

NASSAU COUNTY SOLID WASTE DEPARTMENT
APPLICATION FOR
SOLID WASTE HAULERS PERMIT

Date Received:	<u>8/29/06 B. Biden</u>	Date Approved/Disapproved:	<u>9-25-06</u>
Business Lic. No:	Chairman, BOCC County Administrator: <u>[Signature]</u>		
Name / Address / Ph# of Company:	<u>Advanced Disposal Services Jacksonville,</u> <u>9798 Normandy Blvd</u> <u>Jax, FL 32221</u> <u>Dave Lavender</u>		
Contact Person:			
Attach Brief Description of Corporate History			
Permit to Collect & Dispose of Solid Waste from:		Residential Property	
(Check all that apply)		<u>X</u> Commercial Property	
Identify Solid Waste Disposal Facility to be used:			
Name:	<u>Nassau County Landfill</u>	<u>Camden County Landfill</u>	
Address:	<u>RT 1, Box 178, Callahan, FL 32011</u>	<u>P.O. Box 957, Woodbine, GA</u>	<u>31568</u>
PH#:	_____		
If other than West Nassau Landfill, provide written and verifiable evidence that the above facility is operating under a current and valid Permit or Consent Order issued by the Florida Department of Environmental Protection or its successor in function or another comparable governmental agency.			
<ul style="list-style-type: none"> ✓ I. ✓ II. ✓ III. ✓ IV. ✓ V. 	<p>I. Provide a statement that Applicant has adopted and will maintain and enforce a policy of non-discrimination. NC ORD 96-12 Sec 30 1/2-84</p> <p>II. Provide a statement that the Applicant has a Performance Bond or Letter of Credit in force. NC ORD 96-12 Sect 30 1/2-85</p> <p>III. Provide proof that the Applicant has required Liability Insurance, Hold Harmless & Workers Comp. Required. NC ORD 96-12 Sec 30 1/2-86</p> <p>IV. Provide an affidavit of the Actual or Estimated cost of the investment in equipment, land and other facilities. NC ORD 96-12 Sec 30 1/2-87</p> <p>V. Provide a complete list of equipment, numbers and description to be utilized with this Permit. NC ORD 96-12 Sec 30 1/2-87</p>		
Permit #	<u>0049</u>	Expiration Date:	_____

Company Background

(Founded October 1, 1999)

Advanced Disposal Services Jacksonville, LLC (Advanced Disposal) is pleased to submit the enclosed proposal to the Jacksonville Aviation Authority for consideration of its "Waste Collection, Recycling, and Disposal Services" RFP. Advanced Disposal is a wholly owned subsidiary of Advanced Disposal Services, Inc., a Delaware Company, with headquarters in Jacksonville, Florida.

Advanced Disposal is a full service solid waste and recycling Services Company with collection, transfer and disposal operations in Florida, Georgia, and Alabama. The company is founded on the belief that customer service is paramount and that it is every employee's job to ensure that our customers are cared for with unfailing responsiveness and reliability.

Advanced Disposal is dedicated to preserving the environment and ensuring that all our operations are conducted in a manner that follows all local, state and federal laws in regards to environmental protection. Our goal is greater than simply collecting and transporting solid waste from your location to a permitted landfill or recycling facility. Instead, we strive to leave your community and place of business a cleaner, more pleasing place to live and work.

Advanced Disposal has the operational expertise, management strengths, financial capabilities and commitment to quality that few publicly traded or independent companies can rival. Our independent status frees us from the bureaucratic structure of a national company so that decisions that are important to you can be made quickly and implemented effectively. Our management team of waste professionals and access to financial capital places us in a unique position among other independent waste companies that do not have the same level of experience and financial stability.

Advanced Disposal and its subsidiaries have both significant net worth and the financial capacity to insure its ability to provide its customers stable and financially secure collection and disposal operations. Advanced Disposal has never declared bankruptcy nor ever failed to meet any past financial obligation.

The strength behind Advanced Disposal is the individuals who make up the company and abide by a philosophy of quality customer service. Our Chairman of the Board, Felix A. Crawford ("Andy"), built Southland and Seaboard Waste Systems from a one truck operation into a multimillion dollar company prior to selling it to Republic Industries, Inc. in 1995. It took Andy 18 years of hard work and personal sacrifice to achieve the current success that Republic now enjoys. He was instrumental in developing many of the solid waste practices being used in north Florida and South Georgia today and has helped influence the solid waste industry nationwide as a Board Member of the National Solid Waste Management Association based in Washington, D.C.

In addition to Mr. Crawford's experience and leadership, the management team that has been established for Advanced Disposal has many years of experience as well serving both commercial and residential

franchises, all within north Florida and southeast Georgia. While some of the publicly traded solid waste companies have bureaucratic corporate management structures located hundreds of miles away from Duval County and have replaced their general managers within the last year and a half or less, Advanced Disposal's management is here to stay.

Our success can be measured through the strong partnerships that have developed between our employees and the customers we serve and have served in the past. Whether or not our customers are municipalities, industry, commercial businesses, construction & demolition companies, or individual homeowners, we look forward to creating and building our relationships by providing quality service at a fair price. It's a simple philosophy but one that appears to work for our customers and us.

Many of our employees have worked for publicly traded solid waste haulers in the past and joined Advanced Disposal to work in a more customer-oriented atmosphere that focuses its energies on long-term goals and commitments rather than short-term Wall Street quarterly statistics. The Chairman (Andy Crawford), COO (Wally Hall), District Manager (Dave Lavender), Corporate Sales Manager (Tammy Wilson) and additional operational staff have all committed to servicing the Aviation Authority to the very best of our ability realizing that the goal is not simply adding a new customer to our line of business. Instead, the goal is to build and define ourselves as a company in northeast Florida with a true commitment to quality and clean communities.

- ✓ I. Provide a statement that Applicant has adopted and will maintain and enforce a policy of non-discrimination. NC ORD 96-12 Sec 30 ½-84

Equal Opportunity Employer

It is the intent of the Company to attract and retain the best qualified people available, and we will not discriminate in employment on the basis of race, color, religion, national origin, sex, marital status, status as a disabled veteran or veteran of the Vietnam era, age, or disability.

This policy applies to all employment decisions with all employees and applicants. It includes recruitment, hiring, compensation, promotion, transfer, training, demotion, layoff, recall and all other terms and conditions of employment.

Any employee who feels that he or she has not been treated in accordance with this policy should contact their supervisor or any member of management in order to discuss this matter.

II. Provide a statement that the Applicant has a Performance Bond or Letter of Credit in force. NC ORD 96-12 Sect 30 1/2-84

FILE COPY



SMITH-MANUS
surety bonds

CONTINUATION CERTIFICATE
To be attached to and form a
part of Bond described below.

*Bond Safeguard Insurance Company
1919 South Highland Avenue
Lombard, IL 60148*

*mailed to Dave Shepler
7.17.06*

Nassau County Board of Commissioners

Date: 13-Jul-06

Re: Advanced Disposal Services Jacksonville, LLC
9798 Normandy Blvd.
Jacksonville, FL 32219
Bond #: 5008302

The Bond Safeguard Insurance Company, hereinafter called the "Company," as Surety on Bond No.: 5008302 issued on the 10th day of NOVEMBER, 2003 on behalf of Advanced Disposal Services Jacksonville, LLC, Principal, in favor of Nassau County Board of Commissioners, Obligee, hereby certify that this bond is continued in full force and effect until the 24th day of AUGUST, 2007, subject to all covenants and conditions of said bond.

This bond, in the current sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 Dollars (\$150,000.00), has been continued in force upon the express condition that the full extent of the Company's liability under said bond and all continuations thereof for any loss or series of losses occurring during the entire time the Company remains on said bond shall in no event exceed the sum of the bond.

In witness whereof the Company has caused this instrument to be duly signed, sealed and dated as of the 13th day of JULY, 2006.

Bond Safeguard Insurance Company

Surety

By _____

Attorney-in-Fact

III. Provide proof that the Applicant has requires Liability Insurance, Hold Harmless & Workers Comp. Required. NC ORD 96-12 Sec 30 ½-86.

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 08/24/06
PRODUCER Lanier Upshaw, Inc. 1115 US Hwy 98 South P.O. Box 468 Lakeland, FL 33802	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Advanced Disposal Services, Inc named insureds continued below 9995 Gate Parkway North, Suite 200 Jacksonville, FL 32246	INSURERS AFFORDING COVERAGE INSURER A: Greenwich Insurance Company INSURER B: Indian Harbor Insurance Company INSURER C: Zurich American Insurance Company INSURER D: INSURER E:	NAIC #

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.							
INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> BI/PD Ded:50,000 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	GEC000922205	07/01/06	07/01/07	EACH OCCURRENCE	\$1,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
						MED EXP (Any one person)	\$5,000
						PERSONAL & ADV INJURY	\$1,000,000
						GENERAL AGGREGATE	\$2,000,000
						PRODUCTS - COMP/OP AGG	\$2,000,000
A	X	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	AEC000922005	07/01/06	07/01/07	COMBINED SINGLE LIMIT - (Ea accident)	\$1,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT	\$
						OTHER THAN AUTO ONLY: EA ACC	\$
						AGG	\$
B	X	EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$10,000	UEC000922105	07/01/06	07/01/07	EACH OCCURRENCE	\$5,000,000
						AGGREGATE	\$5,000,000
							\$
							\$
							\$
C		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	WC293900703	07/01/06	07/01/07	WC STATU-TORY LIMITS	OTH-ER
						E.L. EACH ACCIDENT	\$1,000,000
						E.L. DISEASE - EA EMPLOYEE	\$1,000,000
						E.L. DISEASE - POLICY LIMIT	\$1,000,000
B		OTHER Pollution	PEC000922305	07/01/06	07/01/07	\$1,000,000	\$100,000 retention

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

** Named insureds continued**

Advanced Disposal Services St. Johns County, LLC -Advanced Disposal Services Atlanta, LLC
 Advanced Disposal Services Augusta, LLC- Doraville Transfer Station, LLC
 Federal Road Transfer Station, LLC dba Welcome All Transfer Station
 (See Attached Descriptions)

CERTIFICATE HOLDER

CANCELLATION

Nassau County Commission Nassau County, FL	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>30</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE <i>Betty D. Gentry</i>
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IMPORTANT

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

DISCLAIMER

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

DESCRIPTIONS (Continued from Page 1)

Advanced Disposal Services Jacksonville, LLC - Federal Road, LLC dba Eagle Point Landfill
Advanced Disposal Services Middle Georgia, LLC - Jackson Transfer Station, LLC
Cartersville Transfer Station, LLC dba Riverside Transfer Station
Advanced Disposal Services of Mississippi, LLC dba Firetower Landfill
Advanced Disposal Services Atlanta, LLC - Rogers Lake Landfill, LLC
Advanced Disposal Services Jackson GA, LLC - Nassau County Landfill, LLC
Old Kings Road, LLC - Pasco Lakes Landfill, LLC- Stateline Disposal Services, LLC
Central Alabama Transfer Station, LLC- East Alabama Transfer Station, LLC
Sunflower Landfill, LLC- Sunflower Waste, LLC- Augusta Transfer Station, LLC
Wolf Creek Landfill, LLC- Gateway Disposal, LLC

*10 days notice of cancellation applies for nonpayment of premium.

The Workers' Compensation reflected below does not include the State of Alabama.

RE: Gateway Disposal Services, LLC

IV. Provide an affidavit of the Actual or Estimated cost of the investment in equipment, land and other facilities. NC ORD 96-12 Sec 30 1/2-87

On behalf of Advanced Disposal Services Jacksonville, LLC, I certify that the actual investment in assets is \$15,211,340.25.



Tammy Wilson
General Manager



Kathleen J Shires
Notary Public

 Kathleen J Shires
My Commission DD196061
Expires March 19, 2007

- V. Provide a complete list of equipment, numbers and description to be utilized with this permit. NC ORD 96-12 Sec 30 ½-87.

Unit Report

Custom Unit Listing

Unit	Mfg. Year	License Plate	Unit Serial Number	Spec - Vehicle Make	Spec - Vehicle Model
401-JAX (20-Roll-Off) ADS Ja	2001	N2605A	1M2P267C81M058391	Mack	RD688S
402-JAX (20-Roll-Off) ADS Ja	2001	N2606A	1M2P267CX1M058392	Mack	RD688S
403-JAX (20-Roll-Off) ADS Ja	2001	B1338M	1M2P267C01M058398	Mack	RD688S
404-JAX (20-Roll-Off) ADS Ja	2002	B18 04R	1M2P267C62M061436	Mack	RD688S
407-JAX (20-Roll-Off) ADS Ja	2000	N5630A	1FVXJLCB3YHA09371	FREIGHTLINER	FL80
408-JAX (20-Roll-Off) ADS Ja	2000	N56 27A	1FVXJLCB5YHA09372	FREIGHTLINER	FL80
409-JAX (20-Roll-Off) ADS Ja	2002	N49 88B	1M2P267C82M061437	Mack	RD688S
410-JAX (20-Roll-Off) ADS Ja	2000	N90 54C	1M2B212C2YM004650	Mack	DM688S
411-JAX (20-Roll-Off) ADS Ja	1999	B1339M	4VHJCCBE5XN867092	Volvo	W664
412-JAX (20-Roll-Off) ADS Ja	2002	N70 29B	1M2P267C12M064020	Mack	RD688S
413-JAX (20-Roll-Off) ADS Ja	2002	N7013B	1M2AG11C92MOO1427	Mack	CV713
414-JAX (20-Roll-Off) ADS Ja	1998	N15 69E	1M2P267C0WM039275	Mack	RD688S
418-JAX (20-Roll-Off) ADS Ja	2003	X80BGM	1HTMPAFL43H601344	Int.	4200
420-JAX (20-Roll-Off) ADS Ja	2000	N0172D	1M2P267C94M052917	Mack	RD688S
426-JAX-COI. (20-Roll-Off) A	2002	N2983K	1M2P267C93M065286	Mack	RD688S
436-JAX (20-Roll-Off) ADS Ja	2000	N0507F	1M2P267C1YM053236	Mack	RD688S
439-JAX (20-Roll-Off) ADS Ja	2001	N0075I	1M2P267C11M058524	Mack	RD688S
440-JAX (20-Roll-Off) ADS Ja	2005	N8084H	1M2AG11C55M022327	Mack	CV713
441-JAX (20-Roll-Off) ADS Ja	2005	N8083H	1M2AG11C25M030613	Mack	CV713
442-JAX (20-Roll-Off) ADS Ja	2005	N8082H	1M2AG11C75M017761	Mack	CV713
443 JAX (20-Roll-Off) ADS Ja	2006	N7356K	1M2AG11C87M053722	Mack	CV713
501-JAX-G&G (10-C&D Truck	2003	T742PS	1HTMPAFL33H601349	Int.	4200
610-JAX (30-Rear Loader) AD	1994	R092VZ	1M2K195CXR005124	Mack	MR690S
901-JAX (10-Front End Loader	2001	N55 66A	1M2K185C41M008437	Mack	MR688S
902-JAX (10-Front End Loader	2001	N55 65A	1M21S185C51M008530	Mack	
903-JAX (10-Front End Loader	2001	N56 09A	1M2K185C41M008647	Mack	MR688S
904-JAX-ST.AUG (10-Front En	2001	N5612A	1M2K185C21M008663	Mack	
905-JAX (10-Front End Loader	1999	N90 55C	1M2K195C0XM015058	Mack	MR688S
906-JAX (10-Front End Loader	1999	N90 56C	1M2K195C9XM015057	Mack	
907-JAX-SDS (10-Front End L	1996	A9267Q	1M2K195C8TM007252	Mack	MR688S
911-JAX (10-Front End Loader	2003	N15 57B	1M2K189C24MO23789	Mack	MR688S
912-JAX (10-Front End Loader	1998	N7391E	1M2K195CXWMO11095	Mack	
913-JAX (10-Front End Loader	2004	N0437F	1M2K189C34M024577	Mack	MR688S
914-JAX (10-Front End Loader	2005	N8063H	1M2K189C15M027155	Mack	MR688S
919-JAX-SDS (10-Front End L	1999	B8677K	1M2K195C1XM014985	Mack	MR688S
960-JAX- SDS (10-Front End L	1999	B8679K	1M2K195C1XM014971	Mack	MR688S



ADS - JACKSONVILLE, LLC
 9905 GATE PARKWAY SUITE 200
 JACKSONVILLE, FL 32246



69-4/630

009224

DATE
08/23/2006

AMOUNT
\$ *****500.00*

PAY TO THE ORDER OF
 FIVE HUNDRED AND NO/100
 Nassau County Landfill

W. S.

AUTHORIZED SIGNATURE

⑈009224⑈ ⑆063000047⑆ 005562560177⑈

ADS - JACKSONVILLE, LLC

009224

DATE	INVOICE NO	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
08/01/2006	PERMIT06		500.00	0.00	500.00

RECEIVED
 AUG 29 2006
 By *B. Diden*

Re: Haulers Permit - 70000000-329301

CHECK: 009224 08/23/2006 Nassau County Landfill CHECK TOTAL: 500.00



NASSAU COUNTY, FLORIDA

ORDINANCE NO. 96- 12

AN ORDINANCE OF NASSAU COUNTY, FLORIDA REQUIRING SOLID WASTE HAULERS WHICH COLLECT RESIDENTIAL AND COMMERCIAL SOLID WASTE WITHIN THE UNINCORPORATED AREAS OF THE COUNTY TO OBTAIN A NON-EXCLUSIVE SOLID WASTE RESIDENTIAL OR COMMERCIAL HAULER PERMIT; PROVIDING DEFINITIONS; PROVIDING LEGISLATIVE DECLARATIONS; AUTHORIZING THE ISSUANCE OF SOLID WASTE RESIDENTIAL AND COMMERCIAL HAULER PERMITS; PROVIDING FOR TERMS AND CONDITIONS FOR THE ISSUANCE AND MAINTENANCE OF SOLID WASTE RESIDENTIAL AND COMMERCIAL HAULER PERMITS; AUTHORIZING THE ESTABLISHMENT OF RATES AND STANDARDS OF SERVICE FOR RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION; ESTABLISHING A TERM FOR THE PERMITS; DECLARING THE REQUIREMENTS OF PERMIT APPLICATIONS; REQUIRING THE PAYMENT OF A PERMIT FEE; RESERVING CERTAIN POWERS TO THE COUNTY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA:

ARTICLE I

INTRODUCTION

SECTION 1.01. DEFINITIONS. When used in this Ordinance, the following terms shall have the following meanings, unless the context clearly otherwise requires:

"Applicant" means any Solid Waste Hauler who submits an Application for a Permit in accordance with Section 2.03 of this Ordinance.

"Application" means any Solid Waste Hauler Permit Application submitted by any Solid Waste Hauler in accordance with Section 2.03 of this Ordinance.

"Board" means the Board of County Commissioners of the County.

"Commercial Property" means any public or private place, building, or enterprise devoted in whole or in part to business purposes whether for profit or not-for-profit. Multi-family units in excess of four (4) units shall be considered commercial property. Condominium, patio homes and similar facilities where the individual units are privately owned and used for residential purposes are not commercial property within this definition unless bulk collection is used.

"County" means Nassau County, Florida.

"County Coordinator" means that person or his designee who serves as the Nassau County Coordinator.

"County Disposal Facility" means those Solid Waste Disposal Facilities owned and operated by the County or otherwise designated by the County as a County Disposal Facility.

"County Occupational License" means the method by which the County grants the privilege of engaging or managing any business, profession or occupation within the County.

"County Road System" means the road system of the County as defined in Chapter 334, Florida Statutes, or its statutory successor in function.

"Designated Place of Business" means the local business address of any Permittee more fully described in Section 3.06 of this Ordinance.

"Director" or "Director of Solid Waste" means that person or his designee who serves as the Nassau County Director of Solid Waste.

"Hazardous Waste" means solid waste, or a combination of solid wastes, which, because of quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

"Mobile Home Park" means a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five (5) or more mobile homes.

"Ordinance" means this Solid Waste Hauler Permit Ordinance.

"Permit" means the Solid Waste Hauler Permit granted by the County Coordinator under Section 2.01 of this Ordinance.

"Permittee" means any Solid Waste Hauler who is granted a Solid Waste Hauler Permit under Section 2.01 hereof.

"Person" means any and all persons, natural or artificial, including any individual, firm or association; any municipal or private corporation organized or existing under the laws of this state or any other state; any county of this state; and any governmental agency of this state or the Federal Government.

"Residential Property" means single family residences or multiple dwelling units of four (4) units or less. Townhouses and mobile homes not within a Mobile Home Park shall be considered residential property. Condominiums, patio houses and similar facilities where the individual units are privately owned and used for residential purposes are not commercial property within this definition unless bulk collection is used.

"Solid Waste" means garbage, rubbish, refuse, special waste or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. This term does not include Hazardous Waste or items that have been source separated for recycling purposes.

"Solid Waste Disposal Facility" means any Solid Waste management facility, whether operated by the County or other Persons, which is the final resting place for Solid Waste, including landfills and incineration facilities that produce ash from the process of incinerating municipal solid waste. The operator of such facility must hold a current and valid operating

permit or be operating under a consent order issued by the Florida Department of Environmental Protection, its successor in function, or other comparable state or federal governmental agency.

"Solid Waste Hauler" means any Person who engages in the business of providing Solid Waste collection and disposal services for other Persons within the County, uses the County Road System to engage in such proprietary activity, and either directly or indirectly receives compensation or consideration for those services.

"Solid Waste Hauler Permit" means the Solid Waste Hauler Permit issued by the County Coordinator under Section 2.01 of this Ordinance granting the non-exclusive privilege to collect and dispose of Solid Waste from either or both Residential and Commercial Property for five years.

"Solid Waste Hauler Permit Application" means the Application submitted by any Solid Waste Hauler under Section 2.03 of this Ordinance for a Permit to provide Solid Waste collection and disposal services for either Residential or Commercial Property, or both, in the unincorporated areas of the County and to use the County Road System for such proprietary activities.

SECTION 1.02. CONSTRUCTION AND INTERPRETATION. Words importing the singular number shall include the plural in each case and vice versa, and words importing persons shall include firms and corporations. Words referring to one gender shall be deemed to

include either gender. The terms "herein," "hereunder," "hereby," "hereto," and any similar terms shall refer to this Ordinance; the term "heretofore" shall mean before the effective date of this Ordinance; and the term "hereafter" shall mean after the effective date of this Ordinance.

SECTION 1.03. FINDINGS. It is hereby ascertained, determined and declared:

(A) Pursuant to Article VIII, section 1 of the Florida Constitution, and sections 125.01 and 125.66, Florida Statutes, the Board has all powers of local self-government to perform county functions in a manner not inconsistent with law and such power may be exercised by the enactment of county ordinances.

(B) Section 125.01(k)1., Florida Statutes provides enumerated legislative authorization for counties to regulate waste collection and disposal.

(C) The Board has the statutory responsibility and power to provide for the operation of solid waste disposal facilities to meet the needs of all areas of the County under Chapter 403, Part IV, Florida Statutes.

(D) The Board has the further statutory responsibility for the general supervision of the roads and streets within the County Road System under the provision of Chapter 336, Florida Statutes. Such statutory responsibility includes the duty to establish new

roads, change and discontinue old roads and keep all roads in good repair.

(E) Regulation of the use of the County Road System by Solid Waste Haulers is essential for the County to maximize the effective and efficient use of the County Road System.

(F) It is in the public interest to insure that all areas of unincorporated Nassau County are adequately provided with high-quality Solid Waste collection and disposal service.

(G) It is in the public interest for the County to retain regulatory authority over Solid Waste collection and disposal, to the extent allowed by law, because of the overriding public health, safety and welfare considerations associated with the provisions of this service.

(H) It is in the public interest for the County to retain control over the use of public rights-of-way by Solid Waste Haulers to prevent interference with the public convenience, to promote aesthetic considerations, and to protect the public investment in rights-of-way property.

(I) It is in the public interest to insure that high-quality Solid Waste collection and disposal services are maintained through responsive complaint handling procedures.

(J) The granting of a Permit for a term of years will promote competition among private firms by providing for a fair return on capital investment.

(K) The granting of a Permit is an effective means of assuring that the above-described interests of the County are promoted.

ARTICLE II

SOLID WASTE HAULER PERMITS

SECTION 2.01. PERMITS AUTHORIZED. The County Coordinator is hereby authorized to issue to all Solid Waste Haulers, which meet the Permit Application requirements as more particularly described in Section 2.03 of this Ordinance, a non-exclusive Solid Waste Hauler Permit to collect and dispose of Solid Waste from either or both Residential and Commercial Property, as indicated by the Permit, within the unincorporated areas of the County. This Permit includes the right and privilege to operate and maintain a trash, garbage and refuse collection and removal service in, upon, over and across the County Road System, including but not limited to present and future streets, alleys, bridges, easements and other public places within the limits of the Permit for the purpose of collecting and disposing the trash, garbage and other refuse generated by the County's citizens, residents, inhabitants, business enterprises and other entities in accordance herewith.

SECTION 2.02. TERMS AND LIMITS OF PERMITS.

(A) All Permits issued under the authority of this Ordinance shall be extended and granted for a period of five (5) years, beginning with the date any Permit is issued by the County

Coordinator unless otherwise terminated by reason of the Permittee's violation of the terms of this Ordinance or the Permit.

(B) All Permits shall entitle the Permittee to collect and dispose of solid waste from Residential or Commercial Properties, or both, as indicated in the Permit from the entire unincorporated areas of the County on a non-exclusive basis and use the County Road System for those proprietary functions.

SECTION 2.03. SOLID WASTE HAULER PERMIT APPLICATION.

(A) All Solid Waste Haulers desiring to conduct the business of Solid Waste collection and disposal from either or both Residential and Commercial Properties within the unincorporated areas of the County shall apply for a Solid Waste Hauler Permit within thirty (30) days of the effective date of this Ordinance. The Solid Waste Hauler Permit Application shall be submitted to the Director of Solid Waste and shall contain the following information:

(1) Identify the name and Designated Place of Business of the Applicant and provide a brief description of the corporate history.

(2) Identify whether the Applicant is applying for a Permit to collect and dispose of Solid Waste from Residential or Commercial Property, or both.

(3) Identify which Solid Waste Disposal Facility the Applicant intends to use. If the Solid Waste Disposal Facility is

one other than a County Disposal Facility, the Applicant shall provide written and verifiable evidence that such facility is operating under a current and valid permit or consent order issued by the Florida Department of Environmental Protection or its successor in function or other comparable governmental agency.

(4) Provide a statement that the Applicant has adopted and will maintain and enforce a policy of non-discrimination on the basis of race, color, religion, sex, age, handicap, disability or national origin. This non-discrimination policy shall apply to employment practices of the Applicant and its provision of services.

(5) Provide a statement that the Applicant is in compliance with the performance bond or letter of credit as more fully described in and required by Section 3.04 of this Ordinance.

(6) Provide a statement that the Applicant is in compliance with the liability insurance, hold harmless and workers' compensation requirements as more fully described in Section 3.05 of this Ordinance.

(7) Provide an affidavit of the actual, or if not known, estimated cost of the investment in equipment, land, and other facilities made for the purpose of enabling the Applicant to fulfill the terms and conditions of the Permit, the Application, and this Ordinance.

(B) The County Coordinator, upon approval of the Board of County Commissioners, shall issue a Permit to any Applicant, who fulfills all the requirements outlined in Section 2.03(A) above, within thirty (30) days of receipt of the Application. Any Applicant who is denied Permit approval will be notified in writing of such denial by the County Coordinator within thirty (30) days of the Director's receipt of the Application. The written rejection shall identify the reasons for such rejection.

(C) All Permits shall indicate whether they authorize the collection and disposal of Solid Waste from either Residential or Commercial Property, or both.

(D) All Permits shall be subject to the Terms and Conditions more particularly described in Article III of this Ordinance as amended from time-to-time.

SECTION 2.04. SOLID WASTE HAULER PERMIT APPLICATION FEE.

(A) Subject to the exceptions contained in Section 2.04(B) below, the Director of Solid Waste shall not accept any Solid Waste Hauler Permit Application unless the Applicant has previously paid to the Director the Solid Waste Permit Application Fee of \$500.00 or the Application is accompanied by the payment of the Solid Waste Permit Application Fee of \$500.

(B) The Director may accept a Solid Waste Hauler Application without the payment of the Solid Waste Permit Application Fee from any Solid Waste Hauler who provides proof that, upon the effective

date of this Ordinance, it holds a valid County Occupational License to engage in the business of Solid Waste collection and disposal.

SECTION 2.05. TERMINATION OF PERMIT AND RENEWAL.

(A) In the event a Permittee performs or fails to perform any action that constitutes a violation of this Ordinance or the Permit as articulated in Section 2.05(C) hereof, the County shall have the right to serve written notice of the breach to the Permittee at its Designated Place of Business. Failure to correct such violation within fifteen (15) days of Permittee's receipt of notice shall authorize the County to immediately terminate the Permit. Upon any such termination, ~~the~~ Permittee shall be in specific violation of Section 2.06 hereof. If such violation is not corrected within such fifteen days notice, the County shall also have the right to collect on the performance bond or letter of credit as required by Section 3.04 hereof.

(B) No waiver by the County of any violation of the Permit or this Ordinance shall be taken or held to be a waiver of any succeeding violation of such provisions or as a waiver of any provision itself.

(C) The following shall be considered a violation of this Ordinance and any Permit issued pursuant hereto:

(1) participation in any unlawful operation of a Solid Waste hauling business as described in Section 2.06 hereof, and

(2) failure to adhere to any of the requirements articulated in Article III, Terms and Conditions, Sections 3.01 through and including 3.10, as amended from time-to-time.

SECTION 2.06. UNLAWFUL OPERATION. It shall be unlawful for any Person or Solid Waste Hauler to collect, remove, transport, or dispose of Solid Waste for others in the unincorporated area of the County without first obtaining a Permit as authorized by this Ordinance. Any such violations shall be enforced and punished in the same manner as provided in section 125.69, Florida Statutes, or its statutory successor in function.

ARTICLE III

TERMS AND CONDITIONS

SECTION 3.01. COLLECTION SERVICES AND OPERATIONS STANDARDS.

The Board shall, by subsequent resolution, establish standards for Solid Waste Collection and disposal from Residential Property. Said resolution shall establish the following standards of service as to the frequency of Solid Waste collection, the quantity of Solid Waste to be collected, the hours of collection, the location of Solid Waste for collection, the submission of routes and schedules, the existence of minimal collection equipment, the institution of uniform billing procedures. Said resolution shall also include other reasonable regulatory measures concerning the provision of Solid Waste collection and disposal by Permittees in the County.

SECTION 3.02. RATES AND CHARGES. The Board may, by subsequent resolution, establish the maximum rates and charges that each Permittee may bill and collect for its collection and disposal of Solid Waste from Residential and Commercial Properties. In the event such rate resolution is not adopted, all rates and charges imposed by the Permittee shall, at all times, be reasonable and equitable.

SECTION 3.03. COMPLAINTS. All customer complaints shall be resolved if reasonably possible within 24 hours. All Permittees shall supply the Director of Solid Waste with copies of all complaints, in a form approved by the County, and indicate the disposition of each on a semi-annual basis, July 1 and December 31 of each calendar year. Notwithstanding this complaint reporting requirement, the Permittee's complaint records shall be available for inspection, by the Director of Solid Waste, during normal business hours at the Designated Place of Business. At a minimum, the Permittee's complaint form shall identify the complaining customer, indicate the day and hour on which the complaint was received, and the day and hour on which it was resolved. When a complaint is received on the day preceding a holiday or on a Saturday or Sunday, it shall be serviced on the next working day. All Permittees shall establish procedures, acceptable to the Director of Solid Waste, to insure that all customers are notified of the complaint procedure.

SECTION 3.04. PERFORMANCE BOND. All Permittees shall provide a performance bond or irrevocable letter of credit drawn from a bank licensed to do business in the State of Florida, in the amount of \$10,000 in a form acceptable to and for the benefit of the County within 10 days from the acceptance of a Solid Waste Hauler Permit Application; said bond or letter of credit shall be maintained during the term of the Permit unless excused in writing by the County. The Board may waive or reduce the amount of the performance bond or letter of credit for any Solid Waste Hauler that has operated in the County for a minimum of 7 years. The failure of any Permittee to obtain or maintain such performance bond or letter of credit throughout any portion of the term of the Permit(s) granted hereunder shall constitute a violation of this Ordinance and the provisions of the Permit(s) and upon such a violation, the County shall have the right to proceed against the Permittee as described in Section 2.05 hereof.

SECTION 3.05. LIABILITY INSURANCE; HOLD HARMLESS; WORKERS' COMPENSATION.

(A) All Permittees shall carry public liability insurance to the extent of \$1,000,000 for the death or injury to persons and property, and comprehensive motor vehicle liability insurance to the extent of \$250,000 upon each of the trucks or other vehicles used to carry out their business under the Permits. A certificate showing that the Permittee has in force and effect the aforesaid

insurance shall be filed with the Solid Waste Hauler Permit Application and annually thereafter at least thirty (30) days prior to the date of the expiration of said policies of insurance for each year of said Permit. The aforesaid insurance shall be of such form and written by such companies as are approved by the County and licensed in the State of Florida and also shall contain an endorsement obligating the insurance company to furnish the County thirty (30) days' notice in advance of the cancellation of the insurance.

(B) Excluding any violations of this Ordinance or the Permit issued subject hereto, all Permittees shall defend, indemnify and hold harmless the County for any all claims for injunctive or equitable relief or for damages or refunds of whatsoever kind or nature arising from or in any manner connected with the issuance of the Permits hereunder or with any activities under this Ordinance, including payment of the costs of defense and reasonable attorney fees.

(C) All Permittees shall carry workers' compensation insurance on all their employees, as required by Florida law, and show proof of insurance and payment as a part of the Solid Waste Hauler Permit Application, and proof of payment of premiums thereon, to the County as requested. All such workers' compensation policies shall provide for notice by the insurer to the County at

least sixty (60) days prior to any termination, revocation or modification thereof.

(D) Any failure by Permittees to abide by the provisions in this Section shall constitute a violation of this Ordinance and the Permit issued subject hereto and shall authorize the County to proceed in the manner described in Section 2.05 hereof.

SECTION 3.06. DESIGNATED PLACE OF BUSINESS. Each Permittee shall maintain a Designated Place of Business which shall be open to the public during normal hours of business and available by telephone for the processing of complaints, payments of services, and normal inquiries and shall be located within the boundaries of the County. The permittee shall also keep all vehicles utilized by permittee at the designated place of business or alternate Nassau County location, subject to zoning requirements. The Board may, in its sole discretion, waive this requirement for Permit approval and order any conditions it may deem appropriate.

SECTION 3.07. VEHICLE CONDITION. All vehicles and other equipment which a Permittee uses in furtherance of or pursuant to its Permit shall be leak proof, packer body, or non-removable covered body and shall pass periodic safety and sanitary inspections conducted by the Director of Solid Waste. All such vehicles shall be prominently marked with the name of the Permittee and vehicle number on driver and passenger sides. Vehicle numbers

shall also be prominently marked on the front and rear of the vehicle.

SECTION 3.08. EXAMINATION OF BOOKS AND RECORDS. The County may at its option and its expense and upon reasonable notice to the Permittees, at any time within ninety (90) days after the issuance of the Solid Waste Hauler Permit examine the records of operation and accounting files, books, and records as such records relate to the maintenance of the Permit. The examination of such books, accounts, or records, or other material necessary for the determination of compliance with the terms, provisions, or requirements of the Permit shall be during regular hours of business of the Permittee and at its Designated Place of Business.

SECTION 3.09. COMPLIANCE WITH LAW. All Permittees shall conduct operations under any Permit in compliance with all applicable laws, including state, federal and County ordinance and resolution, as amended from time-to-time.

SECTION 3.10. RESERVATION OF COUNTY POWERS. No Permittee shall acquire any vested or contractual rights hereunder which would limit in any manner the County's right to amend, modify, or revoke this Ordinance. The issuance of a Permit under the authority of this Ordinance shall not be deemed to limit the County's ability to impose additional fees and charges on any Permittee nor shall the issuance of a Permit pursuant hereto limit

the County's ability power to enact future reasonable regulations applicable to Solid Waste Haulers and Permittees.

ARTICLE IV

GENERAL PROVISIONS

SECTION 4.01. SEVERABILITY. If any clause, section or provision of this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of this Ordinance shall remain in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4.02. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Florida Department of State by the Clerk of the Board within ten (10) days after enactment by the Board and shall take effect immediately upon such filing.

DULY ENACTED this 12th day of August, 1996.

NASSAU COUNTY BOARD OF COUNTY COMMISSIONERS

By: James B. Higginbotham
James B. Higginbotham, Chairman
Board of County Commissioners

Attest:

T. S. "Jerry" Greeson
T. S. "Jerry" Greeson
Clerk, Nassau County, Florida

Approved as to form by the
Nassau County Attorney

Michael S. Mullin
Michael S. Mullin

DIVISION 2. PERMITS**Sec. 30 1/2-71. Authorized.**

The county coordinator is hereby authorized to issue to all solid waste haulers, which meet the permit application requirements as more particularly described in section 30 1/2-73, a nonexclusive solid waste hauler permit to collect and dispose of solid waste from either or both residential and commercial property, as indicated by the permit, within the unincorporated areas of the county. This permit includes the right and privilege to operate and maintain a trash, garbage and refuse collection and removal service in, upon, over and across the county road system, including but not limited to present and future streets, alleys, bridges, easements and other public places within the limits of the permit for the purpose of collecting and disposing the trash, garbage and other refuse generated by the county's citizens, residents, inhabitants, business enterprises and other entities in accordance herewith.

(Ord. No. 96-12, § 2.01, 8-12-96)

Sec. 30 1/2-72. Terms and limits of permits.

(a) All permits issued under the authority of this article shall be extended and granted for a period of five (5) years, beginning with the date any permit is issued by the county coordinator unless otherwise terminated by reason of the permittee's violation of the terms of this article or the permit.

(b) All permits shall entitle the permittee to collect and dispose of solid waste from residential or commercial properties, or both, as indicated in the permit from the entire unincorporated areas of the county on a nonexclusive basis and use the county road system for those proprietary functions.

(Ord. No. 96-12, § 2.02, 8-12-96)

Sec. 30 1/2-73. Solid waste hauler permit application.

(a) All solid waste haulers desiring to conduct the business of solid waste collection and disposal from either or both residential and commercial properties within the unincorporated areas of the county shall apply for a solid waste hauler permit within thirty (30) days of the effective date of this article [Ordinance No. 96-12]. The solid waste hauler permit application shall be submitted to the director of solid waste and shall contain the following information:

- (1) Identify the name and designated place of business of the applicant and provide a brief description of the corporate history.
- (2) Identify whether the applicant is applying for a permit to collect and dispose of solid waste from residential or commercial property, or both.
- (3) Identify which solid waste disposal facility the applicant intends to use. If the solid waste disposal facility is one other than a county disposal facility, the applicant shall provide written and verifiable evidence that such facility is operating under a current and valid permit or consent order issued by the Florida Department of Environmental Protection or its successor in function or other comparable governmental agency.
- (4) Provide a statement that the applicant has adopted and will maintain and enforce a policy of nondiscrimination on the basis of race, color, religion, sex, age, handicap,

disability or national origin. This nondiscrimination policy shall apply to employment practices of the applicant and its provision of services.

(5) Provide a statement that the applicant is in compliance with the performance bond or letter of credit as more fully described in and required by section 30 1/2-84.

(6) Provide a statement that the applicant is in compliance with the liability insurance, hold harmless and workers' compensation requirements as more fully described in section 30 1/2-85.

(7) Provide an affidavit of the actual, or if not known, estimated cost of the investment in equipment, land, and other facilities made for the purpose of enabling the applicant to fulfill the terms and conditions of the permit, the application, and this article.

(b) The county coordinator, upon approval of the board of county commissioners, shall issue a permit to any applicant, who fulfills all the requirements outlined in paragraph (a) above, within thirty (30) days of receipt of the application. Any applicant who is denied permit approval will be notified in writing of such denial by the county coordinator within thirty (30) days of the director's receipt of the application. The written rejection shall identify the reasons for such rejection.

(c) All permits shall indicate whether they authorize the collection and disposal of solid waste from either residential or commercial property, or both.

(d) All permits shall be subject to the terms and conditions more particularly described in division 3 of this article as amended from time-to-time.

(Ord. No. 96-12, § 2.03, 8-12-96)

Sec. 30 1/2-74. Solid waste hauler permit application fee.

(a) Subject to the exceptions contained in paragraph (b) below, the director of solid waste shall not accept any solid waste hauler permit application unless the applicant has previously paid to the director the solid waste permit application fee of five hundred dollars (\$500.00) or the application is accompanied by the payment of the solid waste permit application fee of five hundred dollars (\$500.00).

(b) The director may accept a solid waste hauler application without the payment of the solid waste permit application fee from any solid waste hauler who provides proof that, upon the effective date of this article, it holds a valid county occupational license to engage in the business of solid waste collection and disposal.

(Ord. No. 96-12, § 2.04, 8-12-96)

Sec. 30 1/2-75. Termination of permit and renewal.

(a) In the event a permittee performs or fails to perform any action that constitutes a violation of this article or the permit as articulated in paragraph (c) of this section, the county shall have the right to serve written notice of the breach to the permittee at its designated place of business. Failure to correct such violation within fifteen (15) days of permittee's receipt of notice shall authorize the county to immediately terminate the permit. Upon any such termination, the permittee shall be in specific violation of section 30 1/2-76 hereof. If such violation is not corrected within such fifteen (15) days' notice, the county shall also have the right to collect on the performance bond or letter of credit as required by section 30 1/2-84 hereof.

(b) No waiver by the county of any violation of the permit or this article shall be taken or held to be a waiver of any succeeding violation of such provisions or as a waiver of any provision itself.

(c) The following shall be considered a violation of this article and any permit issued pursuant

hereto:

- (1) Participation in any unlawful operation of a solid waste hauling business as described in section 30 1/2-76 hereof; and
- (2) Failure to adhere to any of the requirements articulated in division 3, Terms and Conditions, sections 30 1/2-81 through and including 30 1/2-90, as amended from time-to-time.

(Ord. No. 96-12, § 2.05, 8-12-96)

Sec. 30 1/2-76. Unlawful operation.

It shall be unlawful for any person or solid waste hauler to collect, remove, transport, or dispose of solid waste for others in the unincorporated area of the county without first obtaining a permit as authorized by this article. Any such violations shall be enforced and punished in the same manner as provided in section 125.69, Florida Statutes, or its statutory successor in function.

(Ord. No. 96-12, § 2.06, 8-12-96)

Secs. 30 1/2-77--30 1/2-80. Reserved.