

CHAPTER 22 – SOLID WASTE

Sec. 22-13. License, city council action.

(a) Upon receiving the application for a license for solid waste collection services to commercial generators, the city manager or his designee shall review the application. A copy of the report shall be filed with the city clerk and the matter placed on a city council agenda for action. A copy of the report and the date on which it will be before the city council shall be provided to the applicant. The city clerk shall cause notice of such application and hearing to be published once in the city's official newspaper, indicating the date, time and place of the meeting and that comments from the public on the application will be heard.

(b) The council shall receive the report of the city manager or his designee. If no comments are received from the public in advance of the hearing, the council may waive the public hearing and proceed to shall consider the report, the application and comments from the public, if any. The council shall determine whether the license shall be granted or denied and shall consider the following:

(1) Quality of service proposed.

(2) Experience, character and financial responsibility of the applicant and its management and owners.

(3) Willingness of the applicant to comply with requirements of this code and proposed license.

(4) All requirements imposed by this ordinance, Title 49, Arizona Revised Statutes and any other considerations deemed pertinent by the council.

(c) The decision of the council shall be deemed final and conclusive.

(d) If the council determines that the application shall be denied, the determination shall be by resolution. If the council shall determine that the application shall be granted, it shall instruct the office of the city attorney to draft the appropriate license, which shall be executed by the applicant and approved by the city manager or his designee.

(e) The license shall not become effective until the licensed solid waste contractor has executed the license and the council approved the license application and the city manager or his designee has executed the license.

(f) Upon acceptance of the license by the applicant, the licensed solid waste contractor shall file and maintain in effect during the term of the license, a corporate surety bond, or some other form of financial guarantee acceptable to the city attorney providing that in the event the licensed solid waste contractor fails to comply with one or more of the conditions of the license,

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there shall be recoverable by the city any damages or costs suffered or incurred by the city, including the full amount of costs and attorneys fees.
(Ord. No. 96-30, 6/4/96, Enacted)