



Utilities Commission
Commission Meeting

Agenda

May 1, 2025
8:30 AM

CALL TO ORDER

MINUTES APPROVAL

March 6, 2025

April 3, 2025-Canceled

ADJUSTMENT JOURNAL

March 2025 Adjustment Journal-None

April 2025 Adjustment Journal-None

NEW BUSINESS

West End Sanitary Sewer Replacement Phase 1

*First Reading-An Ordinance Regulating Waste Haulers, Requiring Recycling Permits,
Mandating Annual Reports, and Ensuring Secure Hauling*

- First Reading

OLD BUSINESS

OTHER

City of Mount Vernon Ordinance No. 2025-XX

An Ordinance Regulating Waste Haulers, Requiring Recycling Permits, Mandating Annual Reports, and Ensuring Secure Hauling

Section 1: Purpose

This ordinance is enacted to regulate the collection, transportation, and disposal of solid waste and recyclable materials within the City of Mount Vernon to protect public health, promote environmental responsibility, maintain clean roadways, and ensure accountability in waste management operations.

Section 2: Definitions

- **Solid Waste:** As defined in Ohio Administrative Code Rule 3745-27-01(S)(23).
 - **Recyclable Materials:** Materials designated by the City as suitable for recycling, including but not limited to paper, plastics, metals, and glass.
 - **Waste Hauler:** Any person or entity engaged in the business of collecting, transporting, or disposing of solid waste or recyclable materials within the City.
 - **Secure Hauling:** The act of transporting waste or recyclables in a manner that prevents spillage, leakage, litter, or blowing debris.
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Section 3: Licensing of Waste Haulers

- **License Requirement:** No person or entity shall collect, transport, or dispose of solid waste or recyclable materials within the City without first obtaining a Waste Hauler License from the Office of Code Enforcement.
 - **Annual Fee:** A non-refundable \$100 fee shall be paid annually for each Waste Hauler License.
 - **Application Process:** Applicants must submit a completed application, pay the required fee, provide proof of valid and separate approved waste disposal and recycling facilities, and comply with all City regulations.
 - **License Display:** The Waste Hauler License must be visibly displayed on each vehicle used in waste collection or transportation.
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Section 4: Recycling Permit

- **Permit Requirement:** Any waste hauler collecting or transporting recyclable materials must obtain a Recycling Permit from the Office of Code Enforcement, in addition to the Waste Hauler License.
 - **Annual Fee:** A non-refundable \$100 fee shall be paid annually for each Recycling Permit.
 - **Application Process:** Applicants must submit details regarding recyclable materials collected, methods of collection, and proof of disposal at an appropriate, approved recycling facility separate from waste disposal facilities.
 - **Compliance:** Permit holders must comply with all local, state, and federal regulations regarding the handling and processing of recyclable materials.
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Section 5: Secure Hauling Requirements

- **Load Containment:** All loads must be fully enclosed and securely contained to prevent litter, leakage, or material from blowing onto public or private property.
 - **Vehicle Standards:** Waste hauling vehicles must be maintained in good condition, have intact seals and sides, and must not be overloaded.
 - **Spill and Damage Responsibility:** If litter spills or property damage occurs as a result of hauling activities or other ordinance violations, the waste hauler shall be financially responsible for the full cost of cleanup and restoration.
 - **Inspections:** The Office of Code Enforcement may inspect vehicles for compliance at any time. Additional inspections or replacement of lost permit stickers shall incur a \$50 fee.
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Section 6: Annual Reporting

- **Due Date:** All licensed waste haulers and recycling permit holders must submit an annual report to the Office of Code Enforcement by August 1st of each year.
 - **Report Contents:**
 - Total volume and weight of solid waste collected and disposed.
 - Total volume and weight of recyclable materials collected.
 - Names and locations of all approved disposal and recycling facilities used (must be appropriate for each material stream).
 - Documentation of any spillage, littering, non-compliance incidents, and actions taken.
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Section 7: Enforcement and Penalties

- **Violation Process:**
 - **First Violation:** Written warning.
 - **Second Violation:** Fine not to exceed \$500.
 - **Third Violation:** Suspension or revocation of Waste Hauler License and/or Recycling Permit, plus an additional fine up to \$1,000.
 - **Separate Violation for Spills or Damage:** If any litter, spillage, or property damage is associated with a violation, the hauler shall be issued a separate violation notice and held financially responsible for all cleanup, repair, and administrative costs incurred by the City.
 - **Littering Citations:** Littering by a waste hauler shall be considered a separate offense under the City's general litter control ordinances.
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Section 8: Violations Appeals Process

8.1 Initial Appeal to City Inspector

- Any waste hauler or recycling permit holder who receives a violation notice, fine, suspension, or revocation under this ordinance may submit a written appeal to the Office of Code Enforcement within ten (10) business days of the date of the notice.
- Appeals shall first be reviewed by the City Inspector assigned to Code Enforcement.
- The City Inspector shall review the appeal, any supporting documentation, and may meet with the appellant upon request. The Inspector shall issue a written decision within fifteen (15) business days of receipt of the appeal.

8.2 Secondary Appeal to Safety Service Director

- If the hauler is dissatisfied with the decision of the City Inspector, they may file a secondary written appeal to the Safety Service Director within ten (10) business days of the Inspector's decision.
- The Safety Service Director shall review the record, may conduct a hearing if requested, and shall issue a final administrative decision within twenty (20) business days of receipt of the secondary appeal.

8.3 Appeals Involving Permit Revocations

- In cases involving the revocation of a Waste Hauler License or Recycling Permit, after review by the Safety Service Director, the hauler may request a final appeal hearing before the City of Mount Vernon Utilities Commission.
- Such request must be made in writing within ten (10) business days following the Safety Service Director's final decision.
- The Utilities Commission shall schedule a hearing at its next regular meeting or at a specially called session within thirty (30) days.

- The Utilities Commission's decision shall be final and binding on all parties.