



ORDER ADOPTING STANDARDS FOR THE LICENSING, PERMITTING AND REGULATING OF COMMERCIAL WASTE HAULERS/TRANSPORTERS, ESTABLISHING A REVIEW BOARD, AND PROVIDING PENALTIES

WHEREAS, Section 368.012 of the Texas Health & Safety Code allows the Commissioners Court to regulate and license commercial waste haulers in order to protect the public health, safety, or welfare; and

WHEREAS, and the Polk County Commissioners Court has previously adopted regulations therefore; and

WHEREAS, the Polk County Commissioners Court has determined that further regulations related to commercial waste haulers are necessary to protect the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners Court of Polk County, Texas:

SECTION 1. As used herein, the terms "Waste" and "Waste Hauler" have the same meanings as given in Section 368.011 of the Texas Health & Safety Code.

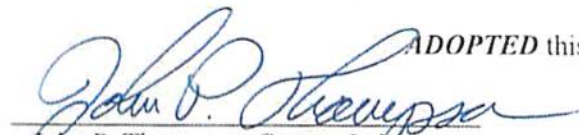
SECTION 2. All waste haulers who, for compensation, transport waste in any unincorporated area of Polk County, and who are otherwise not made exempt by law, are hereby required to submit an "Application for Polk County Solid Waste Hauler License" and/or "Application for Polk County Permit to Transport Grease Trap, Sand Trap and/or Septic Waste", which are attached hereto as Exhibits "A" and "B" and incorporated by reference as if fully recited herein, along with an annual fee of \$75.00 per transport vehicle, and a duly executed Surety or Property Bond in the amount of \$500.00.

SECTION 3. A commercial waste hauler commits an offense by failing to comply with this Order, or with any of the requirements thereof. Each and every violation of this Order, or of the requirements thereof, shall be a separate and distinct offense. Each such offense is a class "C" misdemeanor, punishable by a fine of up to \$500.

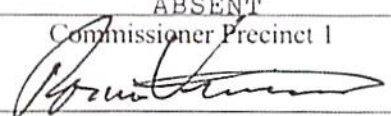
SECTION 4. A Board of Review is hereby established that is vested with the authority to conduct hearings and make determinations regarding the suspension or revocation of all waste haulers' licenses/permits granted pursuant to this Order. As criteria for determining whether the suspension or revocation of a particular waste hauler's license/permit is warranted, the "Grounds for Suspending or Revoking a Waste Hauler License/Permit" are hereby established, and are attached hereto as Exhibit "C" and are incorporated by reference as if fully recited herein. This Board shall have five (5) members who are appointed by the Commissioners Court of Polk County. The Board members shall serve at the pleasure of the Commissioners Court without remuneration.

SECTION 5. These Regulations shall become effective on January 1, 2011 and shall supercede any regulations previously adopted for this purpose.

ADOPTED this 26th day of October, 2010.


John P. Thompson, County Judge

ABSENT

Commissioner Precinct 1


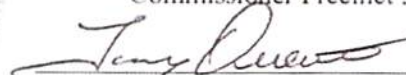
Commissioner Precinct 2

Attest:


Schelana Walker, County Clerk



ABSENT

Commissioner Precinct 3


Commissioner Precinct 4