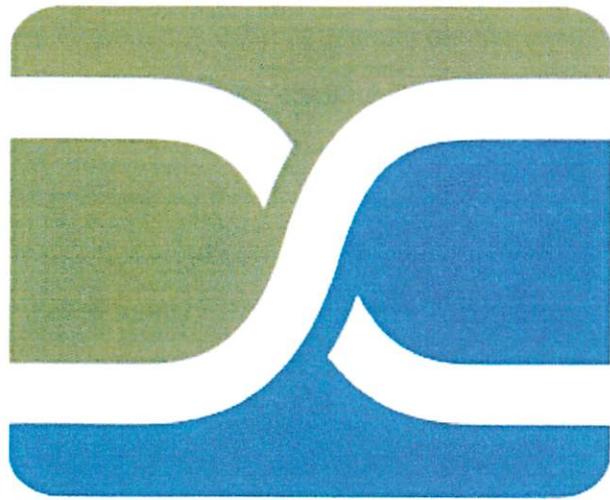


DAVIS COUNTY BOARD OF HEALTH

INFECTIOUS WASTE REGULATION



**Davis**

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## **1.0 PURPOSE**

The purpose of this regulation is to preserve, promote and protect the public health, safety and general welfare of residents and visitors in Davis County by establishing minimum standards for the safe transportation and treatment of infectious waste.

## **2.0 SCOPE**

This regulation is applicable to all incorporated and unincorporated areas of Davis County.

## **3.0 AUTHORITY AND APPLICABLE LAWS**

This regulation is adopted under the authority of the Davis County Board of Health in accordance with Utah Code Annotated (UCA) Section 26A-1-121

The Davis County Board of Health hereby adopts by reference and incorporates herein the following provisions of the UCA and the Utah Administrative Code (UAC), subject to the additions, clarifications, exceptions, and modifications set forth in this regulation:

UCA: The Solid and Hazardous Waste Act as set forth in Title 19-6-101, et. seq.;

UAC:

Chapter R315-301 Solid Waste Authority, Definitions, and General Requirements;  
Chapter R315-306 Incinerator Standards; and  
Chapter R315-316 Infectious Waste Requirements

## **4.0 DEFINITIONS**

- 4.1 DEPARTMENT: The Davis County Health Department.
- 4.2 INFECTIOUS WASTE COLLECTION VEHICLE: Any vehicle, tank, trailer, or combination thereof, which provides commercial collection, transportation, storage or disposal of infectious wastes.
- 4.3 INFECTIOUS WASTE MANAGEMENT FACILITY: A facility that renders infectious waste non-infectious through an approved treatment or disposal method.
- 4.4 NUISANCE: Any condition or hazard or the source thereof, deleterious or detrimental to the health, safety, or welfare of any Person or property.
- 4.5 OWNER: The Person or Persons who have primary financial and legal interest in an Infectious Waste Management Facility.
- 4.6 PERSON: Any individual, firm, corporation and its officers, association, partnership, cooperative, trustee, executor of an estate, governmental agency or any other legal entity recognized by law, in the singular or plural.

## **5.0 REGULATION**

### **5.1 Right of Entry**

A representative of the Department shall be allowed access to the premises of an Infectious Waste Management Facility and Infectious Waste Collection Vehicle upon providing proper identification.

### **5.2 Operating Permits**

A Person may not operate an Infectious Waste Management Facility or an Infectious Waste Collection Vehicle without a valid operating permit issued by the Department.

#### **5.2.1 Change of Ownership**

Any time that an Infectious Waste Management Facility changes ownership, the new Owner shall obtain an operating permit.

#### **5.2.2 Renewal**

Operating permits must be renewed within 30 days of expiration.

5.2.2.1 A late fee may be assessed every 30 days.

#### **5.2.3 Validity**

An operating permit shall be valid for one calendar year.

### **5.3 Infectious Waste Collection Vehicle**

Each Infectious Waste Collection Vehicle shall be responsible for the infectious waste from the point of collection to the Infectious Waste Management Facility.

#### **5.3.1 Vehicle Requirements**

5.3.1.1 The business name shall be posted or printed on the vehicle with a minimum height of three (3) inches.

5.3.1.2 The Department issued permit shall be posted on the vehicle in public view.

5.3.1.2.1 A Department issued permit is not transferable between vehicles.

### **5.4 Enforcement**

It is unlawful for any Person not to comply with this regulation and the incorporated state statute and state administrative rules and/or to interfere with the Department in the performance of its duties.

- 5.4.1 Notice of Violation.  
A notice of violation may be issued for any violation of this regulation.
- 5.4.2 Follow-up Inspection.  
A follow up inspection may be required for any notice issued.
- 5.4.3 Suspension or Revocation of a Permit.  
An Infectious Waste Management Facility operating permit may be suspended or revoked if the facility has violated any provisions of this regulation.

## **6.0 PENALTY**

Any Person who fails to comply with this regulation or interferes with the Department in the performance of its duties shall be subject to the criminal and/or civil penalties set forth in this regulation.

### **6.1 Criminal Penalties Pursuant to UCA Section 26A-1-123**

Pursuant to UCA 26A-1-123:

- 6.1.1 any Person who is found guilty by a court having proper jurisdiction of violating any of the provisions of this regulation; or, violating, disobeying, or disregarding any Notice or Order issued under this regulation is guilty of a class B misdemeanor;
- 6.1.2 any Person who is found guilty of a subsequent similar violation within two years of the initial violation is guilty of a class A misdemeanor;
- 6.1.3 each day such violation is committed or permitted to continue shall constitute a separate violation.
- 6.1.4 conviction under this section does not relieve the Person convicted from civil liability.

### **6.2 Civil and Administrative Penalties**

The exercise of civil and administrative penalties shall be subject to the Davis County Board of Health's Adjudicative Hearing Procedures Regulation.

- 6.2.1 Any Person who violates any of the provisions of this regulation or violates, disobeys, or disregards any Notice of Violation or Order issued under this regulation shall be subject to:
  - 6.2.1.1 the payment of costs incurred in the enforcement of any violation or notice issued, including costs attributable to any involved local agencies;

6.2.1.2 a penalty pursuant to the provisions of UCA Subsection 26-23-6(2).

**7.0 SEVERABILITY**

If any provision, clause, sentence, or paragraph of this regulation or the application or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions or applications of this regulation. The valid part of any clause, sentence, or paragraph of this regulation shall be given independence from the invalid provisions or application, and to this end the provisions of this regulation are declared to be severable.

**8.0 FEES**

8.1 Infectious Waste Collection Vehicle Permit: \$75.00

8.2 Infectious Waste Management Facility Permit: \$4,000.00

8.2.1 A surcharge of \$.0025 per pound will be assessed on all infectious waste treated in excess of 500,000 pounds in a given calendar year.

8.3 Follow up inspection fee \$100.00

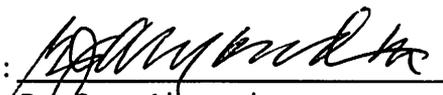
IN WITNESS WHEREOF, the Davis County Board of Health has passed, approved and adopted this regulation this 2<sup>nd</sup> day of October, 1990.

Effective date: 2<sup>nd</sup> day of October, 1990.

Revised and Amended: November 8, 2011.

Revised and Amended: February 14, 2017.

Davis County Board of Health

Signed:   
Dr. Gary Alexander,  
Board Chairman

Attest:   
Brian Hatch, MPH  
Director of Health