees, unless jointly agreed at some future time, shall be retained by the operating jurisdiction.

11. RECYCLING AND WASTE REDUCTION

Both parties agree that they will engage in developing

county, for the calendar year prior to the calendar year in which the fees are being paid, times the annual average per capita tons of solid waste generated by each county's population during the previous calendar year divided by the total number of tons of solid waste placed in the landfill during the previous calendar year (see Exhibit "D"). The annual, or most recent, population estimates of the U.S. Bureau of Census (Series P-26) will be used for each year's calculation, unless an alternate method is agreed to by the Joint Solid Waste Coordinating Committee. The recycling fees distribution percentages shall be recalculated each year upon the availability of the above noted census estimates, but by not later than July 1 of each year, and shall remain in effect for the next twelve (12) months or until next calculated. Further, for the purpose of calculating this fee, the annual average per capita generation of solid waste for Oglethorpe County will not be less than 0.6388 tons (3.5 pounds per capita per day).

These fees shall be paid within the month following the month in which the fees are collected.

b. Should either party desire to terminate this contract, the monies collected, from the future site development element of the landfill tipping fees, similar to that defined as "future site development cost" in Exhibit A, will be distributed to the respective counties based on their pro-rata share of the landfill usage during the life of this contract. Upon termination of this contract, as provided for in Section 16, such funds shall be distributed to each county within ninety (90) days of their written request for such funds. Each county's yearly percentage, of this

recycling and waste reduction strategies in their respective counties in order to achieve the solid waste reduction goal outlined in the Georgia Solid Waste Management Act of 1990.

12. CLOSURE

Both parties agree that each party shall be responsible for closure of their respective landfills.

13. POST CLOSURE USE

a. After closure of the portion of the Athens-Clarke County Landfill located in Oglethorpe County, the land will be developed in accordance with a plan that is mutually acceptable to both counties.

b. The utilization and funding for said project shall be negotiated at the time of development of the use plan.

14. JOINT SOLID WASTE COORDINATING COMMITTEE

a. Both parties agree that a Joint Solid Waste Coordinating Committee shall be established consisting of three (3) appointments from each county. This committee shall meet on a regularly scheduled basis as mutually agreed upon by the members, or as called by the Chairman/Chief Elected Officer of either County.

b. The members of the Committee shall elect a Chairman from its members who shall serve for a term of one (1) year. The chairmanship shall alternate yearly between the two counties. The Chairman shall be a voting member of the Committee.

c. The purpose of this Committee shall be to keep each

county informed of any developments on solid waste management at a local, state and national level, to discuss any changes in fees, policies, regulations and ordinances at both landfills, to attempt to resolve any problems or disputes that may arise between the parties, and to develop strategies for the further implementation of the intent of this agreement relative to joint long range solid waste management programs.

15. MEDIATION

Should a dispute arise between the parties that cannot be resolved through the Joint Solid Waste Coordinating Committee or by the governing bodies, both parties agree that as an alternative to a court proceeding, non-binding mediation shall be utilized prior to any lawsuit being filed. This mediation shall be governed according to the rules and regulations promulgated in the Georgia Planning Act of 1989 as a part of the Growth Strategies law, a copy of which is attached hereto as "Exhibit C".

16. TERMINATION OF CONTRACT

a. This contract shall be valid for the duration of the life of the Athens-Clarke County Landfill, or the Oglethorpe County Construction/Demolition Landfill, whichever date is later, unless sooner terminated. Should either party desire for any reason to terminate this contract, that party shall give the other party a minimum thirty-six (36) months' written notice of its intent to terminate.

b. All outstanding debts owed by either party to the other

shall be paid as of the date of termination.

17. CHANGES TO THE CONTRACT

This contract contains the entire understanding between the parties and there shall be no changes to this contract unless agreed to in writing by both governing bodies. This Contract may be renegotiated if there is a substantial change in the status or usability of the Athens-Clarke County Landfill or the Oglethorpe County Landfill.

IN WITNESS WHEREOF, the parties have set their hands and seals to this contract on the day and year first above written.

THE UNIFIED GOVERNMENT OF
ATHENS-CLARKE COUNTY, GEORGIA

BY: 

CHIEF ELECTED OFFICER

ATTEST: 

CLERK OF COMMISSION

OGLETHORPE COUNTY, GEORGIA

BY: 

CHAIRMAN

ATTEST: 

CLERK OF COMMISSION

EXHIBIT D

EXAMPLE FEE CALCULATIONS

PER TON HOST FEE CALCULATION FOR 1994 (EXAMPLE)

Assumptions:

1. Initial Tipping Fee (Exclusive of Host Fee) = \$11.00/ton (See Exhibit A)
2. Projected FY 1994 Tipping Fee (Exclusive of Host Fee) = \$27.50/ton (See Exhibit A)

Host Fee Calculation:

$$(\$27.50/\text{ton} - \$11.00/\text{ton}) \times 0.05 + \$1.00/\text{ton} = \$1.83/\text{ton}$$

TOTAL TIPPING FEE CALCULATION FOR 1994 (EXAMPLE)

Assumptions:

1. Projected FY 1994 Tipping Fee (Exclusive of Host Fee) = \$27.47/ton (See Exhibit A, actual cost)
2. Projected 1994 Host Fee = \$1.83/ton (See above calculations)

Total Tipping Fee Calculation:

$$\$27.47/\text{ton} \text{ (See assumption \#1)} + \$1.83/\text{ton} \text{ (See host fee calculation)} = \$29.30 . \text{ Set Tipping Fee at \$29.50/ton}$$

RECYCLING FEE DISTRIBUTION CALCULATION FOR 1994 (EXAMPLE)

Assumptions:

1. Calculations based on fees etc. shown for 1994 of Exhibit A and solid waste generation rates produce in 1993 and calculated for payment in calendar year 1994.
2. 1993 population estimates for Oglethorpe and Clarke Counties, based on population growth rates of 1.5% per year for each county and the 1990 census populations, are 10,209 and 91,597, respectively.

Solid waste tonnage by county for calendar year 1993:

Oglethorpe County = 3.5 lbs/capita/day = annual average per capita value of 1,278 lbs or 0.6388 tons (estimate of tonnage not available at this time). Use 0.6388 tons/capita/year X 10,209 persons = 6,521 tons per year

EXHIBIT D
(Page 2)

Clarke County = 117,188 tons per year (See FY 93 on Exhibit A for estimate) / 91,597 = annual average per capita value of 2,559 lbs or 1.2794 tons = 7.01 lbs/capita/day

Total calendar year tonnage = 6,521 + 117,188 = 123,709 tons

Projected total annual recycling fees collected:

123,709 tons X \$1.26 per ton = \$155,873.34

Distribution of collected recycling fees:

Oglethorpe County = 10,209 persons X 0.6388 tons per person per year / 123,709 tons per year X \$155,873.34 = \$8,217.10

A-C County = 91,597 persons X 1.2795 tons per person per year / 123,709 X \$155,873.34 = \$147,669.94. Due to rounding of numbers, the A-C County share should be \$155,873.34 - \$8,217.10 = \$147,656.24

Through March 03

Sec. 5-2-1. Intent.

(a) It is the intent of Athens-Clarke County to reduce the amount of solid waste generated and disposed by undertaking aggressive source reduction and recycling activities. Athens-Clarke County's policy shall promote the development of environmentally sound practices regarding the collection, and processing of solid waste.

(b) In order to attain these goals and to protect public health and the environment, Athens-Clarke County shall regulate collection of solid waste, within the boundaries of the General Service District (GSD) or county. In carrying out this intent, the goals of this ordinance are:

- (1) To reduce the amount of solid waste disposed, as measured on a per capita basis, 25 percent by July 1, 1996, as required under the Comprehensive Solid Waste Management Act of 1990 (O.C.G.A. § 12-9-20 et seq.)
- (2) To ensure the safe and sanitary collection, transportation and recovery of solid waste, recyclable and compostable materials.
- (3) To provide Athens-Clarke County residents and businesses the opportunity to recycle more materials through convenient on-site, curbside and dropoff station collection programs and through the addition of recyclable materials to the collection program as appropriate.
- (4) To establish and enforce solid waste collection standards to ensure uniform, cost effective and high quality service delivery to all residents.
- (5) To create fee system components by which collection rates can be established for waste collection which are fair to the public, encourage waste reduction, and promote safe, efficient collection.
- (6) To promote community awareness in order to achieve the highest participation possible in the solid waste and collection system and all recycling opportunities
- (7) To enhance waste reduction and recycling in the multifamily, commercial, institutional and industrial sectors.
- (8) To undertake studies and demonstration projects on developing more efficient, economical and effective methods of waste reduction, recycling and waste collection.

(Ord. of 4-4-95, § 1)

Sec. 5-2-2. Definitions, service categories, customer classification; special customer.**(a) General terms defined:**

Athens-Clarke means the area within the General Services District Boundary.

Bulky waste shall mean solid waste with weights or volumes which exceed the designated capacity of solid waste storage or collection containers. Such waste includes but is not limited to tree limbs, mattresses, and other large items.

Collect includes storage, transportation or disposal.

Commercial collection means the collection of solid waste from:

- (1) A nonresidential source;
- (2) A multifamily residence of five (5) or more units;

Compensation means and includes:

- (1) Any type of consideration paid for service, including, without limitation, rent, lease payments and any other direct or indirect provision of payment of money, goods, services or benefits by owners, tenants, lessees, occupants or similar persons;
- (2) The exchange of services between persons; and
- (3) The flow of consideration from the person owning or possessing the solid waste or recyclable material to the person providing the service or from the person providing the service to the person owning or possessing the solid waste material.

Construction and demolition waste shall mean a type of solid waste consisting of waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavement, houses, commercial buildings and other structures. Construction and demolition debris includes trees, stumps, and brush removed from property during construction, maintenance or repair of structures.

Construction and demolition waste does not include any of the following, which is defined under this ordinance as solid waste even if it results from construction, remodeling, repair and demolition of structures: (a) garbage, (b) furniture and (c) solid waste resulting from a processing technique that renders individual waste components unrecognizable, such as pulverizing or shredding. It also does not include any of the following, which may require special disposal considerations: (a) asbestos waste, (b) drums and containers, (c) fuel tanks, (d) corrugated container board, and (e) appliances.

Cost of service shall mean cost of personnel, services, supplies, other services and charges, maintenance and repair, capital equipment, fringe benefits, supervision, overhead and other costs related to providing service.

Customer shall mean the local person responsible for the serviced location who receives and/or pays for solid waste service from a franchisee.

Director is the director of the solid waste department, or his or her duly authorized representative or agent.

Disposal facility means any facility or location where any treatment, utilization, processing, deposition or disposition of solid waste occurs.

Disposal site means the location where the final deposition or disposition of solid waste occurs.

Dropoff station means an established area approved by Athens-Clarke County where any person may deposit recyclable materials specified by Athens-Clarke County.

Dumpster shall mean a large metal bulk container which has capacity of no less than two (2) nor more than eight (8) cubic yard storage, and is a design approved by the solid waste department.

Fees paid service shall mean the routine service provided for by the solid waste department to customers for a fee determined by the schedule of fees as set forth in article 2 of this chapter.

Food service establishment shall include any establishment used for the preparation, packaging and serving of meals, lunches, short orders, sandwiches, frozen desserts, food samples or other edible products.

Franchise means a solid waste collection franchise awarded by Athens-Clarke County and contractually agreed to between Athens-Clarke County and the franchisee allowing them to engage in activities of a franchise as defined in and governed by this chapter.

Franchisee shall mean any person, persons or entity granted a franchise from Athens-Clarke County who, under agreements for compensation by those receiving services, is engaged in whole or in part in the business of collecting, transporting, delivering, or disposing of solid waste materials, other than industrial waste, within Athens-Clarke County. "Franchisee" includes any employees or other persons authorized to act on behalf of the Franchisee. "Franchisee" has a meaning identical to that of "grantee" as used in the franchise agreement.

Garbage shall mean the same as "solid waste" as defined herein.

Garbage can shall mean a container of a capacity not less than 20 gallons and not to exceed 96 gallons and where solid waste is placed for collection. Such a can shall have two (2) handles upon the sides of the can, or a bail by which it may be lifted and shall have a tightfitting metal, plastic, or rubber top.

Hazardous waste shall mean solid waste that is harmful to human or environmental health. Such waste includes, but is not limited to, solids, semisolids, liquids, and gases that are or may become toxic, caustic, infectious, contagious, flammable, or explosive and other items described as being hazardous in federal, state, or local government codes and regulations, except radioactive waste materials as provided in the Rules of the Department of Human Resources, Chapter 270-5-20, entitled, "Radioactive Materials."

Industrial waste means solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under the Hazardous Waste Management Act and regulations promulgated by the Board of Natural Resources, Chapter 391-3-11. Such waste includes, but is not limited to, wastes resulting from the following manufacturing processes: Electric power generation; fertilizer/agricultural chemicals; food and related products/byproducts; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include mining waste or oil and gas waste.

Inert wastes shall mean wastes which will not, or are not likely to, cause production of leachate of environmental concern. Such wastes are limited to earth and earth-like products, concrete, cured asphalt, rock, bricks, yard trimmings, stumps, limbs, and leaves. This definition excludes industrial and demolition wastes not specifically listed herein.

Infectious waste shall mean a solid waste capable of producing an infectious disease. The types of waste designated as infectious are: microbiological waste, pathological waste, blood products, and sharps.

Leaf and limb materials shall mean leaf or limb materials resulting from normal yard maintenance, such as leaves, brush, grass clippings, shrub and tree prunings, discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development or other garden activities. This term does not include stumps, logs, pallets, agricultural wastes, animal waste, roots, sewage sludge or garbage.

Litter shall mean misplaced or improperly discarded "solid waste" as defined herein.

Person shall mean any individual, partnership, firm, company, corporation, association, joint stock company, representative, agent, or assignee. Regarding customers of the solid waste department, "person" shall mean:

- (1) The occupant of the structure serviced by the solid waste department;
- (2) The local manager in charge of operations within the structure serviced by the solid waste department; or
- (3) The owner of the structure serviced by the solid waste department.

Premises shall mean a parcel of land, including any buildings or structures located thereon, within Athens-Clarke County used for residential, commercial, industrial, agricultural or institutional purposes either separately or in combination to which a separate street address, postal address or box, tax map description, or other similar identification has been assigned or which is in use by a person having control of the area.

Prohibited waste shall mean any waste that cannot be included in the solid waste set out for collection from any premises located within Athens-Clarke County.

Prohibited waste list shall mean a list of banned waste established by the director of solid waste.

Receptacle shall mean any container (dumpster, garbage can, roll cart or bag) approved by the solid waste department for use in the temporary storage, collection and disposal of solid waste.

Recyclable or recovered material shall mean material(s) which have known use, reuse, or recycling potential; can be feasibly used, reused or recycled; and have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not requiring subsequent separation and processing.

Recycling means the series of activities including collection, separation, and processing, by which products or other materials are recovered from or otherwise diverted from the solid waste stream (1) for use in the form of raw materials in the manufacture of new products other than fuel and (2) in the case of source separated wood waste which has no material use, for use as fuel. Recycling includes composting of source separated organics but not composting of mixed waste.

Refuse means the same as "solid waste" as defined herein.

Residence means any dwelling unit that is a four-plex or smaller that is occupied by either an owner or tenant.

Resident means any person living in a "residence."

Routine service shall mean the collection, transfer and disposal of refuse from receptacles on a pre-established schedule and route serviced by a franchisee.

Scavenger shall mean any person engaged in the uncontrolled picking, separating or reclaiming of discarded solid waste and/or recyclable materials from the receptacle of another.

Self-haul means the collection and transportation of nonresidential solid waste, at a level not to exceed five (5) tons per month, or residential solid waste, at a level not to exceed one-quarter tons per month, that is generated by tenants, homeowners, manufacturing operations, or other facilities owned by the hauler by the living unit owner or his or her direct employee, doing so without charge or reimbursement for such services.

Service means the collection and transportation of solid waste by persons for compensation.

Servicing shall mean the physical or mechanical act of collateral transferring and loading of solid waste from approved receptacles by a franchisee.

Service provider shall mean a franchisee.

Serviceability shall mean the ability for the franchisee to have access to and service receptacles.

Solid waste means any garbage or refuse; sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities, but does not include recovered materials; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342; or source, special nuclear, or byproduct material as defined by the federal Atomic Energy Act of 1954, as amended (68 Stat. 923).

Solid waste handling shall mean the physical or mechanical act of storing, collecting, transporting, treating, utilizing, processing, or disposing of solid waste or any combination of such activities.

Source-separated materials shall mean recyclable or leaf and limb materials are substantially separated from other solid waste and kept segregated in some form from solid waste.

Targeted materials list shall mean the list established by the director of solid waste of all recyclable materials that are to be collected by the franchisee.

Tipping fee shall mean the fee to be charged upon delivery of solid waste, recyclable materials or leaf and limb materials to an Athens-Clarke County facility.

Transfer station shall mean a facility used to transfer solid waste from one (1) route collection vehicle to another bulk transfer vehicle or trailer for transportation to a disposal facility or landfill.

Volume-based fee system shall mean a fee system, used by the franchisee to charge customers for services, that meet requirements to encourage waste reduction, reuse, recycling and processing through reduced rates for smaller containers or numbers of containers of solid waste. The components of the fee system shall include a fixed monthly base charge plus a disposal charge based on the number and size of the containers.

(b) *Service categories.* Services provided to residential and commercial customers are defined below:

- (1) *Bag service.* Collection of solid waste contained in a sealed disposable bag.
- (2) *Backyard service.* Collection of solid waste from garbage cans, located adjacent to and at the side or rear of the structure being served. Receptacles shall not be located within the public right-of-way nor at any other locations readily visible from such public right-of-way, other than on scheduled collection days.
- (3) *Curbside service.* Collection of solid waste or recycling materials from garbage cans or recycling containers, respectively, located within 15 feet of the curb.
- (4) *Dead animals services.* Collection of a dead household pet or other small animal which is placed in a plastic bag outside the premises at the property boundary and/or curb, and disposing of same at a landfill.
- (5) *Dumpster service.* Collection of garbage or recycling materials from solid waste department approved dumpsters by a specially designed and compatible top-loading collection vehicle, dumping and returning dumpster to its authorized location.
- (6) *Leaf and limb service.* Collection of bagged leaves and bundled limbs at preannounced times and places.
- (7) *Roll cart service.* Collection of refuse and garbage or recycling materials from approved roll carts located adjacent to the structure or temporarily placed at the curb as specified by the franchisee.
- (8) *Special/unscheduled service.* Nonroutine collection of furniture, moving boxes, auto parts, construction materials or solid waste weighing less than 100 pounds per item by the franchisee at the expense of the owner or occupant of the premises.

(c) *Customer classification defined.* Customers of the franchisee shall be classified as either residential or commercial.

- (1) *Residential customers.* Single-family detached, duplex, and four-plex dwelling structures occupied by either an owner or tenant. All such residential customers within the Urban Service District (USD), as set forth in [section] 7-301(a) of the Charter shall use the Athens-Clarke County Solid Waste Department as their franchisee for the collection and disposal of their garbage.
- (2) *Commercial customers.* Structures that house more than two (2) families or businesses that are otherwise engaged in profit, nonprofit or public service activities. These structures include, but are not limited to, the following:
 - a. *Multifamily structures.* Multifamily structures include fraternity houses, sorority houses, hotels, motels, trailer parks, townhouses, and apartment or condominium complexes with more than two (2) attached family dwelling units.
 - b. *Business structures.* Facilities housing wholesale and retail businesses that provide goods and services not otherwise defined in this chapter.
 - c. *Restaurant structures.* Eating establishments having seating capacity for their customers to consume food on the premises.

d. *Food concession structures or facilities.* Food concession structures or facilities including structures, stands, and carts from which fast food is purchased by individuals for consumption and which do not provide seating for customers.

e. *Industrial structures.* Structures which shelter employees, or clientele who are engaged in the manufacturing or processing of goods and materials.

(d) *Special customers defined.* Residential and commercial customers who request unscheduled services or services other than routine services. The franchisee shall have the right to accept or reject the performance of such unscheduled services and levy fees on a cost of service basis. The franchisee shall determine services and fees for special customers.

(Ord. of 4-4-95, § 1; Ord. of 6-3-97, § 1)

Sec. 5-2-3. Solid waste department.

(a) This department shall be under the direction of the solid waste director. It shall collect, transport, transfer and dispose of garbage and refuse, and other solid waste for the portions of Athens-Clarke County as approved by the mayor and commission. It is also responsible for providing and/or coordinating community wide solid waste reduction efforts and for managing the operations of the Athens-Clarke County landfill.

(b) The solid waste department shall be responsible for administration of all franchises for the collection of solid waste and recyclable materials within the boundaries of Athens-Clarke County.

(Ord. of 4-4-95, § 1; Ord. of 7-2-96, § 1; Ord. of 7-6-99, § 1)

Sec. 5-2-4. Director of solid waste department; duties, responsibilities.

- (a) The director of the solid waste department shall be appointed by the manager.
- (b) The solid waste director shall have the authority to assign departmental employees the responsibility to make routine inspections of solid waste receptacles; compacting equipment used in conjunction with any such receptacle; service and/or operational standards; and other solid waste department inspection responsibilities.
- (c) The solid waste director shall be responsible for the administration of the provisions of this chapter, other ordinances, and other policies and regulations dealing with health, sanitation, and litter. All regulations, policies and operating procedures of the solid waste department shall be subject to review and approval by the manager.
- (d) The director of the solid waste department is hereby authorized and directed to review and approve all plans and specifications for the installation of compactor units. Such compactors shall be approved by the director of solid waste prior to the installation being made. All compactor shredders and compactor receptacles shall be installed on concrete pads of a type and design acceptable to the director of solid waste. All such installations shall comply with the requirements of the building codes, the fire prevention codes, and other safety laws and ordinances of Athens-Clarke County. The director of solid waste is further authorized to adopt additional regulations as may be necessary and reasonable as to his or her judgment that will carry out the requirements and/or intent of this chapter. The director of the solid waste department is authorized to approve a different size of loadable receptacles as specified in this chapter. The director is also authorized to make this determination with reference to receptacles not covered under this chapter.

(Ord. of 4-4-95, § 1)

Sec. 5-2-5. Residential collection--Urban Service District.

(a) There is hereby levied and assessed a monthly fee for all residential customers receiving backyard pick up of solid waste and curbside pick up of recycling materials within the confines of the urban service district as defined in section 7-301(a) of the Charter of the Unified Government of Athens-Clarke County. Customers shall pay according to the size and number of solid waste containers as follows:

1 20-gallon container . . . \$ 13.00

1 32-gallon container . . . 14.00

2 32-gallon containers . . . 17.00

3 32-gallon containers . . . 23.00

4 32-gallon containers . . . 31.00

5 32-gallon containers . . . 43.00

(b) During the first three months of this program, all residents shall be required to subscribe to the basic level of service (two 32-gallon containers). After the three-month period, customers shall be allowed to change their level of service as needed.

(c) Customers with occasional extra bags of garbage shall be required to purchase a special sticker from the solid waste department to place on their bagged garbage. The fee per sticker shall be \$2.00.

(d) Customers may change their level of service without charge one time during each calendar year; thereafter, any customers who desire to change said level of service shall be required to pay a fee of \$10.00 per change.

(e) Customers requiring "dead animal" services defined in section 5-2-2 (b)(4) herein shall be required to purchase a sticker in the amount of \$2.00 to place on the bag to be disposed of.

(f) Customers who have small appliances or empty corrugated cardboard boxes weighing no more than 40 pounds and no larger than three feet tall by three feet wide may request a special pickup by the solid waste department. Customers shall be required to purchase a sticker in the amount of \$2.00 to place on each item to be disposed of.

(g) New customer accounts established after September 1, 1995, shall be assessed a security deposit equal to one month's service plus a nonrefundable service fee of \$10.00 to "turn on" the service. The security deposit shall be applied to the customer's last bill.

(Ord. of 4-4-95, § 1; Ord. of 7-5-95, § 1; Ord. of 6-3-97, § 1; Ord. of 6-12-2001, § 1)

Sec. 5-2-6. Service billing--Residential; penalty discontinuance of service.

(a) Fees paid for routine services provided to residential customers by the solid waste department shall be billed on a monthly basis on a customer's water bill. If it is determined that a proprietor, tenant or owner of a structure does not receive a water bill, then solid waste fees shall be billed separately by the water business office. In the event unscheduled services are requested, charges for those services shall be applied to the next monthly bill or by separate billing. The administration and collection of garbage fees on water bills shall be coordinated between the solid waste department and other appropriate departments.

(b) Any customer who fails to make payment of the charges by the due date as determined by the water business office shall pay, in addition to the amount of the charge, a penalty of ten percent of the amount of said charge. Said penalty shall also be applied to all prior unpaid accounts and on any prior penalties resulting therefrom.

(Ord. of 4-4-95, § 1)

Sec. 5-2-7. Leaf and limb service--General Service District.

(a) *Leaf and limb service--Collection of brush, leaves and limbs generally.* The solid waste department shall provide this service throughout Athens-Clarke County. Residential customers are the primary recipients of this service; however, commercial customers may receive this service on a cost-of-service basis.

(b) *Frequency of service--Amount collectible.* The solid waste department shall not collect more than one load at any one location per predetermined cycle unless collected as an unscheduled service. A "load" is defined as one three-quarter-ton pickup truck or six cubic yards. Collection shall be once every 60 days.

(c) *Placement and preparation of items generally.* Brush and limbs shall be placed between curb and sidewalk. Where there is no sidewalk, limbs may be placed on the owner's property near the street. Limbs shall not be over six feet in length or four inches in diameter and shall be completely trimmed. Limbs shall be stacked no closer than 50 feet from an intersection and shall be in a manner not to obstruct the view of traffic. All limbs and leaves shall be separated with limbs placed in one direction, that is, with all cut ends together. Leaves and grass shall be placed in paper lawn bags or other approved biodegradable containers and placed between curb and sidewalk. Alternate containers must be approved by the director of the solid waste department. Where there is no sidewalk, bags shall be placed on the owner's property near the street. Shrubbery clippings, vines, briars and other running plants must be separated from all other leaf and limbs placed near the street for collection. Dirt, rocks, grass roots and other plant roots containing soil shall not be collected by Athens-Clarke County.

Leaves, limbs, grass or other trimmings shall be placed in an orderly manner so as not to obstruct the free and normal flow of any drainage system or the safe vision or movement of any pedestrian or vehicular traffic. Such debris shall not be placed in the gutter of any roadway at any time.

It shall be unlawful for any person to place or dispose of any leaves, limbs, grass or other trimmings within the public rights-of-way throughout Athens-Clarke County at any time except as provided in this section.

(d) *Placement of items by persons other than property owner.* Limbs cut and placed near the street for collection by any person other than the owner of the property shall not be collected or hauled by Athens-Clarke County. Individuals or companies under contract to collect leaves and limbs shall haul and dispose of all such refuse. This requirement also applies to utility or railroad companies which trim vegetation away from their wires, equipment or tracks to maintain their right-of-way over public and private land.

(e) *Items placed on vacant lots.* Leaves or limbs put on vacant lots by property owners or violators shall not be collected.

(f) *Entry on property by Athens-Clarke County vehicles and employees.* Except as otherwise provided, Athens-Clarke County owned vehicles shall not enter upon private property to collect limbs or other solid waste, and employees are hereby prohibited from entering upon private property to collect limbs which are placed more than five feet behind the sidewalk or property line, whichever is the farthest from the centerline of the street.

(g) *Length of time materials may remain at the curb.* Such debris as leaves, limbs or other trimmings shall not be placed within a public right-of-way more than ten calendar days prior to the Monday of the week scheduled for the collection and removal of such debris by Athens-Clarke County or a private or commercial collector.

(Ord. of 4-4-95, § 1; Ord. of 2-3-98, § 1; Ord. of 8-3-99, § 1; Ord. of 2-4-2003, § 1)

Sec. 5-2-8. Unscheduled collection.

(a) The minimum charge under section 5-2-6 shall be \$35.00 per three-quarter-ton load for all customers requesting additional solid waste collection services by the solid waste department within the confines of the urban service district as defined by section 7-301(a) of the Charter of the Unified Government of Athens-Clarke County, Georgia.

(b) The director of solid waste shall charge a customer for collection and disposal expenses associated with the removal of waste which does not comply with the solid waste ordinance or approved policies and procedures and shall charge a minimum of \$35.00 per three-quarter-ton load or part thereof for such collection and disposal expenses within the confines of the urban service district as defined by section 7-301(a) of the Charter of the Unified Government of Athens-Clarke County, Georgia.

(Ord. of 4-4-95, § 1; Ord. of 7-1-97, § 1)

Sec. 5-2-9. Commercial dumpster service fee.

(a) The monthly base rate schedule for weekly commercial solid waste dumpster service from loadable containers owned by Athens-Clarke County for all customers receiving commercial solid waste collection services, within the confines of the Urban Service District as defined by section 7-301 (a) of the Charter of the Unified Government of Athens-Clarke County, Georgia, shall be as follows:

TABLE INSET:

	2 yds	4 yds	6 yds	8 yds
1 per week	\$64.00	\$78.00	\$95.00	\$112.00
2 per week	114.00	143.00	173.00	203.00
3 per week	165.00	207.00	251.00	295.00
4 per week	215.00	271.00	329.00	386.00
5 per week	266.00	335.00	407.00	478.00
6 per week	317.00	400.00	484.00	569.00

(b) The monthly base rate schedule for weekly commercial solid waste dumpster service from loadable containers owned by the customer for all customers receiving commercial solid waste collection services, within the confines of the Urban Service District as defined by section 7-301 (a) of the Charter of the Unified Government of Athens-Clarke County, Georgia, shall be as follows:

TABLE INSET:

	2 yds	4 yds	6 yds	8 yds
1 per week	\$51.00	\$64.00	\$78.00	\$92.00
2 per week	101.00	129.00	156.00	183.00
3 per week	152.00	193.00	234.00	275.00
4 per week	202.00	257.00	312.00	366.00
5 per week	253.00	321.00	390.00	458.00
6 per week	304.00	386.00	467.00	549.00

(c) Effective September 1, 1995, new commercial solid waste customers shall not be allowed to provide their own loadable containers for collection services, and effective July 1, 1998, existing commercial solid waste customers shall not be allowed to provide their own dumpsters for collection services within the confines of the Urban Service District as defined by section 7-301 (a) of the Charter of the Unified Government of Athens-Clarke County, Georgia.

(d) The monthly base rate schedule for weekly commercial recycling dumpster service from loadable containers owned by Athens-Clarke County for all customers receiving commercial solid waste collection services, within the confines of the Urban Service District as defined by section 7-301 (a) of the Charter of the Unified Government of Athens-Clarke County, Georgia, shall be as follows:

TABLE INSET:

	2 yds	4 yds	6 yds	8 yds
1 per week	\$49.00	\$50.00	\$53.00	\$56.00
2 per week	85.00	86.00	89.00	92.00
3 per week	121.00	122.00	125.00	128.00
4 per week	157.00	158.00	161.00	164.00
5 per week	192.00	193.00	196.00	199.00
6 per week	228.00	229.00	232.00	235.00

(e) There shall be a charge of \$15.00 per dumpster for blocked dumpsters or switching out dumpsters.

(f) Customers requesting an extra pickup shall pay the following fees for each additional dumpster tip requested:

TABLE INSET:

2 yard	\$11.68
4 yard	14.83
6 yard	17.98
8 yard	21.13

(g) Any customer requesting a change in service level or collection schedule over and above the one (1) "free" change allowed to each customer during a calendar year, shall be assessed a fee of \$10.00 per change.

(h) If a customer currently serviced within the confines of the urban service district as defined by section 7-301(a) of the Charter of the Unified Government of Athens-Clarke County, Georgia, has other area offices within the boundaries of Athens-Clarke County, then the solid waste director shall have the authority to provide a bid to deliver the requested services to all of the customer's area offices.

(i) Commercial dumpster customers shall sign either a one-, two- or three-year service contract with Athens-Clarke County for collection services.

(Ord. of 4-4-95, § 1; Ord. of 7-5-95, § 2)

Sec. 5-2-10. Sale of loadable containers.

(a) Effective September 1, 1995, Athens-Clarke County shall no longer provide for the sale of loadable containers to customers receiving commercial collection services, within the confines of the Urban Service District as defined by section 7-301(a) of the Charter of the Unified Government of Athens-Clarke County, Georgia.

(b) There shall be a charge of \$15.00 per location for the relocation of dumpsters not owned or serviced by Athens-Clarke County.

(c) A minimum of \$20.00 shall be charged for steam cleaning and disinfecting dumpsters not owned by Athens-Clarke County.

(Ord. of 4-4-95, § 1; Ord. of 7-5-95, § 3)

Sec. 5-2-11. Commercial curbside collection fees.

(a) The monthly base fees for commercial curbside collection services for all customers receiving commercial solid waste collection services, within the confines of the Urban Service District as defined by section 7-301(a) of the Charter of the Unified Government of Athens-Clarke County, Georgia, shall be as follows:

TABLE INSET:

Class A	\$ 20.00
Class 1A	57.15
Class 1B	67.00
Class 2A	116.30
Class 2B	124.20
Class 2C	134.00
Class 3A	164.00
Class 3B	172.45
Class 3C	181.30
Class D	30.00

In addition, customers shall be required to purchase from the solid waste department, an official garbage bag in which to place their garbage for collection. The fee per bag shall be \$1.00 to cover the cost of purchasing the bag and the cost of disposing of the waste in said bag at the landfill.

The fee system includes a monthly base fee for the collection function and a disposal fee based upon the volume of waste collected. The base fee element of the system shall be based on the following customer classes:

Class A--Customers that have a need for solid waste collection service two times/week, Monday through Saturday. This service classification shall not be made available to restaurants or bars.

Class 1A--Customers that have a need for solid waste collection service one time/day, Monday through Saturday.

Class 1B--Customers that have a need for solid waste collection services defined in Class 1A plus one collection on Sunday.

Class 2A--Customers that have a need for solid waste collection services two times/day, Monday through Saturday.

Class 2B--Customers that have a need for solid waste collection services defined in Class 2A plus one collection on Sunday.

Class 2C--Customers that have a need for solid waste collection services defined in Class 2A plus two collections on Sunday. Restaurants serving lunch and dinner must subscribe to the Class 2C customer class.

Class 3A--Customers that have a need for solid waste collection services at three times/day, Monday through Saturday.

Class 3B--Customers that have a need for solid waste collection services defined in Class 3A plus one collection on Sunday.

Class 3C--Customers that have a need for solid waste collection services defined in Class 3A plus two collections on Sunday.

Class 4--Customers that have collection services provided by dumpster service. Such fees for this type service shall be based on the volume of the dumpster and the frequency of collection as set forth in section 5-2-9.

Class D--Residential customers, defined as either owners or tenants occupying a dwelling unit, excluding multifamily residences of 30 or more units, unless approved by the solid waste director, that have a need for solid waste collection service two times/week, Monday through Saturday.

- (b) Customers shall be charged \$1.00 per five-gallon container of cooking oil collected.
- (c) There shall be a minimum charge of \$35.00 per three-quarter-ton pickup truck load of materials collected by request of the customer as an unscheduled or special service, as herein defined.

The director of solid waste shall charge a customer for collection and disposal expenses associated with the removal of waste which does not comply with the solid waste ordinance or approved policies and procedures and shall charge a minimum of \$35.00 per three-quarter-ton load or part thereof for such collection and disposal expenses.

- (d) *Recycling services.* Recycling services shall be exempt from additional charges only if the customer properly registers for the service through the solid waste department. Customers who need unscheduled or special services who are not properly registered with the solid waste department shall be charged as set forth in section 5-2-11(c).

- (e) Any customer requesting a change in service level or collection schedule over and above the one "free" change allowed to each customer during a calendar year, shall be assessed a fee of \$10.00 per change.

- (f) Class D customers shall not be required to purchase official garbage bags for their solid waste; however, they shall be required to place their solid waste in the official garbage bags which shall be made available to them by the Athens-Clarke County Solid Waste Department in accordance with established policies and procedures.

(Ord. of 4-4-95, § 1; Ord. of 7-5-95, § 4; Ord. of 6-3-97, §§ 1--4; Ord. of 7-1-97, § 1; Ord. of 7-3-97, § 2; Ord. of 8-3-99, § 2; Ord. of 7-2-2002, §§ 1, 2)

Sec. 5-2-12. Service billing--Commercial.

Fees paid for routine services provided to commercial customers by the solid waste department shall be billed on a monthly basis on the customer's water bill. If it is determined that a proprietor, tenant or owner of a structure does not receive a water bill, then it shall be billed separately by the water business office. In the event unscheduled services are requested, charges for those services shall be applied to the next monthly bill or by separate billing. The administration and collection of garbage fees on water bills shall be coordinated between the solid waste department and other appropriate departments.

(a) *Payment for services.* Payment for services shall be as follows:

(1) Those food service establishments using bags to dispose of solid waste shall be assessed fees as set forth in section 5-2-11.

(2) Hotels, professional buildings, bank buildings, apartments, condominiums, and other multiple tenant structures in the downtown business district that offer garbage services or janitorial services as part of their lease, rental or association agreement shall be assessed a monthly fee in accordance with section 5-2-11. The fee shall be prepaid by the individual or entity who is responsible for the structure's water bill. Multiple unit structures that are not managed or maintained by a central agency will be individually assessed the minimum monthly fee per unit as set forth in section 5-2-11. A multiple tenant structure which is serviced by an Athens-Clarke County dumpster shall be assessed fees in accordance with section 5-2-9 or 5-2-10, whichever is applicable.

(3) Other businesses that use approved bags as their primary means of disposing of refuse shall be billed as set forth in section 5-2-11.

(b) *Penalty; discontinuance of service for nonpayment; liens.* Any customer who fails to make payment of the charges by the due date as determined by the water business office shall pay, in addition to the amount of the charge, a penalty of 10 percent of the amount of said charge. Said penalty shall also be applied to all prior unpaid accounts and on any prior penalties resulting therefrom.

(Ord. of 4-4-95, § 1)

Sec. 5-2-13. Collection personnel.

The following provisions apply to garbage and refuse collection personnel employed by the solid waste department:

- (a) Collectors shall not be permitted to enter any residence or commercial establishment in the performance of their duties even at the request of the customer.
- (b) Collectors shall not accept, money or other things of value in exchange for the performance of extra services.

(Ord. of 4-4-95, § 1)

Sec. 5-2-14. Customer service provisions generally--Commercial and residential customers.

All persons receiving solid waste collection services and those providing self-service shall comply with the following provisions:

(a) *Location of receptacles.* At the time of scheduled collection, receptacles shall be located no more than 150 feet from the curb or road edge with a hard surface leading to them, unless the franchisee contractually agrees to a different distance. Other than on scheduled collection days, receptacles shall not be located within the public right-of-way nor at any other locations readily visible from such public right-of-way.

All items placed within the public right-of-way by any person must be contained in an approved receptacle unless otherwise authorized by law and/or service standards approved by the solid waste director.

(1) *Access to receptacles.* Receptacles shall be placed in a location where they are accessible to collectors. Receptacles blocked by vehicles or located too close to private property whereby damage could result may not be serviced.

(2) *Below ground receptacles.* Collection from below ground receptacles is prohibited.

(3) *Reasons to deny routine service.* In the event services are denied, the service provider will post a notice on or near refuse receptacles. Services may be denied for reasons including, but not limited to, the following:

- a. Gates are locked;
- b. Gates are wired or tied shut;
- c. One or more dogs are loose in the yard or tied too close to the receptacle;
- d. Receptacles are filled with liquid;
- e. Receptacles have sharp edges, broken handles or should otherwise be replaced; or
- f. Receptacles contain prohibited items.
- g. Customers in violation of parts of this chapter or other ordinances, operating policies or regulations.

(b) *Prohibited items.* Certain items, by their nature, prohibit disposal or collection by ordinary or routine means due to their size, weight, volume, bulk, putrescibility, injurious or hazardous characteristics. The following is a nonexclusive list of the type of items that shall not be collected by the service provider as part of its routine service. Placement of these items or similar items in receptacles serviced by the provider is prohibited:

- (1) Household or industrial appliances and furniture;
- (2) Carpets or carpet scraps;
- (3) Tires;
- (4) Wooden crates or cardboard boxes that have not been collapsed or flattened;
- (5) Logs or limbs;
- (6) Bed springs;
- (7) Rock, dirt, concrete blocks or other construction and demolition waste;
- (8) Liquids of any type not in a sealed container;
- (9) Wet garbage not in a waterproof bag;
- (10) Household solid waste not in an approved bag;

(11) Vehicle batteries;

(12) Toxic, caustic, infectious, contagious, explosive or otherwise hazardous waste:

a. The service provider shall not collect nor handle toxic, contagious, explosive or otherwise hazardous waste for disposal. Such waste shall be disposed of in accordance with federal, state and local laws and procedures.

b. It shall be a violation of this chapter for any person to dispose of toxic, caustic, contagious, explosive or otherwise hazardous waste in receptacles of any type without the knowledge and approval of collection service.

(13) Leaf and limb materials as defined in this chapter.

a. It shall be unlawful for any person to place or mix leaf and limb materials with solid waste within Athens-Clarke County.

(c) *Maintenance of receptacle and area surrounding.* Owners, occupants, agents and, when appropriate, service providers are responsible for keeping receptacles in a serviceable condition, reasonably clean and free of decaying matter, and placed in such a manner as to not interfere with the routine utilization of the right-of-way. The solid waste director at his discretion may designate locations for, or deny the placement of, receptacles to better facilitate the use of public rights-of-way. The area surrounding receptacles shall be free and clear of accumulations of refuse. Where two (2) or more occupants, owners or agents share the same receptacle, it shall be the joint responsibility of all of the users to maintain the area surrounding the receptacle. Maintenance of receptacles shall be the responsibility of the owner of the receptacle.

(d) *Removal of tenant property.* Owners or agents of the owner shall be responsible for items removed from real properties rented or leased to others and placed in residential yards, rights-of-way, or adjacent commercial structures. Fees levied for the removal of such items shall be the responsibility of the owner or authorized agent.

(e) *Dead animals.* The property owner may elect to have the franchisee collect a dead house pet or other small animals. In such case, the dead house pet or other small animals shall be put into a plastic bag by the customer, placed at the curb, and shall be collected by the franchisee. Such service shall be on an on-call basis during regular operating hours, considered a special service, and may be subject to additional fees.

(f) *Disposal of vehicle parts or junked vehicles.* The franchisee reserves the right to deny pickup and disposal of vehicle parts or junked vehicles.

(g) *Unauthorized disposal.* Placement of commercial or residential solid waste, recyclable materials, leaves, limbs, or other materials by any person in the receptacle of another is prohibited without the express permission of the owner or other person in lawful possession of said property. This provision includes, but is not limited to, the unauthorized disposal of commercial or residential materials as noted above in public waste or recycling cans or dumpsters.

(h) *Unscheduled service.* Items (1), (2), and (4) through (6) of subsection (b) above and leaf and limb materials, as defined in this chapter, may be disposed of by calling the franchisee and making an appointment to have said materials removed at the customer's expense on a cost-of-service basis. This service shall classify the requester as a special customer, and permits the franchisee the right to accept or refuse service. Items to be collected shall be placed next to the customer's refuse receptacle or another location that meets with the approval of the franchisee and the director.

(i) *Separating targeted materials from solid waste.* The owner of each residential, commercial, institutional and industrial property within Athens-Clarke County electing to participate in recycling activities shall be responsible for keeping targeted materials separate from solid waste generated on their premises and properly preparing them for recycling

(j) *Unlawful dumping.* No person shall deposit or cause to be deposited, nor sort, scatter, throw, drop or leave any solid waste, hazardous waste, banned materials, construction or demolition debris, leaf and limb materials or recyclable material, as herein defined, upon or into any street, right-of-way, alley, or other public or private property within Athens-Clarke County.

(k) *Accumulation of refuse.* No owner or occupant of any establishment shall permit the accumulation of solid waste upon any premises for a period in excess of 15 days.

(l) *Composting and recycling.* Leaf and limb materials may be accumulated indefinitely for composting or other processing purposes in a manner that will not harbor rodents or become a public nuisance. Source-separated recyclable material may be accumulated indefinitely in a manner that will not become a public nuisance for the purpose of and in a form acceptable for transport and delivery to a recycling facility.

(m) *Preparation of materials.* Franchisee may require that solid waste be contained in receptacles.

(n) Any property owner who has had three or more illegal dumping violations on the property by a third party within a five-year period must post "No Dumping" signs provided by the Athens-Clarke County Solid Waste Department on the affected property at each point of vehicular access to the property. Said signs must comply with the sign ordinance and must be placed on the property so that the signs are clearly visible to the public from the points of access.

(Ord. of 4-4-95, § 1; Ord. of 10-1-96, §§ 1, 2; Ord. of 10-2-2001, § 1)

Sec. 5-2-15. Same--Residential customers.

(a) *Owner responsibility.* Owners of owner-occupied dwellings and owners and tenants of tenant-occupied single-family, duplex, and four-plex dwelling units are responsible for compliance with the provisions set forth for all customers and those set forth below. Owners shall ensure their tenants are informed of tenant responsibilities regarding the temporary storage of solid waste, maintenance of receptacles and areas surrounding receptacles, scheduled routine services, and reasons for noncollection.

(b) *Residential backyard service.* Residential customers who receive backyard garbage service from the solid waste department shall provide approved garbage cans, roll-carts or bags as defined in this chapter. A number of receptacles adequate to hold refuse normally accumulating between scheduled collection shall be provided on each premise by either the customer, or the franchisee, for collection by the franchisee. All containers for residential service shall be located in one (1) place for each dwelling unit.

(c) *Residential curbside service.* Residential customers who receive curbside garbage service shall be either provided with approved garbage cans, roll-carts or bags by their franchisee or shall provide themselves with approved garbage cans, roll-carts or bags as defined in this chapter. A number of receptacles adequate to hold refuse normally accumulating between scheduled collection shall be provided on each premises by either the customer, or the franchisee, for collection by the franchisee. All containers for residential service shall be located in one (1) place for each dwelling unit.

(Ord. of 4-4-95, § 1)

Sec. 5-2-16. Same--Commercial customers generally.

Persons responsible for compliance with this chapter shall be the local manager in charge of the operation of the enterprise or the local manager in charge of the multifamily dwelling at the customer's location and, when appropriate, the manager of the service provider. In addition to restrictions and requirements otherwise applicable to all customers, the following provisions shall apply:

(a) *Services.* Services shall be determined by the following factors: Type of waste, volume of waste, location, type of commercial enterprise, accessibility of receptacles, environmental impact of receptacles, topography, and efficiency. The franchisee shall provide information regarding the types of services available or required for the customer's location based upon requirements outlined in this chapter.

(1) *Dumpster service.* Commercial customers who utilize dumpster service shall comply with the following requirements for dumpster sites and dumpster enclosures.

a. *Dumpster screening.* All dumpsters must be screened from view of the public right-of-way. Screening walls may be used to conceal the containers and assist in controlling any loose debris which surrounds the dumpsters.

b. *Dumpster sites.* Each solid waste dumpster shall be placed on a raised concrete pad; minimum size 8' x 12'. The pad shall be at least six (6) inches thick. Concrete shall be 3,000 psi test strength. There must be a minimum three-foot clearance between the container and the screening wall. There shall be a clear and level loading area (nine (9) feet wide and 25 feet long) with an approximately 50-foot turning radius in front of each container for the use of the servicing vehicle. There shall be a minimum of 25 feet of vertical clearance above the dumpster pad.

c. *Dumpster enclosure.* If gates are installed, they must be opened by the customer on scheduled pickup days.

d. *Prohibited areas.* A dumpster shall not be located within ten (10) feet of a public right-of-way.

e. *Dumpster permit.* Commercial establishments must apply for a permit for dumpster placement that meets all of the requirements of this chapter from the Athens-Clarke County Solid Waste Department and must provide the franchised hauler with a copy of the signed permit from the Athens-Clarke County Solid Waste Department prior to dumpster placement.

(2) *Receptacle service.* Receptacle services may be provided to customers who are not, or cannot be, serviced by a dumpster. This restriction includes, but is not limited to, multifamily dwellings where dumpster servicing vehicles cannot safely operate.

a. *Approved locations for receptacles.* Receptacles shall not remain at curbside or roadside for any purpose other than scheduled pickup. At times other than scheduled collection times, receptacles shall be located in storage areas designated by the franchisee and approved by the director. Storage areas of receptacles for new or rebuilt structures shall be designated by the franchisee and approved by the director. A new or rebuilt structure shall not be approved for occupancy or business operation until adequate measures have been taken to accommodate refuse storage and collection as set forth in section 5-2-53.

b. *Collection service.* Customers receiving receptacles service, who desire service on scheduled collection days, shall position their container(s) at the curb or edge of the roadway on scheduled collection days, and remove them after collection. Receptacle removal shall be within eight (8) hours for those customers receiving daily service, and 12 hours for all other customers. Commercial customers may be exempted from moving their receptacles, with the approval of the solid waste director, for the following reasons:

1. The solid waste director determines that the receptacles can be more efficiently serviced if they remain within a designated area.

2. All individuals residing in a particular dwelling unit of a multifamily structure having the demonstrable inability, due to age or physical handicap, to move the receptacle to the roadway or street.

(3) *Bag service--Downtown Tax/Central Business District.* Those commercial and residential customers who cannot receive other garbage pickup or disposal service due to their location, availability of space for receptacles, or other reasons of serviceability may, with the permission of the solid waste director, deposit their refuse in approved bags for collection by the franchisee authorized by the mayor and commission to provide such service in the Downtown Tax District. Bags shall be securely tied or wired closed and not weigh more than 40 pounds. Scheduled collection of refuse from the curb shall occur on a predetermined schedule set forth in established policies and procedures. Authorized receptacles shall not accumulate, block parking meters, or otherwise clutter walkways during other than collection periods. Each business shall designate an area, approved by the solid waste department, for the storage of any authorized receptacles prior to collection in accordance with this chapter and established policies and procedures.

a. For the purpose of this chapter, the downtown business district shall be defined as that area in Athens-Clarke County, Georgia, described as follows: Beginning at the intersection of Dougherty Street and Pulaski Street; running thence east on Dougherty Street to Thomas Street; running thence south on Thomas Street to Strong Street; running thence east on Strong Street to Foundry Street; running thence south on Foundry Street to Oconee Street; running thence northwest on Oconee Street to South Thomas Street; running thence south on South Thomas Street to Fulton Street; running thence west on Fulton Street to South Jackson Street; running thence north on South Jackson Street to East Broad Street; running thence west on East Broad Street to Pulaski Street; running thence north on Pulaski Street to the intersection of Pulaski Street and Dougherty Street, the beginning point.

(b) *Specific commercial customers:*

(1) *Food service establishments:*

a. Restaurants or food concession businesses shall have collection by the authorized franchisee a minimum of three (3) times per week, and such businesses shall store all wet garbage and food in authorized waterproof bags for collection. Failure to provide waterproof bags shall permit the franchisee to discontinue service after written notice to such establishment, and where applicable, copy the director of the solid waste department.

b. Used cooking grease, oil and other liquids, semiliquids and solids of this nature shall be disposed of through private contract, self-disposal or through special collection by the franchisee on a cost-of-service basis. No person shall dispose of wastes of this nature in the sewer system of Athens-Clarke County. Such wastes, if collected by the franchisee, shall be properly sealed by the customer in approved five-gallon disposable containers. Customers who dispose of such wastes themselves or through private contract shall take similar or other appropriate preventive actions to ensure such wastes do not spill on Athens-Clarke County sidewalks, streets or roadways while being transferred to a collection vehicle or while being transported to an appropriate disposal facility.

Customers or other persons responsible for local management of the food service establishment shall not allow waste residue from transfer containers to accumulate on walkways or streets where they may endanger the safety of pedestrian or vehicle traffic. No grease-holding containers shall be placed on the public right-of-way at any time.

c. All food service establishments shall:

1. Place all garbage in approved disposable containers, securely closed, before placing garbage in the authorized receptacles or in a predesignated area approved by the franchisee and the solid waste director as set forth in established policies and procedures.
2. Not use bags as a final means of storing garbage except where there is scheduled daily pickup and except where used with volume reducing equipment. Such container shall be watertight, securely closed, and shall not exceed 40 pounds when filled.
3. Dispose of wastes that result from cleaning solid waste receptacles into a sanitary or combination sewer or provide such other alternatives, as approved by the Clarke County Health Department that are capable of maintaining a sanitary condition.

(2) *Hospital, clinics or undertakers' shops.* It shall be unlawful for any person to dispose of soiled lint, cotton or bandages or infectious wastes or refuse of any character whatsoever from any hospital, sanitarium, infirmary, clinic or undertakers' establishment or funeral parlor, whether public or private, in any manner, except in accordance with established regulations approved by the State of Georgia, Department of Natural Resources, Environmental Protection Division.

(3) *Industrial enterprises.* The production of industrial waste and other wastes, both putrescible and nonputrescible, shall cause the producers thereof to be classified as a special customer. Solid waste generated at industrial facilities that is not industrial waste as defined herein, shall be subject to all applicable provisions of this chapter. Alternative service and methods of storage, handling and disposal of such waste shall be subject to the approval of the solid waste director on an individual basis. Industrial waste is exempt from the provisions of this chapter, provided that the handling of such waste is done in accordance with applicable environmental and public health regulations and codes.

(Ord. of 4-4-95, § 1; Ord. of 7-5-95, § 5; Ord. of 7-2-96, § 1; Ord. of 7-6-99, § 1; Ord. of 8-3-99, §§ 3--5; Ord. of 7-2-2002, § 3)

Sec. 5-2-17. Other commercial activities.

(a) *Privately contracted collectors and others.* Privately contracted collectors engaged in providing refuse, leaf and limb, collection services in addition to those services provided by a franchisee for commercial or residential customers within Athens-Clarke County, who are located outside or within Athens-Clarke County and use Athens-Clarke County streets or roadways, and self-haulers shall:

- (1) Comply with local, state and federal rules and regulations regarding the storage, handling, transporting and disposing of solid waste and other materials.
- (2) Dispose of waste materials only at landfills permitted by the Environmental Protection Division (EPD) of the Georgia Department of Natural Resources when disposing solid waste within the State of Georgia. The transfer of any refuse into receptacles serviced, or onto property within Athens-Clarke County is prohibited.
- (3) Operate only approved refuse transportation vehicles designed or modified to prevent debris from dropping or blowing away, and sealed to prevent waste liquids from spilling on the streets.
- (4) Obtain any other permits required by law.

(b) *Construction/demolition contractors:*

- (1) The property owner or owners and the prime contractor in charge of a construction-site and/or demolition-site shall be required to furnish solid waste and/or recycling containers for solid waste and/or recovered materials produced by construction and by workers. All solid waste from construction, demolition or related activities shall be picked up and placed in containers by the end of each workday. Provided, however, that construction material and debris which cannot be blown away by wind or blown or carried away by any other natural force shall not be affected by this provision until completion of said construction or demolition.
- (2) No material shall be collected by the franchisee resulting from construction, remodeling or demolition of buildings, or any mixtures of solid wastes containing building materials, including floor and carpet scraps.
- (3) No debris from burned houses or their contents shall be collected by the franchisee.
- (4) The location of bulk containers used at construction/demolition-sites shall meet with the approval of the solid waste director and the building inspector.

(c) *Scavengers.* It shall be unlawful for any person to operate as a scavenger within Athens-Clarke County. Unauthorized removal of recyclable materials from containers provided for the temporary storage or collection of such materials shall be deemed to be unlawful.

(d) *Special events.* Persons requesting the use of public streets and sidewalks for the purpose of special events shall meet the requirements set forth in title 6, chapter 5 of this Code.

(e) *Street vendors:*

- (1) Street vendors shall be required to purchase in advance, from the solid waste department, a minimum quantity of two (2) official garbage bags per week for every week they anticipate they will be in business for the proper disposal of their solid waste. The fee shall be \$1.00 per bag to cover the cost of purchasing the bag and the cost of disposing of the waste in said bag at the landfill.
- (2) Street vendors shall also be required to register for commercial curbside collection services through the franchisee authorized by the mayor and commission to provide such service in the Downtown Tax District.

(f) *Privately contracted leaf and limb collectors/service providers.* Privately contracted leaf and limb collectors engaged in providing leaf and limb collection services, whether or not they are in addition to those services provided by a franchisee for commercial or residential customers within Athens-Clarke County, and who are located outside or within Athens-Clarke County and who use Athens-Clarke County streets or roadways and who desire to be placed on Athens-Clarke County's list of approved leaf and limb collectors shall be required to adhere to the following criteria:

(1) *[Application.]* Every person desiring to engage in the collecting, transporting, delivering or disposing of leaves and limbs generated by another person within Athens-Clarke County shall make written application to the solid waste department on forms prescribed by the solid waste manager.

(2) *[Occupational tax certificate required.]* Service providers shall possess a valid occupational tax certificate.

(3) *[Capability.]* Service providers shall be capable of collecting leaves, limbs, grass clippings, pine straw and other leaf and limb material as defined in this chapter.

(4) *[Name and address of disposal facility.]* Service providers shall be required to provide Athens-Clarke County with the name and address of their principal disposal facility for the leaf and limb materials.

(5) *[Estimates for services.]* Service providers shall be required to provide an estimate for services if requested by the customer.

(6) *Responsibility of service providers regarding debris and fluids.* It shall be the responsibility of any service provider collecting leaf and limb materials from the right-of-way to sweep or otherwise remove all debris located on the public right-of-way prior to leaving the collection site.

(7) *Insurance.* It shall be unlawful for any operator of any leaf and limb collection service to fail to maintain the proper insurance as required in this chapter. Each leaf and limb service provider shall provide to the solid waste department proof of insurance as set forth in section 5-2-28 of this Code.

(8) *Availability.* All service providers shall be required to provide a listed phone number, business address and be open during normal business hours.

(9) *Disposal standards.* Service providers shall be required to dispose of all leaf and limb material at construction and demolition debris landfills, inert landfills or composting or mulching facilities in accordance with title 12, chapter 8 of the O.C.G.A.

(Ord. of 4-4-95, § 1; Ord. of 7-5-95, § 6; Ord. of 7-2-96, § 1; Ord. of 9-3-96, § 1; Ord. of 7-1-97, § 2; Ord. of 7-6-99, § 1)

Sec. 5-2-18. Disposal of needles.

(a) Any person that uses disposable needles shall be required to dispose of these in containers that are rigid, puncture-resistant and leakproof, and which are taped closed or tightly lidded to completely contain the contents therein and prevent any spillage. Said containers shall be set aside from other household garbage for pick up by the franchisee. This section shall apply only to persons residing in single-family dwelling units and single-family residential premises.

(b) Notwithstanding subsection (a) hereinabove, it shall be unlawful for any person to dispose of infectious wastes, disposable scalpel blades, needles and other sharp objects in any dumpster or any other container of solid waste which is serviced by any franchisee.

(Ord. of 4-4-95, § 1)

Sec. 5-2-19. Disposal of garbage generally.

(a) No person shall unlawfully empty, dump or otherwise place any trash, tin cans, garbage, rubbish, dead animals or other discarded personal property upon the right-of-way of any public road in Athens-Clarke County or upon the lands of another.

(b) Any person removing a wrecked or damaged vehicle from a highway shall remove all glass or other injurious substances dropped upon the highway from such vehicle.

(c) No person shall haul, convey or transport in any manner, trash, rubbish, garbage or waste matter in any form over and along the streets, highways and other public places upon trucks, carts, cars or other modes of transportation without having such trash, rubbish, garbage or waste tightly covered with a canvas tarpaulin, or other equally suitable material, to prevent littering the streets, highways or other public places of the county. Asphalt and baled or containerized waste matter are exempted from this cover provision.

(Ord. of 4-4-95, § 1)

Sec. 5-2-20. Abandonment of personal property within public rights-of-way.

Whenever personal property remains on the streets and sidewalks within public rights-of-way within the confines of Athens-Clarke County for more than 96 hours, said property shall be deemed to be abandoned and shall be disposed of by the appropriate department.

(Ord. of 4-4-95, § 1)

Sec. 5-2-21. Responsibility of franchisees generally.

All franchisees and their customers shall be required to adhere to the collection schedules set out in this chapter.

(a) No person shall engage in the business of collecting, transporting, delivering or disposing of solid waste, other than industrial waste, generated by another person within Athens-Clarke County without first obtaining a franchise, unless considered a self-hauler under this chapter.

(b) Every person desiring to engage in the collecting, transporting, delivering or disposing of solid waste, other than industrial waste, generated by another person within Athens-Clarke County shall make written application to the solid waste department on forms prescribed by the solid waste director.

(c) Franchisees must comply with this chapter as well as any policies and/or procedures, including the provision of recycling collection to all who receive collection of solid waste.

(d) In addition to any other permit required by Athens-Clarke County, all persons now or thereafter engaged in the business of the collection or transportation of solid waste, other than industrial waste, in Athens-Clarke County shall annually apply for a franchise to operate such business. The application shall be filed with the solid waste department and a franchise shall not be issued until the solid waste department has approved the application in writing.

(e) No franchise shall be issued or renewed except upon a written application available from the solid waste department in a form prescribed by Athens-Clarke County and setting forth such facts as Athens-Clarke County may deem appropriate, including, but not limited to the franchise application information outlined in established policies and procedures.

(f) Maintaining passage on public streets. Franchisees shall, to the greatest extent practicable, avoid stopping collection vehicles so as to block the passage of other vehicles and pedestrians on public streets and sidewalks.

(g) Labeling receptacles with the normal day of collection. Franchisees shall affix to each receptacle used for curbside, recycling or rollcart service a label at least three inches by five inches in size with the normal day of collection stated thereon in lettering at least 2 1/2 inches high and affixed thereto so that the label is clearly visible from the road.

(Ord. of 4-4-95, § 1; Ord. of 10-2-2001, § 1)

Sec. 5-2-22. Franchisees; billing and fees.

(a) The franchisee shall set equitable fees for comparable collection services and charges for commercial and residential collection and removal services shall be charged to the owners of the real property served, except that by requesting services, any tenant may become jointly bound to pay same.

(b) At the time of initial application for a franchise, an application fee of \$100.00 shall be paid to Athens-Clarke County. Said application fee shall be nonrefundable.

(c) A franchise fee of \$1.00 shall be paid to Athens-Clarke County for each franchise decal received. Said decal shall be purchased annually.

(d) At the time of the renewal of the franchise, a renewal fee of \$50.00 shall be paid to Athens-Clarke County.

(Ord. of 4-4-95, § 1)

Sec. 5-2-23. Requirements; conditions of franchisee.

(a) *Condition for franchise.* It shall be a condition of each franchise that the franchisee shall comply with all the following:

- (1) All provisions of this chapter, and the policies and/or procedures promulgated under authority of this chapter.
- (2) All applicable federal, state, county and local laws, statutes, rules and regulations, including but not limited to those pertaining to the collection, transport, delivery or disposal of solid waste generated within Athens-Clarke County.
- (3) All applicable provisions of the Athens-Clarke County Unified Government Solid Waste Plan as required under the Comprehensive Solid Waste Management Act of 1990 (O.C.G.A. § 12-8-20 et seq.) and any agreements regarding inter-county transport of solid waste authorized or restricted by the Unified Government of Athens-Clarke County and other counties.

(b) *Residential service.* The franchisee shall provide, or arrange to provide through subcontract, weekly collection services for solid waste and biweekly collection services for recyclable materials on the Targeted Materials List.

(c) *Commercial service.* The franchisee shall provide, or arrange to provide through subcontract, collection services for solid waste and recyclable material on the Targeted Materials List. The collection services shall be at a frequency that meets the customers needs in accordance with established policies and procedures developed by the solid waste department.

(d) *Fees for service.* Fees for services shall be charged to customers on a volume-based fee system basis.

(e) *Annual reports.* Any annual reports required hereunder or set in established policies and/or procedures shall be filed with the solid waste department at the time of their franchise renewal or September 1, or whichever comes first.

(f) *Denial of franchise.* The solid waste department may deny the issuance of the franchise for any of the following reasons:

- (1) Failure of the applicant to comply with this chapter.
- (2) Violations of this chapter or any other applicable federal, county and local laws, statutes, rules and regulations, including, but not limited to, those pertaining to the collecting, transporting, delivering or disposing of solid waste generated within Athens-Clarke County.
- (3) Prior criminal convictions in connection with solid waste collection, processing and disposal activities in the last 10 years (other than minor traffic offenses) by the applicant, its subsidiaries or its parent company or prior license revocation(s) by the applicant, its subsidiaries or its parent company.
- (4) Misrepresentations of any material fact in the application for the franchise.

(Ord. of 4-4-95, § 1; Ord. of 6-3-97, § 3)

Sec. 5-2-24. Franchisees--Termination of franchise.

(a) Franchises may be terminated by mutual agreement of Athens-Clarke County and the franchisee at any time. Franchisees may terminate franchises by giving 60 days' notice to the director of the solid waste department and furnishing evidence to the director that all unused payments from customers have been refunded. The department shall make said evidence available to any aggrieved customer of said franchisee, but Athens-Clarke County shall have no liability to any such customer for failure of any franchisee to comply with its contractual obligation to its customers.

(b) Franchises are nontransferable.

(Ord. of 4-4-95, § 1)

Sec. 5-2-25. Revocation of franchise.

Athens-Clarke County shall have the right to revoke the franchise of any person that fails to abide by any provision of this chapter and any policies and procedures authorized hereunder. Before revocation of a franchise, the solid waste department shall inform the applicant of its intention and provide the applicant with an opportunity to be heard before the administrative hearing officer (AHO) after which the AHO shall make its final decision. Prior revocation of a franchise shall be sufficient grounds for refusal to certify any future application by such franchisee.

(Ord. of 4-4-95, § 1)

Sec. 5-2-26. Vehicle requirements.

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

(1) *Weight and size.* Vehicles and containers shall meet all requirements of the Georgia Department of Transportation for highway safety and local ordinances governing weight and size for the streets which must be traveled for collection. If deemed necessary, then vehicles may be subject to unannounced inspection by Athens-Clarke County officials.

(2) *Enclosed vehicles.* Vehicles used for the collection or transportation of solid waste shall be enclosed at all times, except during the loading and unloading thereof so as to prevent the contents from falling, leaking, or blowing out of the trucks and shall be enclosed, weather-tight, substantially leakproof, easily cleanable and constructed of durable metal.

(3) *Audible alarm.* All vehicles used for the collection or transportation of solid waste shall have an operating audible alarm which sounds when any such vehicle backs up or is in reverse.

(4) *Emergency lights.* All vehicles used for the collection or transportation of solid waste shall have an operating, flashing or revolving amber light mounted near the top of the vehicle and visible from its rear. All franchisees shall comply with any corresponding state or federal laws or regulations.

(5) *Discharge of load.* All vehicles used for the collection or transportation of solid waste shall be able to rapidly discharge its load within a 15-minute time period at any Athens-Clarke County operated disposal facility.

(6) *Exempt equipment.* The following solid waste collection equipment shall be exempt from the vehicle requirements enumerated in subsection (a)(2) above; provided, however, that nothing in this section excludes compliance with all other vehicle requirements specified by this chapter:

- a. Roll-off equipment;
- b. Leaf, limb, or brush collector equipment;
- c. Knuckle-boom picker equipment;
- d. Open-top equipment; or
- e. Transfer trailer.

(Ord. of 4-4-95, § 1)

Sec. 5-2-27. 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:

- (a) The identity and telephone number of the franchisee on both sides of the vehicle displayed by letters or characters at least three (3) inches in height; and
- (b) A franchise decal placed conspicuously on the front windshield of each vehicle.
- (c) Registration of and title to the vehicles shall be in the name of the franchisee or a leasing agent with a duly authorized power of attorney issued in the name of the franchisee.
- (d) Franchisees shall provide an adequate number of vehicles for regular collection services.

(Ord. of 4-4-95, § 1)

Sec. 5-2-28. Insurance.

(a) At the time of the submission of a signed franchise agreement, and annually thereafter, each franchisee shall provide to the solid waste department proof of insurance as follows:

(1) Statutory workers' compensation insurance.

(2) Reserved.

(3) Vehicle liability:

a. \$100,000.00 limit per person.

\$300,000.00 per occurrence for bodily injury.

\$100,000.00 property damage.

(b) Umbrella liability insurance coverage at least as broad primary coverage in an amount of \$1,000,000.00.

(c) No cancellation, nonrenewal or lapse in coverage of insurance shall be effective until the expiration of 10 days' notice of intended cancellation, nonrenewal or lapse in coverage has been given in writing to the director of solid waste by registered mail or personal delivery of the notice. It shall be a requirement under this chapter that this be a provision of and a part of any insurance policy submitted under this chapter.

(Ord. of 4-4-95, § 1; Ord. of 12-3-96, §§ 1, 2; Ord. of 3-4-97, § 1)

Sec. 5-2-29. Opportunity to recycle.

(a) All franchisees shall offer to their residential and commercial customers alike the option of having their recyclable materials collected at least biweekly. Recyclable materials to be collected shall include those on the Targeted Materials List.

(b) All franchisees shall offer an appropriate container for those residential or commercial customers opting for this recycling service. Any franchisee providing such a container to any such customer may charge a fee for such container.

(c) In no event shall any of the recyclable materials collected pursuant to this optional recycling service be disposed of in any landfill, unless rejected by the market due to unacceptable levels of contamination.

(d) Other than on scheduled collection days, recycling receptacles shall not be located within the public right-of-way nor at any other locations readily visible from such public right-of-way.

(Ord. of 4-4-95, § 1; Ord. of 6-3-97, § 2)

Sec. 5-2-30. Hours of collection.

(a) No person or entity shall engage in the residential collection of any solid waste or recyclable materials from dumpsters, containers, or receptacles of any kind or type except during the hours of 7:00 a.m. until 9:00 p.m. unless performing emergency work to safeguard the immediate health, safety and welfare of the public.

(b) No person or entity shall engage in the commercial collection of any solid waste or recycling from dumpsters, containers, or receptacles of any kind or type except during the hours of 7:00 a.m. until 11:00 p.m., with the exception of commercial curbside collection activities in the Central Business District performed by the Athens-Clarke County Solid Waste Department, unless performing emergency work to safeguard the immediate health, safety and welfare of the public.

(c) The director of solid waste is hereby authorized to review and approve alternate collection hours in accordance with established policies and procedures.

(Ord. of 4-4-95, § 1; Ord. of 5-6-97, § 1)

Sec. 5-2-31. Franchisees and self-haulers generally.

(a) Any person residing or doing business in Athens-Clarke County or Oglethorpe County shall be allowed to use the landfill subject to the provisions set out in the contract between Athens-Clarke County and Oglethorpe County for use of the landfill dated August 5, 1992, a copy of which shall be made available for public inspection in the office of the clerk of commission.

Any persons residing or doing business in Oconee, Greene, or Madison Counties or the cities of Union Point or Greensboro shall be allowed to use the landfill subject to the provisions set out in the individual landfill usage agreements dated April 6, 1994, between Athens-Clarke County and Oconee, Greene, and Madison counties and the cities of Union Point and Greensboro, a copy of which shall be made available for public inspection in the office of the clerk of commission.

(b) All garbage and refuse shall be dumped in the area designated by an attendant on duty or by appropriate signs. All directional and speed limit signs shall be obeyed.

(c) No person shall move, remove or cross any fence or barrier or shall move, remove or disobey any sign at the landfill.

(d) The following materials shall not be disposed at any solid waste disposal facility having a liner and leachate collection system or requiring vertical expansion located within Athens-Clarke County:

- (1) Septic tank sludge and scum;
- (2) Live animals and fowl;
- (3) Automobiles and objects of similar size;
- (4) Burning or smoldering materials;
- (5) Inert wastes, leaf and limb material, and construction and demolition wastes as defined in this chapter.

In the event the Oglethorpe County Landfill is unable to accept the wastes set forth above, then the Athens-Clarke County Landfill may accept them for a period of time not to exceed 90 days.

- (6) Lead acid batteries;
- (7) Tires;
- (8) Paint;
- (9) All liquids;
- (10) Any container designed to hold liquids, unless lids are removed. Fifty-five (55) gallon drums are prohibited.
- (11) Any other material prohibited by the State of Georgia, Department of Natural Resources, Environmental Protection Division.

(e) No person shall set fire or burn solid waste at any designated disposal facility or disposal site.

(f) No person shall rummage through the solid waste at any designated disposal facility or disposal site. No person shall remove any solid waste material from the landfill.

(g) All prohibited materials delivered to the landfill shall be removed within 12 hours of notification. The cost of removing the materials will be at the customer's expense.

(h) All users of the landfill, except those considered self-haulers under this chapter, shall apply for a landfill permit as set forth in established policies and procedures.

(i) Discharge of load. All vehicles used for the collection or transportation of solid waste shall be able to discharge its load within fifteen minutes at any Athens-Clarke County operated disposal facility.

(Ord. of 4-4-95, § 1; Ord. of 10-1-96, § 3)

Sec. 5-2-32. Service collections; landfill; penalty.

(a) *Categories of landfill customers.* Landfill customers shall be categorized as follows:

(1) *Cash/check customer.* Landfill customers who pay as they use the landfill.

(2) *Contract users.* Landfill customers who are required to pay a deposit up front based on the estimated volume of waste to be landfilled in any given month. This deposit shall be monitored by the Landfill Manager and the customer notified when the deposit is close to being depleted.

(3) *Billing customer.* Landfill customers who use the landfill on a regular basis. In addition, as of September 1, 1995, new customer accounts established shall be required to post a security deposit equal to 10 percent of their estimated monthly volume of waste landfilled.

(b) *Billing customers.* If bill is not paid within 30 days of the due date, as determined by the finance department, a 10 percent penalty will be applied to the unpaid balance. For every additional month the balance is left unpaid, an additional one (1) percent per month will be applied to the unpaid balance.

(Ord. of 7-5-95, § 7)

Secs. 5-2-33--5-2-49. Reserved.

Sec. 5-2-50. Violations; schedule of fines.

(a) *Generally.* It shall be unlawful to dispose of any solid waste in Athens-Clarke County except as specified in this chapter.

(b) *General violations.* The minimum fines for the following violations shall apply to all private residences, business establishments, and private institutions within Athens-Clarke County.

(1) Placing prohibited items other than dangerous items in a trash receptacle for collection or disposal . . . \$25.00

(2) Placing a dangerous (toxic, caustic, contagious, explosive or otherwise hazardous) item in a trash receptacle for collection or disposal . . . 1,000.00

(3) Placing trash or garbage on the property of another or in the waste receptacle of another without permission . . . 25.00

(4) Dumping bulk trash or garbage on vacant lots or public roadway . . . 100.00

(5) Disposal of grease into the Athens-Clarke County sewer system by food service establishments resulting in blockage or back up of the system, plus Athens-Clarke County costs . . . 100.00

(6) Spillage of grease or cooking residue on sidewalks or roadways, or in public flower beds . . . 50.00

(7) Abandoning furniture or other items on the street . . . 100.00

(8) Overloading a dumpster . . . 25.00

(9) Placing a dumpster in unauthorized area . . . 50.00

(c) *Food service sanitation violations.* The minimum fines for the following violations shall apply to all food service establishments:

(1) Failure to have wet garbage removed at least three (3) times weekly . . . \$50.00

(2) Failure to dispose of putrescible garbage in approved bags . . . 25.00

(3) Failure to maintain clean dumpsters, roll carts or other receptacles . . . 25.00

(d) *Central Business District violations.* The minimum fines for the following violations shall apply to all businesses, institutions, and residences in the Downtown Business District:

(1) Disposing of garbage or trash in public waste receptacles meant for pedestrians . . . \$25.00

(2) Disposing of garbage or trash in front of the business establishment of another . . . 50.00

(3) Placing loose garbage on the sidewalk or street . . . 25.00

(4) Placing roll carts or bagged garbage on the street or sidewalk at other than established collection periods . . . 25.00

(e) *Specialty and contractor sanitation violations.* The minimum fines for the following violations shall apply to all specialty business such as medical, industrial, and contract refuse collectors:

(1) Disposal of medical, dental, clinic, or undertaker refuse other than required by ordinance . . . \$100.00

(2) Disposal of industrial or construction by-products in regular trash . . . 100.00

(3) Disposal of waste in other than an authorized landfill . . . 1000.00

(4) Transporting waste material in a vehicle not designed and/or not capable of containing it, resulting in the spillage of liquid or solid waste upon the public right-of-way . . . 500.00

(5) Operating and collecting refuse within Athens-Clarke County without a license . . . 500.00

(6) Scavenging . . . 100.00

(7) Spilling wet concrete or cement on roadway . . . 300.00

(Ord. of 4-4-95, § 1)

Sec. 5-2-51. Recyclable materials.

(a) *Term defined; separation of material required.* "Recyclable materials" are those items listed on the Targeted Materials List and any other material that Athens-Clarke County deems to be recyclable and adds to the Targeted Materials List. Recyclable materials shall be set at the curb on the designated collection days and properly placed in designated and approved collection containers supplied by the franchisee. Persons may also dropoff recyclable materials at approved Athens-Clarke County recycling dropoff stations, or sell or donate such materials.

(b) *Damage, removal, etc., of materials or containers prohibited.* It shall be unlawful to damage, alter or remove from the curbside or designated dropoff stations the recyclable materials or collection containers.

(c) *Fines for violations.* The minimum fines for violations of this section shall be as set forth below:

- (1) First offense . . . \$25.00
- (2) Second offense . . . 50.00
- (3) Each subsequent offense . . . 100.00
to 250.00

(d) *Rights of generator/owner.* Notwithstanding any other provisions of this chapter, Athens-Clarke County shall not require any generator or owner of recyclable or recovered materials to transfer any such materials to Athens-Clarke County, to its designee, or to any designated facility, unless the generator or owner of the recovered materials voluntarily makes those materials available to Athens-Clarke County or its designee and has relinquished any rights to or ownership of such materials. A person shall not be prohibited or prevented from selling, purchasing, accepting, conveying, or transporting any recovered materials for purposes of recycling those materials into a raw material or finished product, other than for use as a fuel or for purposes of disposal.

(Ord. of 4-4-95, § 1)

Sec. 5-2-51.1. Solid waste improvement fund.

(a) The manager is hereby authorized to reduce any and all recycling fees set out in title 5, chapter 2 of this Code and any and all recycling processing fees set forth in the materials recovery facilities contract between the currently established fees and zero dollars (\$0.00).

(b) The manager is required to advise the mayor and commission and the solid waste citizen advisory committee of said revisions, whenever possible, at least ten days prior to implementation but not later than five days after implementation.

(Ord. of 8-6-96, § 1; Ord. of 1-7-97, § 1; Ord. of 7-1-97, § 1; Ord. of 7-6-99, § 1)

Sec. 5-2-52. Landfill fee schedule.

The landfill rates shall be as follows:

(a) *Residential refuse:*

(1) Customers shall be limited up to six standard trash bags (20" × 40") of refuse per vehicle, per day and shall be assessed a fee of \$0.50 per trash bag.

(2) All unbagged loads of refuse, or bagged loads of refuse which exceed six standard bags per vehicle shall be assessed a fee at the rate of \$5.00 per vehicle. The \$5.00 fee per vehicle shall apply to all automobiles, including pickup trucks where the garbage does not extend above the normal, standard manufactured truck bed. This excludes loads of leaf and limb materials as defined in section 5-2-2.

(b) *Commercial solid waste and leaf and limb:*

(1) The landfill fee for solid waste and other refuse shall be \$34.00 per ton. When the scales are inoperable, then the fee shall be as follows:

Compacted . . . \$10.25 per cubic yard

Noncompacted . . . 3.90 per cubic yard

(2) Commercial customers shall be assessed \$14.00 per ton for all loads of leaf and limb materials, as defined in section 5-2-2. When the scales are inoperable, then the fee shall be \$3.50 per cubic yard.

(c) *Surcharges:*

(1) Customers shall be assessed a fee at the rate of \$34.00 per ton plus a \$25.00 surcharge per load for all nonhazardous manifested loads which the landfill manager shall properly validate.

(2) Customers shall be assessed a fee at the rate of \$34.00 per ton plus a \$40.00 surcharge per load plus \$1.00 per ton for any load which requires landfill personnel or equipment to assist in off-loading or any other special handling.

(3) Customers shall be assessed a fee at the rate of \$34.00 per ton plus a \$10.00 surcharge per load for all uncovered loads which the landfill manager or his/her designee shall properly validate. Customers will be provided with one tarp as part of this surcharge.

(d) *Other fees:*

(1) All commercial landfill customers, excluding residential users of the landfill, requesting to use the Athens-Clarke County landfill shall complete and apply for a landfill permit. These customers shall be assessed a fee of \$10.00 to process the application.

(2) Approved commercial landfill customers shall be required to exhibit a decal on each of their vehicles. These customers shall be assessed a fee of \$1.00 per decal per vehicle.

(3) The solid waste director shall have the authority to reduce the posted tipping fee on a case-by-case basis by the estimated value of any material relative to its use as intermediate cover or as an application to other landfill operations.

(e) *Residential recycling:*

(1) Customers shall be assessed a fee of \$1.75 per cubic yard for all loads of leaf and limb materials (as defined in section 5-2-2) to be mulched at the designated point within the landfill area.

(2) Customers who purchase mulch from Athens-Clarke County shall be charged a fee of \$7.00 per pickup truck or 1,000 pounds.

- (3) Customers shall be allowed to deposit the following materials at no charge at the recycling center locations located within the landfill area:

Commingled paper (includes the following items: newspaper, magazines, corrugated cardboard, office paper, junk mail, and textiles (bagged) in accordance with established policies and/or procedures).

Commingled containers (includes the following items: aluminum, glass, plastics numbered 1 and 2, steel, tin, or bimetal food or beverage cans, and aseptic/paperboard juice or frozen food packaging) in accordance with established policies and/or procedures).

Scrap metal (includes the following items: refrigerators, ranges, bicycles, etc.).

(Ord. of 4-4-95, § 1; Ord. of 7-5-95, § 8; Ord. of 7-2-96, §§ 1--3; Ord. of 6-3-97, §§ 1, 2; Ord. of 2-6-2001, § 1; Ord. of 4-2-2002, § 1)

Sec. 5-2-53. Building permits.

No building permit shall be issued for construction of any commercial structure, including a multifamily structure, unless or until arrangements for the storage of refuse and location of receptacles have been approved by the solid waste director.

(Ord. of 4-4-95, § 1)

Sec. 5-2-54. Violations.

- (a) Any person violating any provisions of this chapter shall be punished as set forth in section 1-1-5 of this Code.
 - (b) Upon conviction of any sanitation violation, any tenant, owner or resident manager who at that time has two (2) prior convictions for which fines have not been paid shall be subject to an additional \$100.00 penalty and suspension of any occupation tax certificate to operate within Athens-Clarke County, if the court so finds.
 - (c) In addition to fines and penalties, the court shall be authorized to assess actual costs for any removal of trash, garbage, or debris performed by the solid waste department.
- (Ord. of 4-4-95, § 1)