

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE STORAGE AND COLLECTION.

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REFUSE STORAGE AND COLLECTION

SECTION

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17-101. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

(1) "Ashes." Such term shall include the waste products from coal, wood, and other fuels used for cooking and heating from all public and private residences and establishments.

(2) "Collector." Any person who collects, transports, or disposes of any refuse within the city.

(3) "Garbage." Such term shall include all putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognizable industrial by-products from all public and private residences and establishments.

¹Municipal code reference

Property maintenance regulations: title 13.

(4) "Health officer." The health authority of the city or his authorized representative.

(5) "Refuse." Such term shall include garbage, rubbish, ashes, and all other putrescible and nonputrescible, combustible and noncombustible materials originating from the preparation, cooking, and consumption of food, market refuse, waste from the handling and sale of produce, and other similar unwanted materials, but shall not include sewage, body wastes, or recognizable industrial by-products, from all residences and establishments, public and private.

(6) "Rubbish." Such term shall include all nonputrescible waste materials, except ashes, from all public and private residences and establishments.

(7) "Unusual, heavy, bulky or hazardous materials." Such term shall mean all materials which cannot be collected by regular residential collection service because of dimension, density, weight, or the harmful or potentially harmful nature of such material. Such materials shall include, but not be limited to, trees, tree limbs, tree branches, heavy brush, sod, turf, appliances, furniture, playground equipment, roofing material or refuse, bricks, concrete blocks, any and all other remodeling or construction materials or refuse, concrete, asphalt, rocks, dirt, lumber, pipes, lubricating oils, solvents, caustic acids or substances, and similar materials. (1979 Code, § 8-201, as amended by Ord. #2511, Aug. 1987)

17-102. Premises to be kept in clean and sanitary condition. All persons within the city shall keep their premises in a clean and sanitary condition, free from accumulations of refuse, offal, filth, trash, and inflammable materials. Such persons shall store such refuse in sanitary containers of the type described in this chapter between intervals of collection or dispose of such materials in a manner prescribed by the health officer so as not to cause a nuisance or become injurious to the public health and welfare. (1979 Code, § 8-202)

17-103. Containers required; specifications; location; cleanliness. Each owner, occupant, tenant, subtenant, lessee, or others using or occupying any building, house, structure, or grounds within the corporate limits of the city where refuse materials or substances as defined in this chapter accumulate or are likely to accumulate, shall provide an adequate number of suitable containers of a type approved by the health officer, for the storage of such refuse.

The types of suitable containers shall be as follows:

(1) Manually-handled containers. Such containers shall be constructed of metal, strong and durable, not readily corrodible, rodent and insect-proof, of a capacity not exceeding thirty gallons and not less than twenty gallons. Such containers shall be equipped with handles to facilitate emptying and shall be equipped with tight-fitting lids or covers, constructed of the same material of such design as to preclude the free access of flies and other insects

and to prevent the container from collecting water during rains. The lid or cover shall be kept in place at all times except when refuse is being deposited therein or removed therefrom by an official collector. Such storage containers should be placed in a convenient accessible location for trucking as may be designated by the official refuse collector.

(2) Mechanically-handled containers. Where the refuse collection agency of the city is equipped to handle containers mechanically, the maximum size specified above shall not apply. The size and quantity of mechanically-handled containers shall be arrived at by mutual agreement between the party concerned and the city administrator or his authorized representative. The cost of any new mechanically-handled containers, of the type presently in use, shall be paid to the city by the party desiring such container, before the container is furnished. The city will purchase the containers by means of the lowest and best bid and will maintain and replace them as necessary due to fair wear and tear. Mechanically-handled containers damaged through no fault of the city will not be replaced without charge. Should the city deem it necessary or desirable, in an effort to reduce costs, to change from the container system now in use to that made by some other manufacturer, the containers in use at the time of such change will be replaced by equivalent containers of the new manufacturer at the expense of the city.

Wet garbage or refuse must be drained of all liquids and wrapped in paper or other equivalent material prior to placing it into the storage receptacle. The containers shall be maintained in a clean and sanitary manner and shall be thoroughly cleaned by washing or other methods as often as necessary to prevent the breeding of flies and the occurrence of offensive odors. (1979 Code, § 8-203)

17-104. Confiscation of unsuitable containers. The official refuse collecting agency of the city is herein authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences and establishments, public and private, when, at the discretion of the inspections department, such containers are not suitable for the healthful and sanitary storage of refuse substances. Such unsatisfactory containers shall be removed and disposed of at a place and in a manner designated by the official collecting agency only after the owners of such containers have been duly notified of such impending action. (1979 Code, § 8-204)

17-105. Disposition of wet garbage, leaves, light brush, lawn clippings, etc. (1) Wet garbage. Wet garbage or refuse must be drained of all liquids and wrapped in paper or other suitable material prior to placing it into and garbage storage receptacle.

(2) Leaves, light brush, lawn clippings, etc. In no case will it be the responsibility of the refuse collection agency of the city to shovel or pick up from the ground any accumulation of refuse, including leaves, lawn clippings, light

brush, or packing materials. All such materials are to be placed in containers of the type described in § 17-103, or a type or design which will meet with the approval of the health officer and the requirements of the official refuse collecting agency. (Ord. #2511, Aug. 1987)

17-106. Disposition of unusual, heavy, bulky or hazardous materials. Special collection of unusual, heavy, bulky or hazardous materials will be provided only to owners of residential property. However, in no case will the city collect such materials from residential property which were created or generated by a commercial business performing work of any kind at or on the residential property, or which were created or generated by both the property owner or resident and a commercial business performing work of any kind, separately or together, at the same time or different times, at or on the residential property. Commercial businesses shall include, but not be limited to, tree trimmers and tree services, roofers, construction or remodeling contractors of every kind and description, concrete and asphalt pavers, and landscape, nursery or yard services. The property owner or resident in either of the cases outlined above shall be solely responsible for insuring that the commercial business which created or generated all or a part of such materials removes all of the materials. The failure of such commercial business to remove all of the materials at the request or demand of such property owner resident shall not relieve such property owner or resident from the responsibility of removing such materials.

Special collection of unusual, heavy, bulky or hazardous materials will be made by the city on residential property only to the extent that such special collection can be made safely by a crew of two men and one truck in one trip, not using any special equipment. The removal of any whole or part of such material the city determines that it cannot safely remove according to the terms and limitations of this section shall be the sole responsibility of the property owner or resident. (Ord. #2511, Aug. 1987)

17-107. Permit required for collecting refuse. No person other than the owner of such containers shall engage in the business of collecting refuse or removing the contents of any refuse container, for any purpose whatsoever, who does not possess a permit to do so from the city. Such permits may be issued only after the applicant's capability of complying with the requirements of this chapter has been fully determined. Such permits may be suspended or revoked upon the violation of any of the terms of this chapter. (1979 Code, § 8-207)

17-108. Maximum intervals for refuse collection. All refuse shall be collected sufficiently frequently to prevent the occurrence of nuisances and public health problems. Such collections shall be made at regularly scheduled intervals of not less than once each week. In the event more frequent collections are deemed necessary to avoid nuisances or public health problems, the

frequency of such collections shall be agreed upon in advance by the party concerned and the city administrator or his authorized representative. In no case will any refuse be collected by city personnel more than five times per week without charge. Recognizable industrial byproducts or waste will not be collected by city personnel without charge at any time.

The collection of refuse within the city shall be under the direct supervision of the city administrator or his authorized representative. (1979 Code, § 8-208)

17-109. Vehicle requirements. The collection of refuse shall be by means of vehicles with beds constructed of impervious materials and easily cleanable and so constructed that there will be no leakage of liquids draining from the refuse onto the streets and public thoroughfares. Provisions shall be made to prevent the scattering of refuse over the streets and thoroughfares by effective coverings or closed truck beds. (1979 Code, § 8-209)

17-110. Industrial pick-up fees, refuse disposal fees, and commercial service charges. Service charges of the collection of industrial by-products or waste, the collection excessive commercial refuse and the sanitary landfill charges shall be as follows:

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| Sanitary landfill charge (Refuse disposal fees) | \$.70 per cu. yd. |
| Industrial pick-up rate* | 1.10 per cu. yd. |
| Commercial excess refuse fee* | |
| *Include landfill charge | .50 per cu. yd. |

All commercial accounts will receive five pick-ups per week for one container free, then the fee is applied on excess pick-ups or extra containers.

All charges will be billed and collected monthly. The amount charged for open truck service will be determined by the number of times a truck is dispatched to the premises and the number of loads hauled.

All industrial pick-ups will be discontinued when services can be provided privately. (1979 Code, § 8-210)

17-111. Disposal of garbage and refuse; depositing in private containers. The disposal of refuse in any quantity by any individual, householder, establishment, firm, or corporation in any place, public or private, other than the sites designated by the city is prohibited. All disposal of refuse and garbage shall be by methods approved by the department of health; provided, that such methods shall include the maximum practical rodent, insect, and nuisance control at the place of disposal; and provided further, that no garbage shall be fed to swine unless such garbage has first been heated to at least two hundred and twelve degrees Fahrenheit and held there at least thirty minutes in apparatus and by methods approved by the inspections department. Animal

offal and carcasses of dead animals shall be buried or cremated under circumstances approved by the inspections department, or shall be rendered at forty pounds per square inch steam pressure or higher, or similarly heated by equivalent cooking.

It shall be unlawful for any person except the owner to deposit refuse into any private storage container within the city limits for subsequent collection by the city without the owner's permission. (1979 Code, § 8-211)

17-112. Depositing garbage, etc., on streets, etc., prohibited. No person shall throw any garbage or other vegetable matter on any of the streets or other public places of the city. (1979 Code, § 8-212)

17-113. Service of orders by the inspections department. It shall be the duty of the inspections department to issue orders requiring the proper handling of garbage and refuse on private and public premises to owners, occupants, tenants, or lessees of such properties where violations of this chapter are known to exist. Such orders shall provide that such violations be corrected within the time specified by the inspections department. (1979 Code, § 8-213)