



Unsecured Load Policy

Responsible Executive: Vester Wilson, Superintendent

Responsible Office: Solid Waste Division

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CONTACTS

Policy Clarification		
Title/Office	Telephone	Webpage
Solid Waste Division 4848 Midland Road Billings, MT. 59102	(406) 657-8260	https://www.ci.billings.mt.us/directory.aspx?did=38

STATEMENT OF POLICY

By vote of the seated Council of the City of Billings, Resolution 19-10799 A Resolution Establishing Solid Waste Residential and Commercial Collections and Disposal Fees and Landfill Use Fees was adopted on June 10, 2019 with the approved rates therein taking effect July 1, 2019. Schedule III - Landfill Use Fees in part describes an Unsecured Load Fee.

Schedule III – Landfill Fees	Origin of Waste		
	City of Billings	Other Towns & Counties	Outside of Montana
Uncovered Load Fee	\$10.00	\$12.00	\$14.40

A vehicle arriving at the Billings Regional Landfill carrying a **Load** should meet the following criteria:



The vehicle and attached equipment shall be properly maintained so that there are no failures in structure that allow materials being transported to escape. The compartment, bed or equipment carrying materials should:

- not have any gaps, holes, cracks, tears, openings or damage that allows materials to escape during transportation;
- should be enclosed on all sides and by panels, or other structure;
- shall be covered and secured as required to prevent spillage:
 - be completely enclosed by a compartment, panels or other structure;
 - not rise above the top of a panel or other structure;
 - loose materials will be fully covered to prevent blowing;
 - all materials will be appropriately secured using tie down equipment;

Commercial transportation vehicles shall be fully responsible to the same criteria and any governing authority responsible for licensing or permitting, and any service agreements held with the Billings Regional Landfill for transportation, dumping and facilities use.

REASON FOR THIS POLICY

This policy is to assist with clarification of the Unsecured Load Fee assessment and set expectations for compliance by users of the Billings Regional Landfill and facilities.

The Unsecured Load Fee is designed to support the language of The Montana Code Annotated (75-10-212 Disposal in unauthorized area), the Montana Department of Environmental Quality Administrative Rules (17.50.523 – Transportation) and the Billings, Montana Code of Ordinances (Sec. 21-217. Load Security). These rules and associated fees are in place to protect the rights and safety of citizens, as well as protect privately and publically owned properties and the environment from improperly disposed waste and litter.

Billings Regional Landfill users arriving with an **Unsecured Load**, as defined in this policy, that does not meet the criteria of a secure load as described in the **Statement of Policy** will be assessed a fee as described in the City of Billings Resolution 19-10799. If a driver is assessed an Unsecured Load Fee they will be given a tarp to assist in securing future loads they may bring to the Landfill. Vehicles arriving at the Landfill are also subject to **Random Load Inspections**, as defined in this policy, in compliance with Montana Department of Environmental Quality Administrative Rule 17.50.1103.

INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY

All Billings Regional Landfill and facility users.

EXCLUSIONS

None.



RESPONSIBILITIES

Public Works Department

- Maintain written policy.
- Update the Solid Waste Fees Resolution as needed.

Solid Waste Division

- Assess and enforce approved fees.

DEFINITIONS

All defined terms are capitalized and bolded throughout the document.

Load

A load shall be considered any material in any quantity carried by a vehicle in any compartment, bed or attached equipment including carriers and trailers.

Random Load Inspections

Random incoming trucks and vehicles are screened for prohibited and restricted wastes. Unacceptable wastes are returned for proper disposal.

Unsecured Loads

A load of any quantity of any material or refuse that is not fully tied, covered or enclosed in such a manner that material being transported cannot be spilled, blown, dropped or otherwise lost from the transporting vehicle.

RELATED DOCUMENTS

City of Billings Resolution 19-10799 (adopted June 10, 2019 – CURRENT):

<https://www.ci.billings.mt.us/DocumentCenter/View/38484/Resolution-19-10799?bidId=>

Billings, Montana – Code of Ordinances (version APR 29, 2019 – CURRENT):

<https://www.ci.billings.mt.us/152/City-Code>

Montana Code Annotated (version NOV 12, 2018 - CURRENT):

<https://leg.mt.gov/bills/mca/index.html>

Montana Department of Environmental Quality (version FEB 12, 2010 – CURRENT)

<http://deq.mt.gov/Land/solidwaste/lawsrules>



WEBSITE ADDRESS FOR THIS POLICY

https://www.ci.billings.mt.us/DocumentCenter/View/38537/Unsecured-Load-Policy_v070119

HISTORY AND UPDATES

The first promulgation and revision of the policy took place on July 1, 2019 upon adoption of the City of Billings Resolution 19-10799 taking effect July 1, 2019, which is the first appearance and approval of the Unsecured Load Fee.

APPENDIX

<http://secureyourload.com/>

<https://ag.purdue.edu/soilandwater/securing-the-load-a-guide-to-safe-and-legal-transportation-of-cargo-and-equipment/>

<http://williamsoncountylandfill.wm.com/community/cover-your-load.jsp>

<http://www.dontmesswithtexas.org/the-campaign/>

<https://www.epa.gov/landfills/municipal-solid-waste-landfills>