

## **ARTICLE II - RESIDENTIAL SOLID WASTE COLLECTION SERVICES**

**Section 2.1. Compliance With This Article Required.** No person shall engage in any residential solid waste collection services in the unincorporated area or otherwise provide such services to residents except in compliance with the provisions of this Ordinance and with all other applicable federal, state, and local laws, statutes, rules, and regulations.

**Section 2.2. Residential Solid Waste Collection - Generally.** No person shall engage in the business, enterprise, or commercial activity of providing all or any part of residential solid waste collection services within the unincorporated area or otherwise provide such services to residents except pursuant to a residential solid waste collection franchise issued under Section 2.3 or a temporary permit issued under Section 2.5. Any person who so engages in the business, enterprise, or commercial activity of providing any such residential solid waste collection services within the unincorporated area or otherwise to residents except pursuant to a residential solid waste collection franchise or temporary permit shall be in direct violation of this Ordinance and subject to penalties as specified in Section 4.1. This Section 2.2 shall not apply to the collection, transportation, or disposal of non-residential solid waste in the unincorporated area.

### **Section 2.3. Residential Solid Waste Collection Franchise.**

(a) In order to protect the health, safety, and general welfare of persons, property, and the environment in the unincorporated area, and to provide for and regulate uniform collection, transportation, and disposal of residential solid waste in the unincorporated area and from residents, the County may from time to time issue either an exclusive franchise to a single person or a nonexclusive franchise to multiple persons to conduct a business, enterprise, or commercial activity of residential solid waste collection services in the unincorporated area and to residents. Each such franchise shall contain such terms and conditions, not inconsistent with this Ordinance, as the County may deem appropriate.

(b) With exception of a franchise issued pursuant to this Ordinance contemporaneously with the adoption of this Ordinance to an existing franchisee, the County shall consider and grant or deny an application for a franchise or for the renewal of a franchise based on the following criteria:

1. the applicant's experience providing residential solid waste collection services
2. the experience of the applicant's principal owners providing residential solid waste collection services
3. the experience of the key personnel the applicant intends to dedicate to providing residential solid waste collection services in Lowndes County
4. the applicant's experience invoicing customers for and processing payments from customers of residential solid waste collection services
5. the applicant's capacity to provide curbside residential solid waste collection services to residents
6. the number of residences to which the applicant presently has the capability to provide curbside residential solid waste collection services
7. whether the applicant is currently providing residential solid waste collection services
8. where the applicant has previously provided residential solid waste collection services in the preceding five (5) years