



CITY OF
ST. AUGUSTINE™
EST. 1565



City of St. Augustine Construction and Demolition Collection Policies

City Ordinance requires that Construction and Demolition material be collected and hauled through the franchise agreement in place. The City of St. Augustine offers this service using dumpsters and roll off containers. Per Section 30-14 "Franchise required for businesses conducting private collection and disposal of construction and demolition debris." Outside haulers can only begin to haul C&D once they've satisfied the requirements of the Franchise Contract.

Current 3 year term franchise haulers include:

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| 1. Advanced Disposal Services | 904-827-1005 |
| 2. Atlantic Disposal | 904-239-2783 |
| 3. Construction Debris Removal | 904-471-9709 |
| 4. Environmental Land Services | 386-447-2222 |
| 5. First Coast | 904-429-9750 |
| 6. Hicks Land Clearing & Incineration | 904-797-5370 |
| 7. Seaboard Waste Systems | 904-825-0991 |
| 8. Southern Comfort Mowing Inc. | 904-797-3080 |
| 9. Strickland Construction Service | 386-328-9898 |
| 10. Waste Pro of Florida | 904-669-2628 |

For Inquiries or questions about the Franchise Haulers Agreement, contact the Solid Waste Division for an application at **904-825-1049** or solidwaste@citystaug.com

Sec. 30-14. - Franchise required for businesses conducting private collection and disposal of construction and demolition debris.

(a) It shall be unlawful for any person or other legal entity not holding a valid and appropriate franchise issued by the city and which allows such person or entity to engage in the business of, or to receive compensation or consideration for, the performance of the following: Collecting, hauling or transporting construction and demolition debris by containerized motor vehicles, roll-offs, compactor containers or dumpsters from any property within the city. These provisions shall not apply (1) to the collection, hauling or transporting of land clearing debris; hazardous, radiological and biohazardous waste; wrecked, scrapped, ruined or dismantled motor vehicles, boats or motor vehicle parts; or yard trash or (2) when the collecting, hauling or transporting of construction and demolition debris is clearly subordinate and incidental to the services for which compensation is paid.

(b) The city manager, or his or her designee, may enter into a franchise agreement with qualified applicants for the non-exclusive right to collect and transport construction and demolition debris from any property within the city limits when the city manager, or his or her designee, has received satisfactory evidence of the following and when the applicant covenants as follows:

- (1) The application is made in good faith.
 - (2) The applicant has the means and resources to carry out the collection and transportation service required by the franchise.
 - (3) The applicant demonstrates the ability to maintain insurance in the form and amount prescribed by the city, including liability coverage, and to indemnify the city.
 - (4) The applicant has complied, or demonstrates its capacity and willingness to comply, with all applicable federal, state and local laws and ordinances, rules and regulations, including required permitting.
 - (5) The applicant demonstrates the ability to provide a bond in the amount of five thousand dollars (\$5,000.00) or other surety for the applicant's faithful payment under this ordinance and the franchise.
 - (6) The applicant shall maintain an office located in St. Johns County.
 - (c) The city manager shall prescribe forms for franchise applications, and said forms may require (i) certified copies of all corporate, partnership or other documents reflecting the applicant's owners, shareholders, partners, officers or agents; (ii) bonds; (iii) insurance; (iv) a proposed schedule of rates, fees and charges and (v) any other relevant information deemed necessary to fully advise the city commission of the applicant's qualifications and ability to perform under a franchise agreement. The city manager shall not require submittal of proprietary information if such information is exempt or confidential as defined by the Florida Public Records Act, F.S. ch. 119.
- (1) Initial application for non-exclusive franchise for the collection, transportation and disposal of construction and demolition debris shall be submitted on a form provided by the city.
 - (2) Any non-exclusive franchise granted shall be for a three-year period beginning October 1 and ending September 30 of the third year.
 - (3) Thereafter, renewal applications shall be submitted between July 1 and August 1 of the third year, unless otherwise provided by resolution of the city commission.
 - (4) Failure to submit applications as provided above shall result in a forfeiture of an applicant's ability to obtain a non-exclusive franchise.
 - (d) The following franchise fees shall be paid to the city for non-exclusive franchisees:
 - (1) The franchisee or authorized collector shall pay franchise fees to the city for the privilege of using the public rights-of-way and other thoroughfares of the city for the collection and transportation of construction and demolition debris which originates within the city limits.
 - (2) The franchise fee schedule is as follows:
 - a. The franchisee's fee for construction and demolition debris shall be equal to ten (10) percent of the franchisee's gross revenue collected for collection, transportation, processing and/or disposal of construction and demolition debris.
 - b. Haulers shall pay a five hundred dollars (\$500.00) fee for the term of the franchise and for each subsequent renewal.
 - c. The franchisee's fee for registration of each vehicle hauling construction and demolition debris shall be twenty-five dollars (\$25.00) per year per vehicle operating within the city.
 - (3) Franchise fees shall be paid to the city on a time schedule as determined in the franchise agreement, or if not provided in the franchise agreement, as determined in writing by the city manager or his or her designee.
 - (4) The franchise fee amount or percentage may be amended by resolution of the city commission following public hearing.
 - (e) Regulations applicable to franchise holders. Non-exclusive franchisees collecting, transporting and/or disposing of construction and demolition debris shall comply with the following requirements:
 - (1) When collecting, transporting and/or disposing of construction and demolition debris, each of the franchisee's employees shall wear a company shirt or uniform which shall have the franchisee's name or logo on a conspicuous place.
 - (2) All trucks used by the franchisee for the collection of construction and demolition debris shall be marked with the name and telephone number of the franchisee in plainly visible letters. Each container placed on a commercial site shall be labeled with the name of the franchisee on the side.
 - (3) All franchisee containers for hauling shall be totally enclosed or securely covered when transporting within the city.
 - (4) All vehicles used by the franchisee for transporting shall be maintained in good, clean and safe operating condition. Each franchisee shall have all vehicles used a part of the franchise agreement inspected at least once a year by a properly licensed professional mechanic and shall provide a written inspection report to the city public works department solid waste division.
 - (5) The franchisee shall provide the city with a current list of vehicles used under the franchise agreement and shall further provide the vehicle identification number and current license plate number of each vehicle.
 - (6) The franchisee immediately shall clean and properly dispose of any waste materials or products dropped or spilled by the franchisee. Upon completion of the clean-up, the franchisee shall timely report to the city solid waste division in writing the location, type of drop or spill and the corrective procedure conducted.
 - (7) All construction and demolition debris collected by the franchisee or collector shall be processed or disposed of at a properly permitted or licensed facility.
 - (8) For the purpose of verifying the amount of any franchise fee payable to the city pursuant to this ordinance, or for the purpose of verifying the items, reports and information provided by the franchisee pursuant to this ordinance, the city shall have access at all reasonable hours to the franchisee's places of business and its statistical, customer service and other records relating to the accumulation, collection, transportation and disposal of construction and demolition debris from properties within the city during the preceding year and such other information as the city may require in support of same.
 - (9) All reports, audits and payments shall be timely made by each franchisee and failure therein shall be a default in the franchise agreement. Any late payments of franchise fees due under the franchise shall bear interest at the maximum rate allowed by law.
 - (f) If the city manager deems a franchisee to be in violation of its franchise agreement, or in violation of this ordinance or resolutions, rules or regulations promulgated hereunder, the city manager shall notify the franchisee by certified mail of the reasons why the franchisee is considered to be in violation and shall provide ten (10) days for the franchisee to review the violation and to comply with the terms of the franchise agreement. Failure by the franchisee to comply in the specified time may result in termination of the franchise.