

**RECYCLING AND HAULER LICENSING ORDINANCE 95-157**

**Sec. 11-114. Violations and Penalties:**

(a) *Civil Penalties:*

(1) Any licensed hauler who violates any provision of this article shall be subject to a fine of fifty dollars (\$50.00) for the first violation; one hundred dollars (\$100.00) for the second violation; and two hundred dollars (\$200.00) for a third violation. In the case of a fourth violation, a fourteen (14) day suspension of a license to collect or haul municipal waste, recyclable materials, landscape waste or food scrap within the county shall be imposed. A fifth violation may result in two (2) months' suspension of license. For further subsequent violation(s), the license may be revoked for the remainder of the license term plus an additional year. For purposes of enforcement, the time period in which these violations accumulate shall be the period of the license. Notwithstanding these provisions, any flagrant violation of this article may result in suspension or revocation proceedings pursuant to subsection 11-115(a) of this article.

(2) Any commercial establishment who violates any provision of this article shall be subject to a fine of not less than twenty five dollars (\$25.00) or more than one hundred dollars (\$100.00) per day in violation. Each day the violation continues shall constitute a separate and distinct violation.

(3) Any owner of a two-family, multi-family dwelling unit or mobile home park who fails to arrange for the collection of separated recyclables from such unit or units on the property in question or who otherwise violates any provision of this article shall be subject to a fine of not less than twenty five dollars (\$25.00) or more than one hundred dollars (\$100.00) per day in violation. Each day the violation continues shall constitute a separate and distinct violation.

(4) Any person who scavenges municipal waste and recyclable materials that have been set out by residents, or businesses, or the county specifically for an authorized collection under this article shall be subject to a fine of up to five hundred dollars (\$500.00). Each day any violation of this article continues shall constitute a separate offense.

(b) *Warnings:* The county or any of its duly authorized representatives will issue a warning notice to any occupant of a dwelling unit, owner of a two-family, multi-family dwelling unit or mobile home park, hauler or establishment observed not in compliance with any provision of this article.

(c) *Injunctive Relief:* The county may institute appropriate actions or proceedings, including application for injunctive relief, action to compel performance, or other appropriate action to prevent, restrain, correct, or abate any violation or threatened violation of this article. (Ord. 95-157, 6-13-1995; Ord. 97-107, 4-8-1997)