Business Integrity Commission

INSTRUCTIONS

APPLICATION FOR TRADE WASTE REMOVAL LICENSE

PLEASE READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS APPLICATION.

Definitions of terms used in the application are set forth in Title 16-A, Chapter 1 of the Administrative Code of the City of New York ("Local Law 42 of 1996") and in Title 17, Chapter 1 of the Rules of the City of New York. Certain of these definitions have been excerpted and attached as Appendix A to the application. Before completing this application, the principals of the applicant should read and familiarize themselves with all of Local Law 42 and the related rules. These instructions are not a substitute for such a complete review and may not be relied on in lieu of the law and rules. Copies of Local 42 and the rules are available at the office of the New York City Business Integrity Commission ("Commission") or from the Commission's website, www.nyc.gov/html/bic/html/home/home.shtml.

Attached is the application for a license as a trade waste removal business. To apply for a license, **the applicant must complete each and every question set forth therein**. If a question is not applicable, write "not applicable" or "N.A." Applications that have not been completed properly may be denied, or the application may be returned to the applicant without being processed. An application returned as incomplete will not be deemed submitted.

DOCUMENTS TO BE SUBMITTED
FOR A TRADE WASTE LICENSE APPLICATION

In addition to the application form, a number of documents must be submitted to the Commission in order for the application to be considered. The applicant must submit the following documents (to the extent applicable), some of which are described in these instructions, some in the body of the application and attachments, and some in the applicable rules:

1. Application for a Trade Waste License
2. Signed and Notarized Certifications (on behalf of applicant business and by each principal)
3. Signed and Notarized Releases (on behalf of applicant business and by each principal)
4. Principal Disclosure Form (for each principal)
5. Employee/Agent Disclosure form (Managers and Appendix B employees)
6. Photographs and fingerprints (Each Principal and each manager and Appendix B employees): Notifications will be mailed with information to schedule an appointment with the Licensing Unit of the Commission.
7. Documents related to the organization of the applicant business[1]
8. Purchase and Sales Agreements for trade waste business(es) purchased/sold in last 10 years by applicant
9. Documents related to any forfeiture, receivership or independent monitoring involving the applicant.
10. Documents related to contested tax proceeding
11. Payment by credit card, money orders, or checks made **Payable to the "New York City Business Integrity Commission**" to cover the following fees:
12. $5,000 - Trade Waste License Application fee
13. $600 - Trade Waste License application investigation fee
14. $600 - for each Principal Disclosure Form
15. $600 - for each Employee/Agent Disclosure form

<u>ALL FEES NON-REFUNDABLE</u>

THE APPLICANT MUST SUBMIT AN ORIGINAL PLUS ONE COPY OF THE APPLICATION AND ONE COPY OF ALL ATTACHED DOCUMENTS.

[1] If a sole proprietorship, a certified copy of the Certificate of Doing Business filed with the County Clerk. If a partnership, a certified copy of the Certificate of Partnership filed with the County Clerk <u>and</u> a copy of the current partnership agreement. If a corporation, a certified copy of the Certificate of Incorporation <u>and</u> copies other current bylaws and last annual report, including financial statement.

TRADE WASTE LICENSE APPLICATION

Each page submitted by the applicant must contain the applicant's social security number or tax identification number and each page must be numbered sequentially as "Page __ of __ pages" (e.g., if a twenty-five page application is submitted, the first page should be marked: "Page 1 of 25 pages").

If additional space is required to complete any answer, the applicant may attach additional pages to the application. The top of each such additional page must indicate the Part and question number to which the additional page relates. The Schedules in the application also may be copied if additional schedule pages are needed. All additional pages and Schedules also must be identified in the lower left-hand corner with the applicant's social security or tax identification number. Each added page must be numbered sequentially like the rest of the application (e.g., "Page __of __ pages").

In addition to the information required on this application, an applicant may submit any materials or explanations relevant to the application. If the explanations or materials relate to a question on the application, the applicant should identify the Part(s) and question(s) to which it has provided additional materials or explanations.

The applicant is under a continuing obligation to update answers to application questions marked with an asterisk (*). Any change in the answer to such a question, must be provided to the Commission in writing, no later than ten (10) business days after the change occurs. The applicant's continuing obligation begins upon submission of the registration application and extends throughout the processing period and any registration term.

NOTARIZED CERTIFICATIONS

Upon completion of the application and all of its Schedules, two documents must be executed by both the applicant business and **each** principal: a notarized certification form and a notarized release form. Individuals associated with the applicant business also must separately provide disclosure as noted below.

DISCLOSURE FORMS FOR INDIVIDUALS

Each principal, as that term is defined, and each manager, employee, and/or agent as set forth in Appendix B to the attached application, must complete a personal disclosure form.

Principals must complete the “Principal Disclosure Form” and the notarized certification attached to the Principal Disclosure Form (in addition to the notarized certification for the license application itself).

Managers, and the employees and agent identified in attached Appendix B, each must complete the “Employee/Agent Disclosure” forms, and the notarized certification and release forms attached to the Employee/Agent Disclosure Form.

FINGERPRINTS/PHOTOGRAPHS

All principals, and specified employees and agents of the applicants, must be photographed and fingerprinted by the Business Integrity Commission. Notifications will be mailed with information to schedule an appointment with the Licensing Unit of the Commission. A fee of $75.00 (Seventy-five dollars) is required at time of fingerprinting payable to the N.Y.C. Business Integrity Commission by either Major Credit Card or money order or certified check only.

THE COMMISSION WILL NOTIFY THE APPLICANT BUSINESS IF THE APPLICATION IS APPROVED AND WILL SCHEDULE AN APPOINTMENT FOR A PRINCIPAL OF THE APPLICANT BUSINESS TO APPEAR AT THE OFFICES OF THE COMMISSION TO SIGN A LICENSE ORDER AND REGISTER VEHICLES TO BE USED FOR WASTE REMOVAL. AT THAT TIME THE PRINCIPAL MUST BRING ONE COPY OF THE FOLLOWING INSURANCE CERTIFICATES AND DOCUMENTS:

1. Current vehicle registration and insurance cards for each vehicle that will operate under the registration.
2. Proof of insurance (certificate of liability) covering vehicles with limits of no less than $100,000 for personal injury to any one person, $300,000 for personal injury to 2 or more persons, and $25,000 for damage to property for all vehicles and naming the Business Integrity Commission as the certificate holder.
3. Current New York State Department of Environmental Conservation Waste Transporter Permit, if applicable.
4. Proof of Workers Compensation insurance coverage for your employees naming the Business Integrity Commission as the certificate holder or proof of exemption from coverage.
5. Commercial General Liability insurance (naming the Business Integrity Commission as the certificate holder) with liability limits of no less than one million dollars ($1,000,000).
6. Copies of driver's licenses for each vehicle operator for the applicant.
7. Payment by credit card, money orders, or checks made **Payable to the "New York City Business Integrity Commission**" to cover the following fees: **$500 for each truck used to remove and transport trade waste.**

All applications may be submitted in person or mailed to:

NYC Business Integrity Commission
100 Church Street, 20th Floor
New York, 10007

If you have any questions about this application, please call 212-676-6222.

Business Integrity Commission

APPLICATION FOR A TRADE WASTE REMOVAL LICENSE

----------OFFICE USE ONLY----------

APPLICATION #: _____ **DATE RECEIVED:** _____

RECEIVED BY: _____

PART I – APPLICANT BUSINESS IDENTIFYING INFORMATION

*1. Name of applicant business.

Business Name: _____

Trade Name: _____

*2. Main Office Address: _____

*3. Mailing Address: _____

*4. Garage Address: _____

*5. Business telephone number(s): _____ Fax Number: _____

*6. Cellular Number(s): _____

*7. Electronic Addresses:

Website: _____ E-mail Address: _____

*** (Asterisk) denotes material information on the application. Any change in material information must be reported to the Business Integrity Commission, in a notarized writing, within ten (10) business days of the change.**

*8. **Agent for Service of Process in New York City**. State the name, address, and telephone number of the person of suitable age and discretion who shall be designated as the applicant business' agent for service of process in New York City. **In order for the Commission to serve official documents regarding a license or registration, the agent for service of process must be located within the five boroughs of New York City. The agent for service of process may be a principal of the applicant business if the principal is located within the five boroughs of New York City. If the applicant business is located within the five boroughs of the New York City, no agent of service of process need be designated.**

Name: _____

Address: _____

Telephone Number: _____ Fax Number: _____

9. **Type of Organization** (check one):

a. _____ Sole Proprietorship (i.e., company is not incorporated and does business under the name of a person having ownership interest or under an assumed name, doing business as name, or trade name). **Attach a certified copy of the Certificate of Doing Business filed with the County Clerk in the county in which the business is located.**

b. _____ Partnership. (Check one). **Attach copy of current partnership agreement and Certificate of Partnership, certified by the County Clerk in the county in which the business is located.**

_____ General Partnership

_____ Limited Partnership (L.P.)

_____ Limited Liability Partnership (L.L.P.)

c. _____ Corporation. **Attach copy of the Certificate of Incorporation filed with the Secretary of State. If the applicant business is not incorporated in New York State, also attach a certified copy of the Authority to Do Business certificate issued by the New York Secretary of State.**

d. _____ If not one of the above, describe the applicant business.

10. If applicant business is a corporation, provide the tax identification number(s). Or if a partnership or sole proprietorship, provide the social security numbers of all principals.

_____

_____

*11. Does the applicant business share any office space, staff or equipment (including, but not limited to, telephone lines) with any other business or organization?
_____ Yes _____ No

If "Yes," provide details below:

_____

_____

_____

12. **Past Names Used By Applicant Business.** List all names and address which the applicant has done business under (including, but not limited to, trade names, doing business as (d/b/a), and aliases) and the corresponding time periods.

Name and Address	From (Year)	To (Year)

*13. **Current Principals -- SCHEDULE A.** On Schedule A, identify all individuals who are principals of applicant business and provide the information requested. **Each current principal must submit a Principal Disclosure form and appear at the Commission to be photographed and fingerprinted prior to consideration of this application for a license.**

14. **Past Principals of the Applicant Business – SCHEDULE B.** On Schedule B, identify all individuals who have been principals of applicant business at any time during the past ten (10) years and provide the information requested.

15. **Current Principals Who Were Formerly Principals of Acquired Business(es) – SCHEDULE C.** If the applicant business acquired another private carting or trade waste business and/or transfer station in New York, New Jersey or Connecticut within the past ten (10) years, for each such acquisition, list on Schedule C any principal of the applicant business who was formerly a principal in the business the applicant business acquired and the information requested.

16. **Beneficial Interest – SCHEDULE D.** On Schedule D, identify all individuals not already identified in questions 13, 14 or 15 above who have or have had a beneficial interest in the applicant business at any time during the past 10 years, and disclose the required information.

17. **Acquired Trade Waste Businesses – SCHEDULE E.** If the applicant business acquired another private carting or trade waste business and/or transfer station in New York, New Jersey or Connecticut within the past ten (10) years, disclose the requested information for each acquisition on Schedule E and **attach a copy of the purchase and sale agreement.**

18. **Other Trade Waste Interests – SCHEDULE F**. If the applicant business or a principal of the applicant business, currently or at any time during the past ten (10) years, has been a principal or held an equity interest in any business concern that collects, transfers, treats, stores, recycles, processes or disposes of trade waste as defined in Appendix A, disclose the required information in Schedule F. Include any and all such business concerns, including transfer stations, located in any state, territory or district of the United States, or in any foreign country, but do not include stock ownership in publicly traded corporations unless it amounts to more than 5% of said corporation.

19. **Non-Trade Waste Businesses – SCHEDULE G.** On Schedule G, list any equity interest currently held or held at any time during the past ten (10) years by the applicant business or any principal of the applicant business in any non-trade waste business (whether currently active or not). Do not include stock ownership in publicly traded corporations.

*20. **Employees of Applicant Business – SCHEDULE H.** On Schedule H, identify the current employees of the applicant business and provide the requested information**. Place an asterisk next to the name of employees required to provide disclosure pursuant to 17 RCNY Section 3-01.** The regulations that describe which employees are required to provide disclosure are attached as Appendix B to this application.

*21. **Operators of Vehicles – SCHEDULE I.** For each employee or principal who will operate a vehicle transporting trade waste for the applicant's business, provide the operator's name, driver's license number, license class and expiration date in Schedule

*22. **Vehicles – SCHEDULE J.** For each vehicle to be used for the transport of trade waste for the applicant's business, list vehicle identification number, registration number and license plate number on Schedule J **and attach a copy of each vehicle registration card**

*23. **Automobile Liability Insurance – SCHEDULE K.** Does the applicant business maintain automobile liability insurance coverage for each vehicle listed in response to question 23 above?
_____ Yes _____ No

If "no," state reason(s):

_____

_____

_____

24. Currently, or at any time during the past ten (10) years, has the applicant business or any current or past principals been issued a license, permit, registration or authorization to operate in the trade waste industry, including but not limited to waste removal companies, transfer stations, recycling centers, and landfills, in New York City, New York State, New Jersey, and/or Connecticut?
_____ Yes _____ No

If "yes," provide the requested information below.

Name and Address of Holder of License, Permit, Authority to Operate	Name of Issuing Agency and State	Type of Trade Waste Business	Status of License, Permit, Authority to Operate	Was a Deposition Conducted by the Issuing Agency? If yes, provide date(s) of deposition and name of deponent

25. How many individuals (not including the principals of the applicant business) does the applicant business currently employ? _____

26. Has the applicant business, any of its parents, subsidiaries, affiliates or any of the applicant's current or past principals ever had a license, permit, registration or authority to operate from any government agency denied, suspended or revoked?
_____ Yes _____ No

If "yes," provide the requested information below.

Name of Holder	Date of Denial, Suspension or Revocation	Agency	Reason

27. Has the applicant business, any current or past principal[2] of the applicant business or predecessor trade waste business, or any employee of the applicant business or predecessor trade waste business ever been a member of a trade association related to the waste industry (including but not limited to waste removal companies, transfer stations, recycling centers, and landfills)?
_____ Yes _____ No

If "yes," provide the following information:

Name and Address of Trade Association	Name of Applicant Business' Representative. If Principal, Name of Principal	Dates of Membership	Office Held in Trade Association, if any.

[2] The information concerning any past principal may be limited to the period of time when the former principal was a principal of the applicant business or predecessor trade waste business.

PART II – APPLICANT BUSINESS CRIMINAL, CIVIL AND ADMINISTRATIVE HISTORY

*28. Has the applicant business, any current principal of the applicant business, or any past principal of the applicant business ever been charged or arrested or convicted of any criminal offense in any jurisdiction?
_____ Yes _____ No

If "Yes," provide the details below. **Do not include information relating exclusively to traffic violations.**

Principal or Business Name	Date of Arrest	Date of Conviction	Indictment, Docket or Index No.	Charge(s) and Sentence	Court and Jurisdiction

*29. Are there any criminal charges pending against the applicant business or any current or past principal of the applicant business in any jurisdiction?
_____ Yes _____ No

If "Yes," provide the details below. **Do not include information relating exclusively to traffic violations.**

Principal or Business Name	Date of Arrest	Indictment, Docket or Index No.	Charge(s)	Status	Court and Jurisdiction

30. During the past ten (10) years, has the applicant business or any current or past principal of the applicant business been found in violation of the administrative rules or regulations of any municipal, state or federal agency where the violation related to the conduct of a business that removes or recycles trade waste, a trade waste broker business or the operation of a dump, landfill or transfer station where the penalty imposed for the violation resulted in the suspension or revocation of any license, permit or registration, the imposition of a fine of $5,000 or more, or the imposition of an injunction of six (6) months or more?
_____ Yes _____ No

If "Yes," provide the details below.

Principal or Business Name	Agency or Court and Docket No.	Nature of the Investigation/Charges	Outcome

*31. Are there any administrative charges brought by a municipal, state or federal agency, relating to the conduct of a business that removes or recycles trade waste, a trade waste broker business or the operation of a dump, landfill or transfer station, presently pending against the applicant business or any current or past principal of the applicant business where the applicant business or any current or past principal of the applicant business faces the possible sanction of suspension or revocation of any license, permit or registration or where a fine of $5,000 or more, or an injunction of six (6) months or more could be imposed?
_____ Yes _____ No

If "Yes," provide the details below.

Principal or Business Name	Agency or Court and Docket No.	Nature of the Investigation/Charges	Outcome

32. During the past ten (10) years, has the applicant business or any current or past principal of the applicant business been found liable in any civil action(s) brought by any municipal, state or federal government where the civil charges were related to the conduct of a business that removes or recycles trade waste, a trade waste broker business or the operation of a dump, landfill or transfer station?
_____ Yes _____ No

If "Yes," provide the details below.

Principal or Business Name	Agency or Court, Docket No., and Date	Nature of the Civil Investigation/Charges	Outcome

*33. Are there any pending civil actions brought by a municipal, state or federal government where the civil charges are related to the conduct of a business that removes or recycles trade waste, a trade waste broker business or the operation of a dump, landfill or transfer station, against the applicant business or current or past principal of the applicant business?
_____ Yes _____ No

If "Yes," provide the details below.

Principal or Business Name	Agency or Court, Docket No., and Date	Nature of the Civil Investigation/Charges	Status

*34. During the past ten (10) years, has the applicant business or any current or past principal of the applicant business:

a. been the subject or target of any investigation involving an alleged violation of criminal law?
_____ Yes _____ No

b. been charged with any criminal offenses in any jurisdiction?
_____ Yes _____ No

c. been the subject or target of any investigation regarding an alleged violation of any other federal, state or local statute?
_____ Yes _____ No

d. received a subpoena or been asked to testify before any court, grand jury, or legislative, civil, criminal or administrative body involving any criminal matter or any other matter related to the trade waste industry?
_____ Yes _____ No

e. received a subpoena requiring the production of documents in connection with a federal, state or local investigation related to the trade waste industry?
_____ Yes _____ No

f. been cited for contempt of any court, grand jury, or legislative, civil, criminal or administrative body?
_____ Yes _____ No

g. entered a plea of nolo contendere or been granted an adjournment in contemplation of dismissal, or the equivalent to any felony or misdemeanor charge?

_____ Yes _____ No

h. entered into a judicial consent decree, administrative order on consent or similar agreement or been the subject of a default decree, related to the trade waste industry?
_____ Yes _____ No

i. been subject to an injunction in any judicial action or proceeding with respect to the trade waste industry?
_____ Yes _____ No

j. been granted immunity from prosecution for any conduct constituting a crime under state or federal law?
_____ Yes _____ No

k. had judgment entered against him/her/it as a result of a civil action related to the trade waste industry?
_____ Yes _____ No

If you answered "yes" to any of the questions in 34 (a)-(k) above, provide the below requested information:

Principal or Applicant Involved	Agency or Court and Docket No.	Nature of Action/Investita-tion/Case	Charges Brought, if any	Status or Outcome

*35. Has the applicant business or any of its current or past principals ever:

a. filed with a government agency or submitted to a government employee a written instrument that the applicant or any of its principals knew contained a false statement or false information?

_____ Yes _____ No

b. made or caused a false entry in the business records of an enterprise or otherwise falsified business records?

_____ Yes _____ No

c. given, or offered to give, money or any other benefit to a labor official with intent to influence that labor official with respect to any of his or her official acts, duties or decisions as a labor official?

_____ Yes _____ No

d. given any money or thing of value to a labor union or labor official or representative that was not expressly permitted by section (c) of the Taft-Hartley Act, 29 U.S.C. Section 186?

_____ Yes _____ No

e. given, or offered to give, money or any other benefit to a public servant with intent to influence that public servant with respect to any of his or her official acts, duties or decisions?

_____ Yes _____ No

f. given, or offered to give, money or other benefit to an official or employee of a private business with intent to induce that official or employee to engage in unethical or illegal business practices?

_____ Yes _____ No

g. agreed with another trade waste business not to compete in the conduct and furnishing of trade waste services?

_____ Yes _____ No

h. agreed with another trade waste business to divide or allocate customers or to respect an existing division or allocation of customers by geography, territory or otherwise?

_____ Yes _____ No

i. discussed with another trade waste business the prices to be submitted for a trade waste contract bid?

_____ Yes _____ No

j. associated with any person that you knew, or should have known, was a member or associate of an organized crime group?

_____ Yes _____ No

If "yes" to any of the questions in 35 (a) – (j) above, provide the below requested information:

Name of Principal or Applicant Business	Agency, Labor Union or Trade Waste Business Involved	Name of Person(s) (including public and labor union officials) Involved	Document or Amount of Money Involved	Reason for Engaging in Practice	Date of Occurrence

PART III -- APPLICANT FINANCIAL INFORMATION

36. **Financial Accounts.** List each financial account used by the applicant business[3] during the past five (5) years, including, but not limited to, accounts maintained at banks, credit unions, brokerage firms or other financial institutions and provide the requested information.

TYPE OF ACCOUNT	NAME/ADDRESS OF INSTITUTION	ACCOUNT NO.	NAME/PHONE NO. OF ACCOUNT OFFICER	NAMES AND ADDRESSES OF ALL PERSONS AUTHORIZED TO SIGN ON BEHALF OF THE APPLICANT BUSINESS

[3] If the applicant business is a sole proprietorship, or is organized in such a fashion that the financial accounts of the business are in the name of one or more individuals, include information also as to those accounts.

37. **Real Property.** List each direct or indirect interest in real property (other than a primary residence) currently held by applicant business and current principals of the applicant business. If none, state "none."

ADDRESS	PERSON OR ENTITY FROM WHOM ACQUIRED	CO-OWNERS	APPROXIMATE PURCHASE OR RENTAL COST	APPROXIMATE CURRENT VALUE

38. **Loans or Notes Held by Applicant Business.** List all outstanding loans made or outstanding notes held by applicant business in excess of $5,000. (This refers to monies that are owed to the applicant business. It includes, but is not limited to, notes on routes or trade waste removal businesses that have been sold to others.) If none, state "none."

NAME AND ADDRESS OF DEBTOR	ORIGINAL AMOUNT AND DATE OF LOAN	TERMS OF LOAN AND SECURITY, IF ANY	APPROXIMATE BALANCE OUTSTANDING

39. **Loans Owed By Applicant Business.** Does the applicant business have any indebtedness in excess of $5,000, including, but not limited to, loans, lines of credit, notes due on routes or trade waste removal companies purchased, and mortgages on real property (other than a primary residence)?

_____ Yes _____ No

If "yes," provide the requested information below.

NAME AND ADDRESS OF CREDITOR	ACCOUNT NO.	AMOUNT OF INDEBTED-NESS	MATURITY DATE	TERMS OF REPAYMENT	NAME & PHONE # OF LOAN OFFICER

40. Has the applicant business or any predecessor trade waste business been subject to forfeiture, receivership or independent monitoring in the past ten years?

_____ Yes _____ No

If "yes," **attach a copy of agreement or documentation** and provide the requested information below.

Name of Applicant Business	Judicial Body	Court Decision	Dates Involved

41. Has the applicant business filed all required tax returns and tax forms related to the applicant business (including, but not limited to, income tax returns, sales tax forms, and property tax forms) by the due date or within a properly obtained extension period for each of the past three years?

_____ Yes _____ No

If "no," provide the requested information below.

Name and Address of Principal or Applicant Business During Year(s) in Question	Tax Year Involved	Type of Return Involved and Whether Federal, State or City Tax Returns	Date(s) When Late Return(s) Were Filed	Reason for Late or Non-Filing	Penalty Assessed, if any

42. Has the applicant business paid all required taxes and insurance premiums related to the business (including, but not limited to, business income taxes, sales taxes, commercial rent taxes, property taxes, unemployment insurance premiums and workers compensation premiums) for the three tax years preceding the date this application is submitted?

_____ Yes _____ No

If "no," provide an explanation below. If applicant business is contesting such taxes in a pending judicial or administrative proceeding, attach the relevant documentation.

_____

_____

_____

_____

_____

_____

_____

_____

43. **Tax Liens.** List below any tax liens entered against the applicant business by any government authority. If none, state "none."

DATE ENTERED AND DOCKET NO.	NAME OF TAX AUTHORITY	ORIGINAL AMOUNT	AMOUNT OUTSTANDING

44. **Other Monies Owed to Tax Authorities.** List below the requested information on any monies currently owed by applicant business to government authorities, other than those tax debts already listed on Question 43 above. Indicate the status of the matter (i.e., the date by which the relevant party will make payment, whether the tax authorities have instituted proceedings against the applicant, etc.) If none, state "none."

DATE	NAME OF TAX AUTHORITY	AMOUNT	STATUS

45. **Bankruptcy Proceedings.** During the past ten years, has the applicant business, any predecessor trade waste business or any current principal of the applicant business been a debtor in a bankruptcy or reorganization proceeding?

_____ Yes _____ No

If "yes," provide the requested information below.

CAPTION	DATE FILED	DOCKET #	COURT/JURIS-DICTION	STATUS

46. **Gifts to Applicant Business or Principals.** Identify all persons or entities from whom the applicant business or any principal of the applicant business has received gifts valued at $1,500 or more during the past three (3) years. If none, state "none."

SOURCE OF GIFT	RECIPIENT	RELATIONSHIP OF SOURCE OF GIFT TO RECIPIENT	NATURE AND AMOUNT OF GIFT	DATE OF GIFT

47. **Gifts Given By Applicant Business or Principals.** Identify all persons or entities to whom/which the applicant business or any principal of the applicant business has given gifts valued at $1,000 or more during the past three (3) years, excluding any organization recognized by the Internal Revenue Service under section 501(c)(3) of the Internal Revenue Code. If none, state "none."

RECIPIENT	IDENTIFY PRINCIPAL WHO GAVE GIFT -- IF APPLICANT BUSINESS, SO STATE	RELATIONSHIP OF RECIPIENT TO APPLICANT BUSINESS OR PRINCIPAL	NATURE AND AMOUNT OF GIFT	DATE OF GIFT

48. Name of the person who prepared or assisted in the preparation of this application. If not a current principal, disclose the person's address.

Name: _____

Address: _____

SCHEDULE A – PRINCIPALS OF APPLICANT BUSINESS

	Principal #1	Principal #2
Name (First, Middle, and Last; include maiden name where applicable)		
Home Address(es)		
Home Telephone Number(s)		
Fax Number(s)		
Cellular Number(s)		
Date of Birth		
Social Security Number(s)		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (date) to (date)		
% of ownership		
Number of shares		

SCHEDULE A (cont'd)– PRINCIPALS OF APPLICANT BUSINESS

	Principal #3	Principal #4
Name (First, Middle, and Last; include maiden name where applicable)		
Home Address(es)		
Home Telephone Number(s)		
Fax Number(s)		
Cellular Number(s)		
Date of Birth		
Social Security Number(s)		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (date) to (date)		
% of ownership		
Number of shares		

SCHEDULE B – PAST PRINCIPALS OF APPLICANT BUSINESS

	Principal #1	Principal #2
Name (First, Middle, and Last; include maiden name where applicable)		
Home Address(es)		
Home Telephone Number(s)		
Fax Number(s)		
Cellular Number(s)		
Date of Birth		
Social Security Number(s)		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (date) to (date)		
% of ownership		
Number of shares		
Reason for leaving		

SCHEDULE B (cont'd) – PAST PRINCIPALS OF APPLICANT BUSINESS

	Principal #3	Principal #4
Name (First, Middle, and Last; include maiden name where applicable)		
Home Address(es)		
Home Telephone Number(s)		
Fax Number(s)		
Cellular Number(s)		
Date of Birth		
Social Security Number(s)		
Business Address(es)		
Business Telephone Number(s)		
Title or Position		
From (date) to (date)		
% of ownership		
Number of shares		
Reason for leaving		

SCHEDULE C – CURRENT PRINCIPALS OF APPLICANT BUSINESS WHO FORMERLY WERE PRINCIPALS OF ACQUIRED BUSINESS(ES)

	Principal #1	Principal #2
Name (First, Middle, and Last; include maiden name where applicable)		
Name of Acquired Business		
Address of Acquired business		
Position in Acquired Business		
% of ownership in acquired business		
Date of ownership		

	Principal #3	Principal #4
Name (First, Middle, and Last; include maiden name where applicable)		
Name of Acquired Business		
Address of Acquired business		
Position in Acquired Business		
% of ownership in acquired business		
Date of ownership		

SCHEDULE D – HOLDERS OF A BENEFICIAL INTEREST IN THE APPLICANT BUSINESS

	Beneficial Holder #1	Beneficial Holder #2
Name (first, middle and last) Also include maiden name where Applicable		
Home Address		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Name of Employer and Address of (if applicable)		
Employer Telephone Number		
If Employed by Applicant, State Job Title and Dates During Which Job Was Held		
Nature and Percentage of Beneficial Interest in Applicant Business		
How Beneficial Interest Was Acquired (i.e. purchase & purchase price, inheritance, etc.)		

SCHEDULE D (cont'd) – HOLDERS OF A BENEFICIAL INTEREST IN THE APPLICANT BUSINESS

	Beneficial Holder #3	Beneficial Holder #4
Name (first, middle and last) Also include maiden name where Applicable		
Home Address		
Home Telephone Number		
Cellular Number		
Date of Birth		
Social Security Number		
Name of Employer and Address of (if applicable)		
Employer Telephone Number		
If Employed by Applicant, State Job Title and Dates During Which Job Was Held		
Nature and Percentage of Beneficial Interest in Applicant Business		
How Beneficial Interest Was Acquired (i.e. purchase & purchase price, inheritance, etc.)		

SCHEDULE E – ACQUIRED TRADE WASTE BUSINESS(ES)

Seller's Name and Address	Name Used by Seller When Seller Operated the Business if different	Date Purchased	Purchase Price

SCHEDULE F -- OTHER TRADE WASTE INTERESTS OF APPLICANT BUSINESS

	Business #1	Business #2	Business #3	Business #4
Other Trade Waste Business Name				
Other Trade Waste Business Address				
Other Trade Waste Business Phone Number				
Type of Equity or Other Interest (if "other," explain type of interest)				
Period Equity Held				
% of Total Equity				

SCHEDULE G – NON-TRADE WASTE BUSINESS(ES)
OF APPLICANT BUSINESS

	Business #1	**Business #2**	**Business #3**	**Business #4**
Other Non-Trade Waste Business Name				
Other Non-Trade Waste Business Address				
Other Non-Trade Waste Business Phone Number				
Type of Business				
Type of Equity or Other Interest (if "other," explain type of interest)				
Period Equity Held				
% of Total Equity				

SCHEDULE H – EMPLOYEES OF APPLICANT BUSINESS

Name (Last, First, Middle)	Residence Address	DOB	Home Phone Number	Position/Title	Hrs. Worked Per Week	SSN	Date Hired

SCHEDULE I – OPERATORS OF VEHICLES

Name (Last, First & Middle)	State Issuing License	Driver's License Number	Class	Expiration Date

SCHEDULE J – VEHICLES USED IN APPLICANT BUSINESS

Type of Vehicle	Manufacturer and Year of Manufacture	VIN Number	Registration Number	License Plate No. and State of Issuance

SCHEDULE K – INSURANCE COVERING VEHICLES USED IN APPLICANT BUSINESS

Name of Insurance Carrier	Vehicle VIN Number	Policy Number	Liability Limits	Deductible

CERTIFICATION

This certification must be completed by the applicant's current principals before a notary public.

ANY MATERIAL FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF THE APPLICATION OR REVOCATION OF A TRADE WASTE LICENSE, THEREBY PRECLUDING THE APPLICANT FROM DOING BUSINESS AS A PRIVATE CARTER IN NEW YORK CITY. IN ADDITION, SUCH FALSE SUBMISSION MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO CRIMINAL CHARGES.

I, _____, being duly sworn, state:
(Full Name)

that I am _____ of _____; and
(Title/Position) (Applicant Name)

that I have read and understood the questions contained in the attached application and its attachments, which consists of _____ pages; and

that to the best of my knowledge the information provided in response to each question and in the attachments is full, complete and truthful; and

that the New York City Business Integrity Commission or the New York City Department of Investigation may, by any means they deem appropriate, determine the accuracy and truth of the statements made in this application; and that all the information submitted is for the express purpose of inducing the Business Integrity Commission to issue the applicant a license to operate a trade waste business as contained within Local Law 42.
.

_____
(Signature of Principal)

By: _____
(If corporation or partnership, state title)

Sworn to before me

this _____ day of _____, 20_____

_____
Notary Public

Tax ID or SSN: _____

Page _____ of _____ Pages

Revised 7/19/10

RELEASE AUTHORIZATION FOR APPLICANT

I,_____, am the_____and a principal of
(Print Name) (Title/Position)
_____(the "Applicant"); I am over the age of 21 and I have the authority to execute this release on behalf of the applicant.

The applicant has authorized the New York City Business Integrity Commission ("Commission") to conduct an investigation into its background and the background of its principals, affiliates, agents and employees for the purpose of determining whether the applicant meets the licensing standards set forth in Local Law 42 of 1996 of the City of New York.

The applicant hereby authorizes any and all of the entities and individuals described below to release to the Commission any and all information, documentary or otherwise, pertaining to the applicant and/or its principals, affiliates, agents and employees as may be requested by the Commission. Any such information may be requested by and released to any employee, agent or representative of the Commission.

The applicant hereby authorizes the release of any such information by any federal, state, local, or foreign government or agency, any private organization or entity, and/or any individual in his or her personal or professional capacity. These entities and individuals include, but are not limited to, accountants, attorneys, banks, bookkeepers, common carriers, courts, credit reporting companies, data systems management companies, educational institutions, employee benefits managers, employees of the applicant, employers of the applicant's principal(s), financial institutions, internet service providers, investigative firms, investment firms, labor unions, law enforcement agencies, media companies, motor vehicle departments, pension funds, probation departments, selective service boards, taxing authorities, telecommunications companies and utilities.

This release shall apply to any such entities and individuals wherever they may be located, within or without the City of New York, State of New York, or United States of America. They may convey information in whatever form and by whatever means requested by the Commission, whether by telephone, fax, mail, computer media or by any other means.

This release authorization is effective for a period of five years as of the date set forth below. A photocopy or fax of this authorization will be construed as valid as though it were the original.

In connection with the release of information pursuant to this authorization, the applicant hereby waives the benefit of any confidentiality agreement and of any privileges pertaining to confidentiality and any rights to privacy that may be accorded by federal, state or local law.

NOTICE TO ENTITIES AND INDIVIDUALS RELEASING INFORMATION: The applicant hereby waives any right to be notified when an entity or individual releases information pursuant to this authorization and hereby authorizes the Commission to direct any such entity or individual not to provide such notification.

Sworn to before me

This _____ day of _____, 20 ____

_____
Notary Public

_____
(Signature of Principal)

By: _____
(If corporation or partnership, state title)

Tax ID or SSN: _____

APPENDIX A
DEFINITIONS

"Applicant" shall mean, if a business entity submitting an application for a license, permit or registration, the entity and each principal thereof.

"Beneficial Interest" shall mean profit, benefit or advantage resulting from a business regardless of whether the person who enjoys such profit, benefit or advantage holds formal ownership or title in the business.

"Position" in a trade association shall mean an officer, member of the board of directors, partner, trustee, shareholder holding ten percent or more of the outstanding shares of stock in such association, or administrator, business agent or other status involving participation directly or indirectly in the management or control of such association.

"Predecessor Trade Waste Business" shall mean any business engaged in the removal, collection or disposal of trade waste in which one or more principals of the applicant were principals in the five-year period preceding the application.

"Principal" shall mean, of a sole proprietorship, the proprietor; of a corporation, every officer and director and every stockholder holding ten percent or more of the outstanding shares of the corporation; of a partnership, all the partners; if another type of business entity, the chief operating officer or chief executive officer, irrespective of organizational title, and all persons or entities having an ownership interest of ten percent or more; **AND WITH RESPECT TO ALL BUSINESS ENTITIES, ALL OTHER PERSONS PARTICIPATING DIRECTLY OR INDIRECTLY IN THE CONTROL OF SUCH BUSINESS ENTITY.** Where a partner or stockholder holding ten percent or more of the outstanding shares of a corporation is itself a partnership, or a corporation, a "principal" shall also include the partners of such partnership or the officers, directors and stockholders holding ten percent or more of the outstanding shares of such corporation, as is appropriate. For the purposes of this chapter (1) an individual shall be considered to hold stock in a corporation where such stock is owned directly or indirectly by or for (i) such individual; (ii) the spouse of such individual (other than a spouse who is legally separated from such individual pursuant to a judicial decree or an agreement cognizable under the laws of the state in which such individual is domiciled); (iii) the children, grandchildren and parents of such individual; (iv) a corporation in which any of such individual, the spouse, children, grandchildren or parents of such individual in the aggregate own fifty percent or more in value of the stock of such corporation; (2) a partnership shall be considered to hold stock in a corporation where such stock is owned, directly or indirectly, by or for a partner in such partnership; and (3) a corporation shall be considered to hold stock in a corporation that is an applicant as defined in this section where such corporation holds fifty percent or more in value of the stock of a third corporation that holds stock in the application corporation.

Notwithstanding any provision of the above paragraph, in the case of an applicant which is a regional subsidiary of or otherwise owned, managed by or affiliated with a business that has national or international operations, "principal" shall also include any person not employed by the applicant who has direct management supervisory responsibility for the operations or performance of the applicant; and the chief executive officer, chief operating officer and chief financial officer or any person exercising comparable responsibilities and functions, of any regional subsidiary or similar entity of such business.

"Trade Association" shall mean an entity having as a primary purpose the promotion, advancement or self-regulation of businesses that remove, collect or dispose of trade waste, including but not limited to a corporation, unincorporated association, partnership, trust or limited liability company, whether or not such entity is organized for profit, not-for-profit, business or non-business purposes.

"Trade Waste" or "Waste" shall mean: all putrescible and non-putrescible materials or substances, except as described below, that are discarded or rejected by a commercial establishment required to provide for the removal of its waste pursuant to section 16-116 of this code as being spent, useless, worthless or in excess to the owners at

the time of such discard or rejection, including but not limited to garbage, refuse, street sweepings, rubbish, tires, ashes, contained gaseous material, incinerator residue, construction and demolition debris, medical waste, offal and any other offensive or noxious material. Such term shall also include recyclable materials as defined in subdivision i of section 16-303 of this code that are generated by such commercial establishments.

The following are not "trade waste" or "waste" for purposes of this Application: sewage; industrial wastewater discharges; irrigation return flows; radioactive materials that are source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended, 41 U.S.C. § 2011 et seq.; materials subject to in-situ mining techniques which are not removed from ground as part of the extraction process; and hazardous waste as defined in section 27-0901 of the environmental conservation law.

APPENDIX B

EMPLOYEES SUBJECT TO DISCLOSURE PURSUANT TO SECTION 3-01

Employees who perform the following functions shall be subject to disclosure pursuant to section 3-01 of subchapter 3 of this chapter:

Solicitation of Businesses;

Bill of Collection;

Evaluation of Trade Waste Stream of Customers;

Dispatchers who have regular contacts with customers;

Persons who have authority to agree or refuse to service customers;

Person who have authority to resolve complaints.

TRADE WASTE APPLICATION CHECKLIST

We have created a checklist to help you make sure that your application is complete before you submit it.

- ☐ **Did you answer every question completely?** We do not accept applications with questions left blank or with "same" written to repeat an answer.
- ☐ **Disclosure Form** (for License applications only) needed for every new Principal or key employee listed.
- ☐ Is there a completed **Certification and Release Authorization form** signed and notarized by each Principal listed in Schedule A?
- ☐ **DMV Vehicle Registration**. Must be current and in the business' name and address.

Renewal Applications:

- ☐ **Insurance Cards**. Policy number must match the policy number on the Certificate of Automobile Liability Insurance.
- ☐ **Certificate of Automobile Liability Insurance**.
- ☐ **Certificate of General Liability Insurance** (for Licensees).
- ☐ **Certificate of Worker's Compensation Insurance** or **Exemption from Worker's Compensation Insurance**.

New Applications:

- ☐ Did you include a copy of your **Certificate of Incorporation, Filing Receipt or Business Certificate filed with your County Clerk**? If your business is incorporated or registered outside of New York State, an Authority to do Business in New York State Certificate must also be submitted.
- ☐ For corporations, limited liability companies and partnerships:
  - Did you include a copy of your **Corporate or Partnership Tax Return Form** (i.e. 1120 form, 1120-S form)?
  - Sole proprietorship include copy of your tax return

All Insurance Certificates must be current and in the business' name.
The Business Integrity Commission must be listed as the Certificate Holder.

Did you include payment for all appropriate fees?

***** All Checks or money orders must be made payable to "NYC Business Integrity Commission."**
Checks must be in the company's name and signed by a Principal of the applicant business***

- ☐ **License/Registration fee?**
- ☐ **Investigation fee** (for new License applications)? The check or money order for this fee must be separate from the license fee.
- ☐ **Fee for each truck** (for renewals only)?
- ☐ **Disclosure fees** (for License applications)? The check or money order for this fee must be separate from the license fee and truck fees.

New York City Business Integrity Commission
100 Church Street, 20th Floor, New York, NY 10007

Questions? Call us at 212-676-6219

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