



APPLICATION

City of Denton

Collection and Transportation Services Permit

January 1, 2020 through December 31, 2020

Please mail or deliver the completed Application and Agreement to:

City of Denton Industrial Pretreatment Program
1100 S. Mayhill Rd.
Denton, Tx. 76208
Attn: Transportation Permit Specialist

I. Please check the service category for which you desire to provide services. Each service category selected requires a separate permit and fees.

- Special Waste
- Medical Waste
- Hazardous Waste
- Waste Cooking Oil
- Grease and Grit Trap Waste
- Commercial and Industrial Recyclables
- Construction and Demolition waste (includes recyclables, reuseables, and discarded C&D materials from construction or demolition projects)
- Waste collection services provided in newly annexed areas or contract service providers for the city
- Recycling collection services provided in newly annexed areas
- Other (please specify) _____

II. Collection and Transportation Company Information:

Applicant's Name: _____
Applicant's Job Title: _____

Business Type: (Check all that apply)
 Proprietorship Partnership Corporation Other

Business Name: _____

Federal Employer Identification (EIN) #: _____
(Federal Tax Identification Number)

TCEQ Regulated Entity Reference Number - RN #: _____

TCEQ Customer Number - CN #: _____

Business Physical Address: _____

Business Mailing Address: _____

Business Contact Name: _____

Business Contact Title: _____

Business Telephone Number: _____

Business E-mail Address: _____

Business Fax Number: _____



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III. Vehicle Information for all Vehicles Operating In Denton: (Include Backup Vehicles)

Use additional sheets as necessary.

Year	Manufacturer	Model	State and Truck License Number	Vehicle Identification Number
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

IV. Permit Applicant's Business Service Information:

Business and Address Information of all Businesses Serviced In Denton:

Use additional sheets as necessary.

If you wish this information to remain proprietary, provide the information on a separate attachment, and title it "Proprietary Information not subject to the Open Records Act."

Business Name	Business Street Address	Container(s) Size, Quantity and Location(s)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Check the box for each type of waste the containers will receive:

commercial/business wastes residential waste both

Will any container(s) be placed in the right-of-way (ROW)?

Yes No



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V. Final Disposal, Processor, Transfer, or Storage Site Information and Certification:

List all sites where the collected and transported materials are delivered for disposal, processing, transfer, sale, or storage. **List additional facilities on a separate document.**

A. Site 1

Business Name: _____
Business Address: _____

Business Contact Name: _____
Business Contact Title: _____
Business Telephone Number: _____
Business Fax Number: _____
Business E-mail Address: _____

B. Site 2

Business Name: _____
Business Address: _____

Business Contact Name: _____
Business Contact Title: _____
Business Telephone Number: _____
Business Fax Number: _____
Business E-mail Address: _____

VI. Signature

Signature of Authorized Representative

Date

Printed Name



AGREEMENT
City of Denton
Collection and Transportation Services Permit
January 1, 2020 through December 31, 2020

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GENERAL

1.1 Permit Required

A Collection and Transportation Services Permit is required for all persons, entities, or businesses engaged in the collection and transportation of applicable ordinance materials to any collection facility, disposal facility, recycling facility, processing facility, or any other facility within or outside of the City of Denton, Texas, which the City of Denton does not collect and transport, for all situations where materials are initially located within the city limits of Denton, Texas.

Permits are issued by the City of Denton upon submission, processing and approval of a completed Collection and Transportation Services Permit ‘Application,’ and a Collection and Transportation Services Permit ‘Agreement,’ together with all required accompanying information, and the payment in full of all applicable fees to the City of Denton.

No person, entity, or business within the City of Denton shall engage in the collection and transportation of these applicable materials without first receiving a non-exclusive ‘Collection and Transportation Services Permit’ from the City of Denton. Permits are issued annually, generally during the last quarter of each calendar year, and are valid for the full upcoming calendar year, January 1 through December 31. Permittees must reapply annually, during November and December, to be issued a valid permit each year.

The number of permits issued for each service category may be limited at the sole discretion of the City in order to manage such factors, including but not limited to: air quality, exhaust emissions, traffic concerns, and the impact that additional vehicles have on the city’s roads and streets.

Service providers desiring to provide services in more than one service category, as identified in the ordinance, are required to complete permit documentation and pay the applicable fees for each specific category in which they desire to provide services within Denton’s city limits.

1.2 A Permit is Not a Franchise

Any permit authorized by Section 1.1 above, shall not be deemed to be a franchise; nor will it provide for or designate any exclusive area or class of service to be provided by applicants or licensees with an approved permit.

1.3 Historical Documentation Submission Required

Requirements to be submitted with the Collection and Transportation Services Permit ‘Application’ are listed below. Applicants are required to initial and provide all relevant information, and initial each blank to indicate that information had been provided. At a minimum, complete submittals shall include the application, agreement, and applicable submittals required from the items listed below.

- (1) _____ The applicant agrees to provide a complete record of all convictions against the applicant and each and every business partner or director, for any violations of all laws, orders, and ordinances, of a city, county, state, or federal government, related to the environment; within the past five (5) years. If no convictions exist, a separate and signed sworn statement stating such is not required.
- (2) _____ The applicant states that its collection and transportation service methods comply, and will continue to comply, with all federal, state, county, and local environmental law, ordinances and agreements collection and transportation standards. If initialed, the applicant agrees to comply with the environmental laws related to the applicant's collection and transportation of materials.
- (3) _____ The applicant shall provide any other information that may be relevant to the applicant's fitness to render such services required to provide the collection and transportations services per the City of Denton Application and Agreement, within the city limits of Denton.

REQUIREMENTS

2.1 Insurance Requirements

As a condition of being granted a permit by the City of Denton, the applicant agrees to carry at all times, the following types of insurance and the listed minimum amounts of insurance. Applicants must provide proof of the following minimum levels of insurance coverage with their submitted Agreement. Satisfactory proof may include either a current certificate of insurance or a copy of the applicable current policy of insurance. Please initial below all insurance coverages and submit a copy of proof of insurance.

- (1) _____ General Liability insurance with combined single limits of not less than **\$1,000,000.00** shall be provided and maintained by the Applicant. The policy shall be written on an occurrence basis either in a single policy, or in a combination of underlying and umbrella or excess policies.

If the Commercial General Liability form (ISO Form CG 0001 current edition) is used:

- a. Coverage A shall include premises, operations, products, and completed operations, independent contractors, contractual liability covering this contract and broad form property damage coverage.
- b. Coverage B shall include personal injury.
- c. Coverage C, medical payments, is not required.

If the Comprehensive General Liability form (SO Form GL 0002 current edition and ISO Form GL 0404) is used, it shall include at least:

- a. Bodily injury and Property Damage Liability for premises, operations, products and completed operations, independent contractors and property damage resulting from explosion, collapse or underground (XCU) exposures.

- b. Broad form contractual liability (preferably by endorsement) covering this contract, personal injury liability and broad form property damage liability.
- (2) _____ Automobile Liability Insurance: Applicant shall provide Commercial Automobile Liability insurance with Combined Single Limits (CSL) of not less than **\$500,000** either in a single policy or in a combination of basic and umbrella or excess policies. The policy will include bodily injury and property damage liability arising out of the operation, maintenance, and use of all automobiles and mobile equipment used in conjunction with this Permit.
- (3) _____ Where the exposure exists, liability insurance coverage shall be provided in an amount not less than **\$1,000,000**, for environmental damage and restoration as required under Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations promulgated by the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).
- (4) _____ Applicant shall name the City of Denton as an Additional Insured on all liability insurance policies required under this permit.

2.2 Permit Investigation Period

Following the receipt of a completed Application, and executed Agreement by the applicant, and all other required submittals, City of Denton staff shall have twenty (20) working days to make such investigation as considered necessary to determine whether the applicant meets all applicable permit requirements.

Following a review of the permit application and completion of necessary investigations, the City may issue the permit, issue the permit with conditions; or deny the issuance of the permit. The City shall set forth in writing the reasons for placing conditions on or denying issuance of the permit. The permit becomes effective upon acceptance and notification by the City, and after the full payment to the City of the applicable fees.

2.3 Permit Term and Renewal

All permits for collection and transportation services shall become valid on January 1, or the date of issuance, whichever is later, through the end of each calendar year. Permits are not automatically renewable. Permit holders must apply annually for a new permit as they are renewable annually for each succeeding calendar year.

Holders of issued permits must provide a written Application, Agreement, and associated submittals for renewal of a permit within thirty days prior to the permit expiration (the end of the calendar year), in order to avoid any lapse of permit status in the services they provide. The new Application, Agreement, and associated submittals shall replace the information provided in the prior year application. Fees shall likewise be payable for each year that the applicant seeks a

permit. Permit applications for succeeding years shall be processed in the same manner as an initial application, and will require a complete investigation.

Permittees choosing not to apply for a new collection and transportation services permit by December 31 for the upcoming calendar year, beginning January 1, will be assessed an additional \$500 fee upon permitting or may not be granted a permit by the City of Denton.

If the new permit applications are not received, and the new permits issued by December 31, all containers will be removed from their service provider locations beginning January 1 by the City of Denton.

_____ Please list the date that the applicant desires to begin providing collection and transportation services with the City of Denton during the calendar year.

2.4 Abatement of Violations

Once the permit is issued, if the City finds that any requirement of the permit has been violated, or that false statements were made on any Application, Agreement, or any submittal required by this permit, the City may deny the permit, deny renewal of the permit, revoke the permit in its entirety; suspend the permit for a stated period of time, place the permit holder on terms of probation, or place other conditions thereon as the City finds necessary and appropriate. If a permit violation occurs, a “No Operations Declaration” or Cease and Desist Order shall be served on the permittee in person, or by U.S. mail, and/or certified U.S. mail.

Upon receiving a “No Operations Declaration” or Cease and Desist Order, the permittee shall immediately suspend operations within the City of Denton, until such time as an acceptable remedy has been provided to the City of Denton, and any applicable fees paid in full. If conditions warrant, the City may maintain the “No Operations Declaration” or Cease and Desist Order and may begin providing collection and transportation services previously provided by the private entity as identified in the original or re-issued permit.

Upon discovery that failure to obtain a current and valid permit from the City of Denton occurred prior to the provision of collection and transportation services within the City, the City shall prohibit the private entity or business from operating with the City of Denton for a minimum of thirty days, with the full length and time period established by the City’s Legal Department. A “No Operations Declaration” or Cease and Desist Order will immediately be issued. Fines shall be applied as set forth in this Agreement and the City’s ordinance, and as determined by the City’s Legal Department.

Failure of a permittee to pay fees owed the City, will initiate the issuance or continuation of a “No Operations Declaration” or Cease and Desist Order.

2.5 Permit Appeals

A refusal of the City to grant a permit, or the suspension and/or revocation of a permit may be appealed by the applicant in writing to the Assistant City Manager for Utilities of the City of Denton, within ten calendar days following the date of permit denial, suspension, or revocation, in accordance with Ordinance No. 2012-176. An Environmental Appeals Committee, as established

in Ordinance No. 2012-176, shall determine if there is substantial evidence to support the determination and order.

2.6 Permits Are Not Transferrable

Collection and Transportation permits are not transferable. If the ownership of the entity or person is changed, the permit becomes void on the date the ownership changes.

2.7 Truck Decals Are Not Transferrable

City of Denton Collection and Transportation Vehicle Identification Stickers are not transferrable. These permit decals are issued for a specific truck(s) for an entire calendar year.

RECORDS AND FEES

3.1 Records Required to be Maintained and Submitted

Permittees are required to maintain customer account records of all business conducted within the city limits of Denton. The permittee shall make the records listed below available to the City of Denton following six months of service in Denton, normally during January and July, and upon requests. The permittee shall maintain the City of Denton business records at a single location. At a minimum, the records shall include:

- (1) An inventory of all available vehicles for potential utilization within the city limits of Denton.
- (2) A complete listing of all customers within the City of Denton, including business names, addresses, and telephone numbers.
- (3) Identification numbers, quantities, and locations of all collection containers located within the City of Denton.
- (4) Volumes (gallons, cubic yards, etc.) or weight (pounds, tons, etc.) of the waste and/or recyclable materials collected within the city's service area.
- (5) A total of all revenues for all customers billed during each quarter.
- (6) Other relevant customer information as requested by the City.

All Liquid Waste Transporters that transport grease trap waste, grit trap waste, and oil/water separator waste are subject to Section 26-309 of the City of Denton's Code of Ordinances. This Section requires that manifests shall be obtained from the City of Denton and all completed manifests for service performed within the City of Denton must be submitted to the City of Denton Pollution Prevention Supervisor. All manifests for services performed must be submitted by the fifteenth day following the last day of each calendar month. Manifests should be addressed to:

City of Denton Industrial Pretreatment Program
1100 S. Mayhill Rd.
Denon, TX 76208
Attn: Pollution Prevention Supervisor

_____ The permittee agrees to maintain records of the above listed items, which shall be made available for review by the City a minimum of twice a year, normally January and July, and at other times upon request.

3.2 Permit Fees

Permittees will be invoiced for all permit application fees and purchased Manifests Books by:

City of Denton Utility Customer Service
City Hall East
601 East Hickory Street, Suite F
Denton, TX 76205

These fees fund administrative, monitoring, and technical issues related to the regulation of waste, recyclables, and transportation activities, including the requirement that the City be available to substitute for any permittee, on short notice, due to any potential danger to public health and safety.

City of Denton service provider collection and transportation decals shall be placed on all of the permittee's vehicles that provide services within City of Denton. Decals shall be placed on each vehicle prior to the permittee commencing any operations with the City's service area. Permit decals are provided to the permittee following permit approval by the City.

All fees are non-refundable, and are applicable only for the calendar year for which they are paid.
Per ordinance, placing containers in the City's rights-of-way requires prior approval by the City.

Permittees choosing not to apply for and make payment for a collection and transportation and services permit by December 31, for the upcoming calendar year beginning January 1, will be assessed an additional \$500 fee upon permitting, or may not be granted a permit by the City of Denton. If fees are not paid prior to December 31, all containers will be removed from the permittees service provider locations beginning January 1 by the City of Denton. Collection of private permitted containers by the City of Denton, beginning January 1, will generate labor and equipment charges which must be paid to the City by the permittee prior to the release of the containers back to the permittee.

3.3 Permit Penalty Fees

Business operators observed operating within the City of Denton, and which have not received approval from the City to operate within the city limits of Denton or have been suspended by the City from operating within the city limits of Denton via a Cease and Desist Order, shall incur a penalty issued by the City of up to \$500 per day for each known offense. Please initial the statement below acknowledging that you have read and understand this section.

_____ If applicable, my business will be liable for, and agrees to make payment of any permit penalties issued by the City of Denton.

APPLICANT BUSINESS INFORMATION

4.1 permit Application, Agreement, and Signature Required

In order for the City's Collection and Transportation Permit process to be completed, the applicant must provide signed copies of the Permit Application and Agreement, initialed as required, and provide all other required submittals and contact information. Please provide the requested information below.

Business Representative Printed Name

Business Representative Signature

Business Representative Position Title

Date

Business Name

Business Mailing Address

Business Telephone Number

Business Physical Address

Business E-Mail Address

SCHEDULE SWP

COLLECTION AND TRANSPORTATION SERVICES PERMIT

(Effective 10/01/19)

Any person, entity, or business engaged in the collection and transport of waste, recyclables, or other materials as classified within this rate schedule, and operating within the City of Denton must possess a current permit issued from the City prior to providing collection and transportation services. Any private container located within the City of Denton for use in waste and recyclables collection services is required to be permitted.

Permits for collection and transportation services are required for, but are not limited to, the following wastes and recyclables classifications:

- Special Waste
- Medical Waste
- Hazardous Waste
- Grease & Grit Trap Waste
- Commercial and Industrial Recyclable Materials – containerized and baled
- Construction and Demolition (C&D) materials, recyclables, reuseables, and discarded C&D materials
- Waste and recyclable collection service providers operating in newly annexed areas, or contract service providers for the city
- Refuse or recyclables that the City does not collect and transport.
- Waste Cooking Oil

The person shall apply for a permit from the city, and shall pay the required application fees at the time of permit application. All permits are non-transferable and are granted as non-exclusive service permits. Granting permits will be at the discretion of the City to meet the needs of the community. The permit applicant must pay the required fees, and meet all permit requirements prior to the issuance of a permit. Applicants with a Texas Commission of Environmental Quality (TCEQ) poor compliance history may not be permitted.

Granting of Permit

As a condition of granting a permit, the person or entity receiving such permit (permittee) agrees to execute and comply with all requirements of the service agreement, carry specific types and amounts of insurance, submit reports, and pay the necessary fees by the specified due date. Following the granting of a permit, permit stickers shall be issued by the City and shall be placed by the permittee on all vehicles operating within the city limits of. Collection and transportation vehicles operating in Denton are required to display a current and valid calendar year permit decal at all times. If decals are lost by the permittee, and are not visible on their vehicles, then the vehicles must be re-permitted by the permittee, and all appropriate fees paid, prior to the vehicles or containers being placed in service within Denton's city limits. The City of Denton is not responsible for lost decals.

Exclusions

Individuals living within the City limits of Denton, and hauling personal materials, wastes, or

recyclables from their primary living residence are exempt from this requirement.

Any person, who transports applicable materials three or fewer times per year, shall register with the City on the forms provided for that purpose. No annual service fees are required, but registration and permitting through the City is required.

Fees

Collection and Transportation Services Permit Fees
Service Providers

Application Fee	Paid Annually	\$200.00
Service Fees:	Per Vehicle	\$400.00
Waste manifests:	Per Book of 100	\$40.00

Service providers desiring to provide services in more than one service category are required to complete permit documentation and pay the applicable fees for each service category they desire to provide within Denton’s City limits. All fees paid are nonrefundable.

Application and service fees will be billed to the applicant through City of Denton’s Customer Service Department. Service fees are non-transferable between vehicles and are unit specific.

Violations / ‘No Operations’ Declaration

A business which has not been permitted by the City to operate within the City limits of Denton; or has been suspended by the City from operating within the City limits of Denton, Texas shall be charged a sum of up to \$500.00 per day by the City, for each day of violation of this ordinance, if the provider violates the ‘No Operations’ requirement prior to receipt of a City of Denton permit, or during any suspension of a permit period. Each day of illegal operations during a ‘No Operations’ period is considered a separate violation and the service provider is subject to being charged a sum of up to \$500.00 for each day of violation. Following the receipt of a ‘No Operations’ declaration and prior to a service provider being reinstated to legally operate within the City limits of Denton, the service provider must meet with the City staff to update their application and agreement and make payment of all monies owed to the City.

If a service provider operates a vehicle within Denton’s City limits which has not been permitted, operates any piece of equipment with an expired permit, performs some other permit violation, fails to make payment of the appropriate fees in a timely manner, the city will issue a ‘No Operations’ declaration to the service provider, and assess all applicable permit violation fees. Once a service provider has been issued a ‘No Operations’ declaration from the City, all services to be provided within Denton’s City limits are required to cease. Following a meeting with the City staff, and the payment of all monies owed the City, the status of the permit will be determined.

Revocation of Services & Non-Renewal of Permits

If the City finds any requirement of the permit has been violated, or observes service providers operating within Denton's City limits without current permits, the City may institute a 'No Operations' declaration. Additionally, the City may revoke or not renew the service provider's permit, thereby requiring the service provider to cease all operations within the City limits of Denton.

Reclassification of Recyclables

Recyclables containing ten (10%) percent or more contamination, as determined by the City, will be considered refuse, and its collection may not be provided by service providers permitted under this ordinance. This material shall be reclassified as refuse and will be collected by the City of Denton. The Director of Solid Waste or his/her designee, will make the final determination on whether stored recyclables contain excessive contamination, which at the City's determination, may cause the reclassification of these materials to municipal solid waste (MSW), thereby negating the ability of a service provider to transport this material within Denton's City limits under their operating permit pursuant to this ordinance.

The City of Denton has the authority to inspect the contents of any container located within Denton's City limits in order to determine the materials content of the container, so as to ensure compliance with the contamination requirements, which shall not exceed 10%.

Terms and Renewal

Permits are issued annually, beginning December 1, and are effective from January 1, or the date of issuance, whichever is later, through December 31 of the same calendar year. The permit application process should be initiated and fees should be paid as early as possible during the last quarter of each calendar year for the upcoming calendar year so that adequate time is available for review and processing of the application. All collection and transportation permits shall be valid for up to one calendar year from the date of issuance. All permits issued during a calendar year will expire on the last day of that calendar year.