

# **The Solid Waste Disposal Authority of the City of Huntsville Charge Account Terms and Conditions**

**THE FOLLOWING POLICIES APPLY TO ALL COMPANIES OR INDIVIDUALS DELIVERING WASTE TO FACILITIES OF THE SOLID WASTE DISPOSAL AUTHORITY OF THE CITY OF HUNTSVILLE (hereafter referred to as "SWDA" or "THE AUTHORITY"), INCLUDING THEIR AGENTS AND SUBCONTRACTORS, WHO HAVE ESTABLISHED A CHARGE ACCOUNT WITH SWDA:**

## **BILLINGS & PAYMENTS:**

1. THE CUSTOMER SHALL DESIGNATE AN AUTHORIZED INDIVIDUAL REPRESENTATIVE WITH WHOM THE AUTHORITY CAN DISCUSS THE ACCOUNT. THE AUTHORITY MAY RELY ON THIS DESIGNATION UNTIL IT IS WITHDRAWN BY THE CUSTOMER.
2. PAYMENT FOR ALL FEES MUST BE MADE IN CASH OR BY CHECK MADE PAYABLE TO THE SOLID WASTE DISPOSAL AUTHORITY OF THE CITY OF HUNTSVILLE.
3. ALL BILLS FOR CHARGES SHALL BE DUE AND PAYABLE UPON RECEIPT AND SHALL BE DELIQUENT IF NOT PAID IN FULL ON OR BEFORE THE 20<sup>TH</sup> DAY OF THE MONTH NEXT SUCCEEDING THE MONTH IN WHICH THE CHARGES WERE INCURRED. IN THE EVENT ANY CHARGE BILL SHALL NOT BE PAID BEFORE THE SAME HAS BECOME DELINQUENT, THERE SHALL BE ADDED THERETO A PENALTY OF 10% OF THE AMOUNT OF SUCH BILL EXCEPT THAT MAXIMUM PENALTY ON EACH ACCOUNT SHALL NOT EXCEED \$500.00 FOR FIRST DELIQUENCY OR \$1,000.00 FOR A SECOND DELIQUENCY OCCURRING DURING THE SAME THREE (3) FISCAL YEAR PERIOD. INTEREST AT THE RATE OF 10% A YEAR SHALL BE ASSESSED FROM THE DATE THE CHARGES BECOME DELIQUENT.
4. THE AUTHORITY, AT ITS SOLE DISCRETION, MAY SUSPEND CHARGING PRIVILEGES FOR DELINQUENT ACCOUNTS OR FOR ANY OTHER REASON. CHARGING PRIVILEGES THAT HAVE BEEN SUSPENDED MAY BE REINSTATED BY THE EXECUTIVE DIRECTOR.
5. PERMITTED COMPANIES OR INDIVIDUALS MAY ALLOW A THIRD-PARTY, AUTHORIZED HAULER TO USE THEIR ACCOUNT ONLY IF THE AUTHORIZATION IS SUBMITTED TO THE AUTHORITY ON LETTERHEAD SIGNED BY AN AUTHORIZED REPRESENTATIVE OF THE COMPANY PERMITTING THE CHARGES.
6. BILLING PROTESTS MUST BE MADE IN WRITING AND DIRECTED TO THE EXECUTIVE DIRECTOR OF THE SOLID WASTE DISPOSAL AUTHORITY.
7. CUSTOMERS WHO CHOOSE TO RECEIVE BILLING INFORMATION ELECTRONICALLY ARE RESPONSIBLE FOR MAINTAINING A SECURE INFORMATION TECHNOLOGY ENVIRONMENT AND SHALL HOLD THE AUTHORITY HARMLESS FOR BREACHES OF SECURITY THAT RESULT FROM ELECTRONIC BILLING.
8. STORED TARE WEIGHTS SHALL BE CONFIRMED AS DETERMINED BY THE AUTHORITY OR AS REQUESTED BY THE CUSTOMER.
9. CHECKS RETURNED FOR INSUFFICIENT FUNDS SHALL RESULT IN THE IMMEDIATE LOSS OF TIPPING PRIVILEGES. THE CUSTOMER SHALL BE CHARGED A FEE OF \$15 AND SHALL BE RESPONSIBLE FOR ALL FEES INCURRED BY THE AUTHORITY IN COLLECTING RETURNED CHECKS.
10. ACCOUNTS MAY BE CANCELED AT ANY TIME UPON WRITTEN NOTIFICATION BY THE EXECUTIVE DIRECTOR.

## **TRANSACTION PROCESSING:**

1. TIPPING FEES AND OTHER FEES SHALL BE CHARGED AS ESTABLISHED BY THE BOARD OF DIRECTORS OF THE AUTHORITY AND LAWS OF THE STATE OF ALABAMA.
2. CUSTOMERS WHO WISH TO USE THE SWDA LANDFILL EXPRESS LANE ("EXPRESS LANE") MUST REQUEST PRIVILEGES IN WRITING.
3. CUSTOMERS APPROVED TO USE THE EXPRESS LANE MUST OBTAIN A MOUNTING KIT FROM THE AUTHORITY AND MOUNT THE ENCLOSED BRACKET AS INSTRUCTED.

4. THE AUTHORITY SHALL PROVIDE ONE EXPRESS LANE KIT PER CUSTOMER VEHICLE AND, WHERE APPLICABLE, CUSTOMER ROLLOFF CONTAINER, AT NO CHARGE TO THE CUSTOMER. THIS INCLUDES ALL VEHICLES IN USE BY THE CUSTOMER FOR DELIVERY TO AUTHORITY FACILITIES AT THE TIME THE CUSTOMER ESTABLISHES EXPRESS LANE PRIVILEGES.
5. EXPENSES INCURRED BY THE AUTHORITY TO REPLACE EXPRESS LANE KITS AS A RESULT OF THE CUSTOMER REPLACING VEHICLES OR DAMAGING EQUIPMENT SHALL BE AT THE CUSTOMER'S EXPENSE.
6. ALL COMPLETED TRANSACTIONS, EXCEPT THOSE TRANSACTIONS COMPLETED VIA THE EXPRESS LANE, SHALL BE EVIDENCED BY A SIGNATURE OF THE COMPANY, INDIVIDUAL, AGENT OR SUB-CONTRACTOR.
7. TRANSACTIONS COMPLETED VIA THE EXPRESS LANE SHALL BE ACKNOWLEDGED BY ON SCREEN ACCEPTANCE OF THE TRANSACTION TERMS. THIS ACCEPTANCE SHALL HAVE THE SAME EFFECT AS A SIGNATURE.
8. TRANSACTIONS INVOLVING INDUSTRIAL WASTE LOADS SHALL NOT BE PROCESSED THROUGH THE EXPRESS LANE. THEY MUST BE PROCESSED THROUGH THE SCALEHOUSE TO ENSURE THAT PROPER DOCUMENTATION IS OBTAINED.

#### **SITE ACCESS**

1. ALL INDIVIDUALS MUST CHECK INTO THE SCALEHOUSE PRIOR TO ACCESSING SWDA FACILITIES.
2. ALL COMPANIES ENTERING THE SITE SHALL BE LICENSED TO DO BUSINESS AS REQUIRED BY LAW.
3. ALL VEHICLES ENTERING THE FACILITY SHALL MAINTAIN INSURANCE AS REQUIRED BY ALABAMA DEPARTMENT OF REVENUE ADMINISTRATIVE CODE, SECTION 810-5-8
4. ALL HAULER TRUCKS MUST HAVE THE HAULER NAME AND TRUCK NUMBER VISIBLY DISPLAYED.
5. CUSTOMERS ARE TO USE EXTREME CAUTION WHILE ON SITE; UNSAFE DRIVERS SHALL BE BARRED FROM THE SITE.
6. CUSTOMERS ARE EXPECTED TO FOLLOW INSTRUCTIONS AS PROVIDED BY THE LANDFILL SPOTTER.
7. THE LANDFILL IS A "NO TEXTING" AND "NO CELL PHONE" ZONE.
8. THE SITE SPEED LIMIT IS **25 MPH**.
9. EACH COMPANY OR INDIVIDUAL DELIVERING WASTE TO FACILITIES OF THE AUTHORITY RECOGNIZES THE INHERIT DANGERS OF ENTERING A LANDFILL AND ASSUMES RESPONSIBILITY FOR DEVELOPING AND ENFORCING A HEALTH AND SAFETY PLAN FOR THEIR EMPLOYEES WHICH APPLIES WHILE ON AUTHORITY PROPERTY.

#### **INDEMNIFICATION**

Customer agrees to defend, indemnify, and hold harmless the Solid Waste Disposal Authority of the City of Huntsville and its officers, employees and agents, from and against all claims, actions, causes of action, injuries, damages, losses, liabilities, and expenses (including, without limitation, reasonable attorney's fees and court costs) arising out of, or in consequence of, any negligent or intentional act or omission of Applicant or its officers, employees, agents, or subcontractors to the extent of its or their responsibility for such claims, actions, causes of action, injuries, damages, losses, liabilities, and expenses.