



SOLID WASTE REGULATIONS FOR PRINCE WILLIAM COUNTY

Effective January 1, 1999
Date Last Amended October 1, 2014

Section 100 Solid Waste Disposal Regulations

Section 100.1 Generally

(a) These regulations are promulgated by the County Executive with the approval of the Prince William Health District and the Department of Public Works, pursuant to Section 22-4 of the Prince William County Code to govern County solid waste disposal within the purposes of Chapter 22. These regulations shall have the force and effect of law, and may be amended, altered or repealed by the County Executive as is appropriate.

(b) These regulations became effective at 12:01 a.m. on January 1, 1999. All amendments shall become effective on that date on which they are promulgated.

(c) A copy of these regulations shall be posted in a conspicuous place at County designated solid waste disposal facilities and made available to interested individuals.

(d) The authority to enforce and administer these regulations is hereby delegated to the Director of Public Works.

Section 100.2 Definitions

For the purpose of these regulations, the following terms shall have the meanings ascribed to them herein, except where the context clearly requires another meaning. Terms not defined herein shall have the meanings ascribed to them in Section 22-2 of the Prince William County Code.

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Commercial User - Any person using a County designated solid waste disposal facility to dispose of refuse from a commercial establishment doing business in Prince William County, or the towns of Dumfries, Occoquan, Haymarket, or Quantico. Commercial Users shall include all governmental agencies and authorities.

Facility Manager - Director of Public Works or his designee, responsible for the management and daily operation of a County designated solid waste disposal facility.

Non-commercial User - Any person using a County designated solid waste disposal facility who is not a Refuse Remover, Commercial User or Residential User.

Recycling Remover – Any person engaged in the collection of recyclable material as a commercial enterprise. Recycling Remover also includes any refuse remover that collects recyclable materials.

Recycling System – A container or set of containers that are designed to receive and contain source separated recyclable materials and written instructions as to what may be placed in the container.

Refuse Remover - Any person engaged in removing or transporting refuse for compensation from two or more residential, commercial or industrial establishments either within or without the County.

Residential User - Any person using a County designated solid waste disposal facility who resides in Prince William County, or the towns of Dumfries, Occoquan, Haymarket or Quantico and who is not a Refuse Remover or Commercial User.

Solid Waste Disposal Facility - Any area designated by the Director of Public Works for the disposal of refuse, garbage, trash or other solid waste including yard waste generated within the confines of Prince William County, or the towns of Dumfries, Occoquan, Haymarket or Quantico.

Solid Waste Disposal Residential User Decal (SWD Residential User Decal) – Is a sticker used for efficient identification of County residents who utilize County solid waste facilities (County landfill, Balls Ford Road Compost Facility, and Rural Park-outs).

Section 100.3 Application of these Regulations to County Designated Solid Waste Disposal Facilities

These regulations shall apply to any solid waste disposal facilities which Prince William County designates. Notwithstanding these regulations, the Department of Public Works shall comply with any applicable County, State or Federal law which may not be presently reflected in these regulations.

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Section 100.4 Delegation of Authority of Director of Public Works

(a) The Director of Public Works is hereby authorized to delegate such duties set forth in these regulations, except those reserved specifically to him/her. However, the designation of these duties shall not be deemed to relieve the Director of Public Works of his/her responsibility for supervision and control of the County designated solid waste disposal facilities.

(b) The Solid Waste Division Chief shall perform such duties as may be assigned to him/her by the Director, consistent with these regulations, and shall have charge of the County designated solid waste disposal facilities.

Section 100.5 Director of Public Works Authorized to Promulgate Rules

(a) The Director of Public Works is hereby authorized to promulgate, after review and approval by the Prince William Health District and the County Executive, rules of operation for the internal administration of County designated solid waste disposal facilities and such other matters as may be provided herein. Such rules shall be consistent with these regulations, and with the laws of the United States, the Commonwealth of Virginia and Prince William County, and shall have the force and effect of law.

(b) Rules, which may be promulgated by the Director of Public Works in accordance with subsection (a), above, shall be in effect from the date on which they are promulgated and may be amended, altered or repealed by the Director upon review and approval by the Prince William Health District and County Executive.

Section 100.6 Operation of County Designated Solid Waste Disposal Facilities

(a) The Facility Manager shall be responsible for the operation of County designated solid waste disposal facilities in accordance with these regulations and any rules of operation promulgated under these regulations or Section 22-4 of the Prince William County Code. A written copy of the rules shall be available to interested persons upon request and shall be posted in a conspicuous place at County designated solid waste disposal facilities.

(b) County designated solid waste disposal facilities shall be available to persons disposing refuse during such hours and upon such conditions as the Director of Public Works may direct.

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Section 100.7 Use of County Designated Solid Waste Disposal Facilities

(a) Use of County designated solid waste disposal facilities is limited to residents of, and commercial establishments doing business in, Prince William County, or the towns of Dumfries, Occoquan, Haymarket or Quantico, and refuse removers, having a valid permit issued by the Department of Public Works, who collect waste generated in Prince William County, or the towns of Dumfries, Occoquan, Haymarket and Quantico. Refuse haulers, residents and commercial establishments may deliver City of Manassas and Manassas Park refuse with the approval of the Director of Public Works.

(b) Proof of County residency is required upon entering County solid waste facilities. The SWD Residential User Decal serves as proof of residency in Prince William County. County staff reserves the right to ask for further identification when necessary. The SWD Residential User Decal is not required. Residents may continue showing ID each time they enter the facility. Acceptable forms of ID are described in the Rules of Operation for the Prince William County Sanitary Landfill.

(c) The decal does not relieve any fees that may be applicable. The decal is also issued only to residential users; not commercial users. This decal is issued by Taxpayer Services and there is no charge nor is there a time limit. No more than 2 (two) decals per address will be allowed. The decal is not transferable and may be revoked if the user shares it with persons not residing in Prince William County. Fees for that load may apply. The decal must be permanently affixed to the inside of the vehicle windshield on the driver's side (bottom left). Loose or taped decals will not be accepted.

(d) The Director of Public Works or his designee shall determine the materials which may be dumped in County designated solid waste disposal facilities, provided that no caustic, hazardous or medical waste as defined by regulations of the Virginia Department of Environmental Quality shall be disposed of in the facilities, and the materials disposed are consistent with Federal and State regulations for such disposal.

Section 100.8 Charges for Refuse Disposal

(a) Subject to approval by the County Executive and the Board of County Supervisors, the Director of Public Works shall establish a fee schedule setting forth charges for use of County designated solid waste disposal facilities by refuse removers, commercial users, residential and non-commercial users, and other reasonable charges as are necessary for the efficient operation of County designated solid waste disposal facilities.

(b) It shall be unlawful for any refuse remover or commercial user to dispose of refuse in County designated solid waste disposal facilities before weighing the vehicle containing the refuse. In lieu of weighing a vehicle prior to and subsequent to disposing refuse, the Facility Manager may, with the consent of the vehicle driver, estimate the weight of the load based on the capacity of the vehicle.

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(c) If a gate fee is charged, any refuse remover or commercial user disposing of refuse shall be liable for charges as set forth in the rules of County designated solid waste disposal facilities, payable at the time of weighing. The charge shall be computed based upon the weight or volume of the material disposed.

(d) The Director of Public Works may promulgate reasonable rules to permit certain materials (for example, soil and gravel), that the Director determines to be beneficial to proper maintenance and operation of County designated solid waste disposal facilities, to be disposed of without charge.

(e) The Director of Public Works may promulgate reasonable rules to permit the disposal of refuse from community clean-ups, approved by the Director of Public Works upon consultation with Keep Prince William Beautiful.

(f) If any fee is charged, in lieu of payment at the gate, the Director of Public Works may provide for billing on a monthly basis, or otherwise. Any refuse remover or commercial user desiring an account whereby the monthly charge may be billed, must provide a payment bond or irrevocable letter of credit before that account is established. The bond or letter of credit shall be equal to actual or estimated billing amounts for two (2) months. Bonds or a letter of credit will not be required if the actual or estimated billing amounts for two months is less than \$500.00. The minimum bond or letter of credit amount shall be \$500.00 and subject to review every six (6) months. Bills shall be paid within thirty (30) days of billing and are subject to a penalty of ten (10) percent of the unpaid balance or ten (10) dollars, whichever is higher, plus interest on the total amount due at the rate of ten (10) percent, and suspension of disposal privileges, if not paid within thirty (30) days.

(g) A returned check fee will be charged for all returned checks. The fee will be in accordance with County fiscal policy. Accounts and disposal privileges will be suspended for returned checks and will not be reinstated until the checks have cleared. Cash or a cashier's check must be presented to clear accounts. Account holders with two or more returned checks within a 180 day period may be denied charging privileges.

(h) Charging to third party accounts will not be allowed unless written authorization for each load is received from the account holder at least 24 hours in advance.

Section 100.9 Commercial Removers

Section 100.9.1 General Vehicle Requirements

(a) Vehicles used by a refuse remover for transporting or removing refuse shall provide against leaking, spilling or refuse being blown or hurled from or deposited upon any street or public way during loading or while in transit.

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(b) The following type of vehicles shall be allowed for the transportation or removal of refuse by refuse removers:

(i) A vehicle equipped for hydraulic compaction of refuse and constructed with a watertight body completely enclosed and covered.

(ii) A vehicle used for transporting roll-off or other mechanically lifted stationary containers. Such containers shall be leak proof and equipped with built-in covers or with tarpaulin or equally effective covers, which shall be secured in place while in transit to prevent the escape of refuse.

(iii) A vehicle used only for the collection and transportation of discarded household furnishings, appliances, auto tires, construction debris and other nonputrescible wastes. Such vehicles shall be equipped with built-in covers or with tarpaulin or equally effective covers, which shall be secured in place while in transit to prevent the escape of refuse.

Section 100.9.2 Identification of Vehicles

Each refuse remover shall permanently display, on each vehicle operated by him in the removal or transportation of refuse, the number assigned to the vehicle pursuant to **Section 100.10.3**. The Department of Public Works shall provide the number assigned to the truck. These permit numbers shall be not less than three (3) inches high. The number shall be displayed and shall be permanently affixed on both sides of the vehicle, on the door of the cab. If placement on the door of the cab is not possible, the decal will be placed by the staff of Department of Public Works at the location they deem to be most visible. Alternately, the refuse remover may have the number permanently painted onto his vehicle provided he obtains approval from the Department of Public Works. The refuse remover shall display on each vehicle, its company name and telephone number as it appears on the permit issued to the refuse remover by the Department of Public Works. It shall be displayed in letters and numbers not less than four (4) inches high. Such information shall be painted in a conspicuous color contrasting to the color of the vehicle.

Section 100.9.3 Vehicles to be Provided with Fire Extinguishers

All vehicles used by a refuse remover for the transportation or removal of refuse shall be provided with a fire extinguisher of not less than **five (5) pound** capacity. Such fire extinguisher shall be kept affixed to the vehicle and shall be fully charged.

Section 100.9.4 Vehicles to be Covered

A vehicle used to transport solid waste shall use a cover to prevent the escape of materials from the vehicle, and shall be of such design, installation, and construction as to

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contain the vehicle's cargo within the vehicle, regardless of the vehicle's speed or weather conditions.

Section 100.9.5 Inspection of Vehicles

(a) Prior to the use of any vehicle in the collection or transportation of refuse, the applicant shall obtain a permit pursuant to Section 100.10 and shall have all vehicles to be operated pursuant thereto inspected and approved by the Department of Public Works. Thereafter, the permit holder shall have all such vehicles inspected annually by the Department of Public Works, at a reasonable time and place within the County. In the event of an emergency requiring the immediate replacement of such a vehicle, the refuse remover shall notify the Department of Public Works of such replacement. The replacement vehicle shall be inspected by the Department of Public Works, within thirty (30) days of its first use in the County. Use of the truck at that time may be allowed at the discretion of the Department of Public Works.

(b) Vehicles used for the removal or transportation of refuse by a refuse remover shall be made available for inspection, in addition to the inspections required in subsection (a) of this section, upon the request of the Department of Public Works. A reasonable time shall be provided for such inspections.

Section 100.9.6 Fee

A fee shall be paid in the amount of fifty dollars (\$50.00) for each inspection of a vehicle to be operated by the refuse remover in the removal or transportation of refuse. A ten dollar (\$10.00) fee will be assessed if a new decal is placed on the truck. Such fees shall be paid at the time of the inspection or invoiced with the monthly statement.

Section 100.10 Permit

Section 100.10.1 Application

Every person desiring a permit required by this section shall apply therefore to the Department of Public Works. Such application shall state the full name, address and telephone number of the applicant and the applicant shall therein state generally the areas within the County that he proposes to serve, the frequency of collections proposed and the number of vehicles to be used, and submit a recycling plan in accordance with the requirements of the Department of Public Works.

Section 100.10.2 Issuance or Denial

(a) A permit for which an application has been filed shall be issued or denied by the Department of Public Works within forty-five (45) days of the receipt of such application.

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(b) The Department of Public Works shall issue a permit required by **Section 100.10.1** upon receipt of a valid application and a satisfactory finding that the applicant has reasonably and substantially complied with all applicable sections of this section.

(c) The denial of a permit for which an application has been filed under **Section 100.10.1** shall be accompanied by assigned reasons for the denial. Three (3) months from the date of such denial, the application in question shall expire. Within that period of time, the Department of Public Works may issue a permit, upon finding that the applicant has noted the reasons for denial and substantially complied with the provisions of this section.

(d) Violation of **Sections 100.9 and 10** will subject permit holder to suspension or revocation of permit, in accordance with these regulations.

Section 100.10.3 Assignment of Vehicle Numbers

Upon the issuance of a permit under this section, and completion of a truck inspection, the Department of Public Works shall assign a number to each vehicle covered by such permit.

Section 100.10.4 Expiration; Renewal

All permits issued under this section shall expire one year following the date of issue and shall be renewed annually or as determined by the Director of Public Works.

Section 100.10.5 Surrender Upon Termination of Business

When a refuse remover terminates and discontinues his business, he shall surrender the permit issued under this section to the Department of Public Works, as of the date of such termination and discontinuance.

Section 100.10.6 Attendance at Quarterly Meetings

Any permitted refuse remover shall be required to have a representative attend four (4) quarterly refuse remover meetings scheduled by the Department of Public Works, Solid Waste Division. Failure to attend at least three (3) regularly scheduled quarterly meetings per year may result in fines in accordance with Section 100.13 (c).

Section 100.11 Recycling Removers

(a) Any recycling remover conducting business in Prince William County shall register their business with the Department of Public Works, Solid Waste Division. Said business is required to submit an Annual Recycling Report no later than February 15th for the previous calendar year's activities.

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(b) Recycling removers shall provide customers with a recycling system (containers and written information) for the materials which they are collecting. Written information shall be provided at least annually, and whenever changes occur, to customers and shall include what materials may be recycled, how to prepare materials for collection, recycling collection day, and where to call for additional information about their recycling program. Recycling removers not complying with these requirements are subject to the penalties further described in Section 100.13 (c)

(c) Pursuant to Sections 22-43 and 22-170 of the Prince William County Code all recycling removers serving residential units shall collect source separated recyclable material not less than once per week.

(d) All recycling removers shall collect recyclable material in vehicles specifically designed for such collection. Recycling removers utilizing rear load compaction vehicles to collect recyclable material shall clearly label both the drivers and passenger's side of the body as "recycling collection," or other similar wording. Recyclable material shall not be collected in a refuse vehicle that is also collecting refuse unless such vehicle is designed for co-collection, or with prior written approval from the Director of Public Works.

Section 100.12 Prohibited Practices

(a) It shall be unlawful for any person to violate these regulations or the rules of County designated solid waste disposal facilities or Chapter 22 of the Prince William County Code.

(b) It shall be unlawful for any person to dispose of prohibited materials in County designated solid waste disposal facilities.

(c) It shall be unlawful for any person to scavenge in County designated solid waste disposal facilities.

(d) It shall be unlawful to cut wood, standing or fallen, in County designated solid waste disposal facilities without permission.

(e) It shall be unlawful for any user to dump outside the designated areas in County designated solid waste disposal facilities.

(f) It shall be unlawful for a refuse remover to use County designated solid waste disposal facilities without a current and valid permit issued by the Department of Public Works as required by Section 22-56 of the Prince William County Code. No permit shall be issued for a refuse remover vehicle if the vehicle is not roadworthy or is not licensed or has not passed applicable safety inspections.

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(g) It shall be unlawful for any user to enter County designated solid waste disposal facilities operating a vehicle that is not roadworthy or not licensed or that has not passed applicable safety inspections.

(h) It shall be unlawful for any user to enter County designated solid waste disposal facilities with a vehicle carrying refuse that is not properly covered according to standards set by Prince William County and the Commonwealth of Virginia.

(i) It shall be unlawful to dispose of any refuse generated or collected outside of Prince William County, or the towns of Dumfries, Occoquan, Haymarket or Quantico, in County designated solid waste disposal facilities. Mixed commercial loads, which include waste generated within the Cities of Manassas and Manassas Park, may be accepted for a fee and with prior approval of the Director of Public Works.

(j) It shall be unlawful for any person to dispose of any refuse, garbage, trash or other solid waste generated or disposed of within Prince William County at any disposal site other than those designated by the Department of Public Works pursuant to Section 22-48 of the Prince William County Code. This provision shall not apply to occupants of single-family residences if the occupants have paid the fees, rates and charges of other single family residences in the same service area.

(k) It shall be unlawful for any person, except a refuse remover or a commercial user with a valid permit, who is not a resident of Prince William County, or a resident of the towns of Dumfries, Occoquan, Haymarket or Quantico, to dispose of refuse in County designated solid waste disposal facilities.

(l) All users of Prince William County solid waste facilities must recycle in accordance with Chapter 22, Article VII of The Prince William County Code. It shall be unlawful for any person to dispose of any loads as garbage and trash which contain more than 25% recyclable materials by volume, required to be recycled in accordance with this Article, which includes but is not limited to newspaper, mixed paper, cardboard, glass jars and bottles, aluminum and metal cans, and plastic bottles.

(m) It shall be unlawful for any permitted refuse remover to collect source segregated recyclable materials as refuse.

Section 100.13 Penalties for Violation

The following penalties, in addition to the penalties which may be imposed in accordance with the provisions in Chapter 22 of the Prince William County Code, shall be imposed.

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(a) Violations for a refuse hauler delivering waste, generated or collected outside of Prince William County, in violation of these regulations (Section 100.12(i)), to a County designated solid waste disposal facilities shall be punishable by the following:

First Offense:	\$1,000 fine plus tipping fee for the unauthorized load.
Second Offense:	\$5,000 fine plus tipping fee for the unauthorized load.
Third Offense:	\$10,000 fine plus tipping fee for the unauthorized load.
Fourth Offense:	\$10,000 fine plus tipping fee for the unauthorized load and for all loads delivered by the refuse hauler for one week designated by the facility manager.
Fifth Offense:	\$10,000 fine plus tipping fee for the unauthorized load and suspension of use of all County designated disposal facilities for not more than one year.

Violations shall remain in effect and be cumulative for a one (1) year period.

(b) Violation for a refuse hauler disposing as trash and garbage a load which includes more than 25% recyclable materials by volume, in violation of these regulations (Section 100.12(l)) shall be punishable by a fine of \$500.00 plus tipping fee for the load.

(c) Violation of any other of these regulations or any rules of County designated solid waste disposal facilities, other than Section 100.13(a) and (b), shall be punishable by a fine of not more than \$500.00 for each violation.

Section 100.14 Right to Appeal

A person who desires to appeal a notice of violation must file a written appeal with the Director of Public Works no later than ten (10) days after receipt of a notice of violation. Filing an appeal stays the execution of the notice of violation until the Director of Public Works renders an opinion.

Section 100.15 Appeal

(a) The Director of Public Works shall schedule a hearing with the appellant within (10) days of receiving notice of appeal. An extension of the hearing date, not exceeding ten (10) days, may be granted upon mutual agreement of the appellant and the Director of Public Works.

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(b) The Director of Public Works shall inquire into the issues involved in the appeal and shall determine whether a violation occurred and whether the term of the fine or suspension is reasonably related to the violation.

(c) The appellant, the Director of Public Works and the Chief of the Solid Waste Division or the Facility Manager shall be present at the hearing. Any party may have present at the hearing representatives of the party's choice.

(d) The parties may offer oral or written evidence, and may cross-examine witnesses. The parties shall produce such additional evidence as the Director of Public Works deems necessary to understanding and determining the appeal.

(e) The Appellant shall insure that a verbatim record of the hearing is made which shall be retained in the Director's custody for not less than twelve (12) months.

Section 100.16 Decision of the Director of Public Works

(a) The Director of Public Works shall determine whether a violation occurred and whether the term of the fine or suspension is reasonably related to the violation.

(b) The Director of Public Works shall inform the appellant in writing of the Director's decision not later than ten (10) days after the completion of the hearing. The decision shall summarize the evidence, shall make specific findings of fact and shall state in full the reasons for the decision, whether the fine or suspension was warranted, and whether the appeal is granted or denied. If the appeal is denied, the fine or suspension will be imposed unless the appellant appeals to the County Executive. Such appeal must be filed with the County Executive no later than ten (10) days after the appellant is notified of the decision of the Director of Public Works. An appeal will stay the fine or suspension until a decision is rendered by the County Executive. Decisions rendered by the County Executive shall be final in the process of appeal to the County.

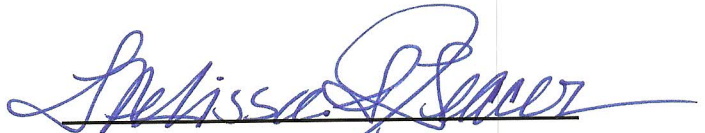
Section 100.17 Computation of Time

In computing any period of time prescribed or allowed by these regulations, the day of the act or event from which the designated period of time begins to run shall not be included. Saturdays, Sundays, and legal holidays shall be included in computing the period of time. The last day of the period shall be included, but if the last day falls on a Saturday, Sunday or legal holiday, then the period runs until the end of the next day which is not one of the aforementioned days.

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APPROVED BY:

MELISSA S. PEACOR
COUNTY EXECUTIVE



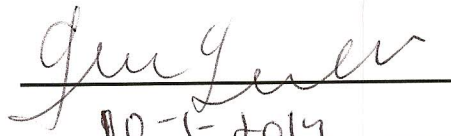
DATE: 10-10-2014

THOMAS BRUUN
DIRECTOR OF PUBLIC WORKS




DATE: 9/29/14

ALISON ANSHER, MD, MPH
DIRECTOR, PRINCE WILLIAM HEALTH DISTRICT



DATE: 10-1-2014

APPROVED AS TO FORM
COUNTY ATTORNEY



DATE: Sept 29, 2014