

**TITLE 17**

**REFUSE AND TRASH DISPOSAL**<sup>1</sup>

**CHAPTER**

**1. REFUSE.**

**CHAPTER 1**

**REFUSE**

**SECTION**

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**17-101. Refuse defined.** Refuse shall mean and include garbage, and rubbish, leaves, brush, and refuse as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, and similar materials are expressly excluded therefrom and shall not be stored therewith. (1981 Code, § 8-201)

**17-102. Premises to be kept clean.** All persons within the city are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse except when stored as provided in this chapter. (1981 Code, § 8-202)

**17-103. Storage.** (1) Duty to have containers. It shall be the duty of every person in possession, charge or control of any premises where solid waste is created or accumulated and in the case of multiple dwellings or multiple occupancy, the owner of the premises, at all times to keep or cause to be kept a

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

sufficient number of containers for the deposit of garbage generated on the premises. Only containers issued by the city shall be used for residential or commercial collection service provided by the city. It shall be incumbent upon every person in possession, charge or control of any premises to which a city-owned cart has been issued to insure the security of such cart from the perils of theft and damage. The cost of damage or loss occurring to a cart as a result of a failure to adequately secure it shall be borne by the person in possession, charge or control of the premises who shall also be responsible for reporting any damage or loss of the cart to the city public works division as soon as the damage or loss is realized. The cost of damage to the cart caused by fire shall be borne by the person in possession, charge or control of the premises, without regard to the time or location of the cart when such damage occurs.

(2) Container requirements. Lids or covers of all garbage containers shall be kept tightly closed at all times other than when solid waste is being deposited therein or removed therefrom. Containers used for the deposit of solid waste for collection by the city shall be in good condition so that the collection thereof shall not injure the person collecting the contents. Containers having ragged or sharp edges or other defects must be promptly reported to public works for replacement or repair.

(3) Fifty-five gallon drums prohibited. Fifty-five (55) gallon drums are specifically prohibited from use as containers for solid waste.

(4) Cleanliness. It shall be the duty of both the person in possession, charge or control of any premises, as well as the owner of the premises, to comply with the provisions of this subsection regarding the cleanliness of the premises and keeping containers properly closed. (1981 Code, § 8-203, modified, as replaced by Ord. #2011-11, Dec. 2011)

**17-104. Location of containers.** Residential refuse containers shall be placed curbside in front of the house for collection unless public works has designated an alley behind the property for collection. In such case the refuse container shall be placed curbside at the alley. Commercial containers must be located as required by public works based on property configuration. Public works may authorize individuals with special needs or disabilities to receive service without placing their container curbside. (1981 Code, § 8-204, modified, as replaced by Ord. #2011-11, Dec. 2011)

**17-105. Disturbing containers.** No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any other manner disturb or use any refuse container belonging to another. This section shall not be construed to prohibit the use of public refuse containers for their intended purpose. (1981 Code, § 8-205)

**17-106. Collection.** All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the governing body shall designate. Collections shall be made regularly in accordance with an announced schedule. (1981 Code, § 8-206)

**17-107. Collection vehicles.** The collection of refuse shall be by means of vehicles with beds constructed of impervious materials which are easily cleanable and so constructed that there will be no leakage of liquids draining from the refuse onto the streets and alleys. Furthermore, all refuse collection vehicles shall utilize closed beds or such coverings as will effectively prevent the scattering of refuse over the streets or alleys. (1981 Code, § 8-207)

**17-108. Disposal.** The disposal of refuse in any quantity by any person in any place, public or private, other than at the site or sites designated for refuse disposal by the board of mayor and aldermen is expressly prohibited. (1981 Code, § 8-208)

**17-109. Refuse collection service charge.** (1) (a) There is hereby imposed a monthly service charge for each residential dwelling unit and each commercial establishment for the collection of refuse, as defined in § 17-101 of this title. This charge is imposed for the maintenance and improvement of the general public health and sanitation.

(b) The monthly service charge for each residential dwelling unit and each commercial establishment shall be the amounts set out below. "C" refers to commercial establishments, "CR" refers to commercial establishments receiving residential type service, and "R" refers to residential dwelling units. City staff shall calculate the prorated amount for partial monthly service.

(c) Residential locations serviced by the city may lease additional refuse containers for three dollars (\$3.00) each per month in addition to the normal monthly rate established in § 17-109(1)(b). Previously purchased city refuse containers may be transferred to the cart lease program in exchange for five (5) months of free lease service. The city will not provide any collections service for previously purchased carts after June 30, 2012. Commercial businesses, including churches, are not eligible for this service. This program can only be added and deleted once during the city's fiscal year.

Sanitation Rates

<u>Code</u>	<u>Description</u>	<u>Fee</u>
R-35	Residential	\$ 21
R-45	Residential 3 trashcarts	\$ 72
C-01	1/3 or less per week	\$ 24
C-02	1/3 to 2/3 per week	\$ 48
C-03	1 dumpster 1 pickup per week	\$ 60
C-04	1 dumpster 2 pickups per week	\$ 119
C-05	1 dumpster 3 pickups per week	\$ 179
C-06	1 dumpster 4 pickups per week	\$ 238
C-07	1 dumpster 5 pickups per week	\$ 297
C-08	2 dumpsters 1 pickup per week	\$ 119
C-09	2 dumpsters 2 pickups per week	\$ 238
C-10	2 dumpsters 3 pickups per week	\$ 357
C-11	2 dumpsters 4 pickups per week	\$ 476
C-12	2 dumpsters 5 pickups per week	\$ 594
C-13	3 dumpsters 1 pickup per week	\$ 179
C-14	3 dumpsters 2 pickups per week	\$ 357

<u>Code</u>	<u>Description</u>	<u>Fee</u>
C-15	3 dumpsters 3 pickups per week	\$ 535
C-16	3 dumpsters 4 pickups per week	\$ 713
C-17	3 dumpsters 5 pickups per week	\$ 891
C-18	4 dumpsters 1 pickup per week	\$ 238
C-19	4 dumpsters 2 pickups per week	\$ 476
C-20	4 dumpsters 3 pickups per week	\$ 713
C-21	4 dumpsters 4 pickups per week	\$ 951
C-22	4 dumpsters 5 pickups per week	\$1,188
C-23	5 dumpsters 1 pickup per week	\$ 297
C-24	5 dumpsters 2 pickups per week	\$ 594
C-25	5 dumpsters 3 pickups per week	\$ 891
C-26	5 dumpsters 4 pickups per week	\$1,188
C-27	5 dumpsters 5 pickups per week	\$1,485
C-28	6 dumpsters 2 pickups per week	\$ 713
C-29	7 dumpsters 1 pickup per week	\$ 416
C-30	12 dumpsters 2 pickups per week	\$1,426

<u>Code</u>	<u>Description</u>	<u>Fee</u>
C-31	7 dumpsters 2 pickups per week	\$ 832
C-32	Furniture/video/pawn	\$ 99
C-40	8 dumpsters 2 pickups	\$ 951
C-41	3 dumpsters 5 pickups per week twice a day	\$1,782
C-44	1 dumpster 5 pickups per week twice a day	\$ 594
C-46	16 dumpsters 1 pickup p/week	\$ 951
C-47	1 4-yard dumpster 1 pickup p/week	\$ 30
C-97	Shelby County Schools - per month rate during school	\$2,258
C-98	Production 1 dumpster 2 p/u p/week 2x day 5 days	\$ 297
C-99	Non-production	\$ 60
CR-33	46 units	\$ 911
CR-34	40 units	\$ 792
CR-36	90 units	\$1,782
CR-37	54 units	\$1,070
CR-38	5 units @ \$24 each unit	\$ 120
CR-39	2 carts	\$ 48
CR-42	Commercial - 1 cart	\$ 24
CR-43	Commercial - 3 cart	\$ 72

(2) Dumpster provided. The city will furnish commercial establishments the number of dumpsters needed. Where several small generators are located together, a common dumpster may be provided.

(3) Multi-unit service. Multi-unit housing areas served by dumpsters (apartments and trailer parks) will be charged the appropriate commercial fee.

(4) Special needs. Customers that have special waste or require other than standard refuse collection service should contact the public works director in advance to determine costs and to schedule service.

(5) Billing. Both residential and commercial customers will be billed for the charge provided for herein through the water department. Where commercial establishments share a water meter, the water department's monthly bill will contain the refuse collection service charge for all establishments operating from the shared meter. It will be the responsibility of the establishment sharing a water meter, not the city, to determine how the refuse collection service charge will be apportioned among them. Business obtained non-shared commercial dumpster service may be billed for the sanitation service regardless of whether they are directly billed for a separate water meter.

(6) Penalties. The penalties established under § 18-127 of this code for late payment of water fees shall also apply to refuse collection service charges.

(7) Used home appliances from within the residential address may be picked up by the city and the customer shall be required to pay twenty-five dollars (\$25.00) per appliance. Tags indicating this payment has been made may be obtained at city hall. These tags must be placed on the appliance before the pickup will be made. (1981 Code, § 8-209, as amended by Ord. #1998-14, July 1998; Ord. #2001-11, June 2001; Ord. #2001-16, Dec. 2001; Ord. #2005-11, June 2005; Ord. #2011-04, June 2011, and Ord. #2011-11, June 2012)

**17-110. Service charge for pickup, storage and disposal of used tires.** All non-residential locations within the city shall be responsible for commercially contracting for the pickup, storage and/or disposal of used tires in compliance with applicable federal and state laws related to disposal.

The city will pick up and dispose of used tires from residential locations unless the volume indicates a non-residential source of the tires. No additional fee shall be charged for this residential service. (1981 Code, § 8-210, as replaced by Ord. #2011-11, June 2012)

**17-111. Refuse collection reinstatement charge.** Whenever refuse collection service has been dis-continued at a location and the customer requests reinstatement of such service, there shall be a reinstatement charge in the amount of \$25.00. This charge shall be paid before refuse collection service is restored. (as added by Ord. #2001-16, Dec. 2001)

**17-112. Service required.** All occupied residential properties must have service from the city, and all occupied non-residential properties must have service from the city or a licensed private contractor. Vacant property without current service may not place refuse or trash for disposal without

prearrangement with the city. Such arrangement requires payment in advance at the rate of one hundred dollars (\$100.00) per truckload or any part thereof. (as added by Ord. #2011-11, June 2012)

**17-113. Contractor generated refuse and trash.** Any customer who hires a third party to perform work on a property shall require the third party contractor to remove all refuse and trash, including yard waste, from the property on completion of the work. (as added by Ord. #2011-11, June 2012)