

## **CHAPTER 4 SANITATION**

### **REFUSE COLLECTION AND DISPOSAL**

4.000 to 4.055	General Provisions
4.060 to 4.115	Refuse Contract Procedures
4.120 to 4.140	Disposal Practices
4.145	Nonpayment by Customer

## CHAPTER 4 SANITATION

### REFUSE COLLECTION AND DISPOSAL

#### General Provisions

**4.000**    **Purpose.** The City Council finds that the maintenance of public health and sanitation requires the regulation and oversight of the collection, removal and disposal of refuse. City staff shall monitor such activities and shall take action under the provisions of this code to require the appropriate collection, removal and disposal of refuse. *[Section 4.000 amended by Ordinance No. 97-03, passed April 7, 1997; Ordinance 03-01, passed March 17, 2003.]*

**4.005**    **Definitions.** In Sections 4.000 to 4.140 of this code the following words mean:

Ashes. The solid waste products of coal, wood and other fuels used for heating and cooking, from all public and private establishments and residences.

City Manager. City Manager or his/her designee.

Collector. An agent, contractor or employee of the city, or any person, or the agents or employees thereof, to whom authority is given for the collection and/or disposal of refuse.

Customer. The person obligated to pay the water service bill or any responsible person receiving or benefiting from refuse service.

Disposal area. Any area designated or provided by the city council for the purpose of disposal of refuse.

Garbage. All putrescible wastes, except sewage and body wastes, including vegetable wastes, animal offal and carcasses of dead animals, and including all substances from all public and private establishments and residences, but not including recognized industrial by-products.

Industrial refuse. Solid waste materials from factories, processing plants or other manufacturing enterprises. The words include but are not limited to putrescible garbage from food processing plants and slaughterhouses, condemned foods, building rubbish and miscellaneous manufacturing refuse.

Public Works Director. The person designated as having overall responsibility for the activities of the City's Public Works Department.

Refuse. Ashes, garbage, rubbish, swill and all other putrescible and nonputrescible wastes, except sewage, from all public and private establishments and residences.

Refuse service. The collection and/or disposal of refuse.

Responsible person. The owner or the owner's agent or employee, the tenant, lessee, permittee or other person lawfully occupying the property.

Rubbish. All nonputrescible waste materials, except ashes, which are rejected, abandoned or discarded by the owners or producers thereof as offensive, useless or no longer desired by producers thereof, and which, by their presence or accumulation may affect injuriously the health, comfort or safety of the community by increasing disease or hazard by fire. The term includes paper, cartons, boxes, bottles, cans, wood, tree branches, yard trimmings, furniture, bedding, metals, dirt, glass, crockery and similar substances or materials of the nature described from all public and private establishments and residences.

Swill. Every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables, that is subject to decay and the attraction of flies or rodents. *[Section 4.005 amended by Ordinance No. 97-03, passed April 7, 1997.]*

**4.010** *[Section 4.010 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.015** **Enforcement Officers.** The public works director, the police officers and all employees of the public works department shall enforce Sections 4.000 to 4.140 of this code and may enter any premises for the purpose of determining the sanitary conditions thereof. *[Section 4.015 amended by Ordinance No. 03, passed April 7, 1997.]*

**4.020** **Adoption of Rules and Regulations.**

- (1) The city manager shall adopt, modify and enforce rules and regulations for collection and disposing of refuse and other waste material, for regulating the use of the disposal area, and for all other purposes deemed necessary for the proper conduct of collecting and disposing of refuse and other waste material.

- (2) All rules and regulations shall first be approved by the City Council.
- (3) The rules and regulations shall be printed or typewritten and maintained, subject to inspection, in the office of the city manager and such other places as the city manager may designate. All rules, regulations and amendments shall be filed with the city council at its next regular meeting following publication by the city manager.
- (4) No person may violate the provisions of refuse rules and regulations adopted pursuant to this section.
- (5) The City's solid waste franchisee shall also be authorized to enforce the provisions of this Chapter by civil remedies as necessary to obtain compliance with the provisions of this Chapter, or rules and regulations adopted by the City Council pursuant to this Chapter. *[Section 4.020 amended by Ordinance No. 85-15, Section 3, passed August 19, 1985; Ordinance No. 97-03, passed April 7, 1997; and Ordinance No. 04-02, passed February 2, 2004.]*

**4.025** *[Section 4.025 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.030** *[Section 4.030 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.035** *[Section 4.035 as amended by Ordinance No. 71-07, passed July 6, 1971; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.040** *[Subsection (4) of Section 4.040 added by Ordinance No. 71-07, passed July 6, 1971; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.045** *[Section 4.045 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.050** *[Section 4.050 as amended by Ordinance No. 71-07, passed July 6, 1971; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.055** *[Section 4.055 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

### **Refuse Contract Procedures**

**4.060** **Refuse Collection Contracts.** The city may contract for the collection and disposal of refuse. The contract shall cover the right to collect, remove and dispose of all refuse within the City. *[Section 4.060 amended by Ordinance No. 71-07, passed July 6, 1971; Ordinance No. 85-01, passed January 7, 1985; and Ordinance No. 97-03, passed April 7, 1997.]*

**4.065     Restricted Collection and Disposal.**

- (1) Except as provided in subsection (2) of this section, no person may provide any refuse service unless such person is an employee, contractor or agent of the city, or is the employee of a contractor or agent engaged in transporting the garbage from the premises where produced to any area where disposal of garbage is permitted, or unless such person has received written permission from the collector and the city.
- (2) Any person who produces rubbish consisting of paper, cartons, boxes, bottles, cans, wood, tree branches, yard trimmings, dirt, glass, and similar substances or materials may transport the rubbish from his or her premises to the disposal area and may deposit it at the disposal area after payment of the necessary fees.
- (3) No person, other than the person producing or depositing the material contained therein, or an officer, employee or permittee of the City or another governmental entity with jurisdiction within the City, or an employee of the City's authorized solid waste franchisee, shall interfere with or remove any solid waste container from its authorized location.
- (4) No person, other than the person producing or depositing the material contained in a solid waste container, or an officer, employee or permittee of the City or another governmental entity with jurisdiction within the City, or an employee of the City's authorized solid waste franchisee, shall interfere with or remove any contents from a solid waste container.
- (5) No person, other than the person producing or depositing the material contained in a solid waste container, or an officer, employee or permittee of the City or another governmental entity with jurisdiction within the City, shall remove the lid from any solid waste container, nor shall any such person collect, molest, or scatter solid waste stored in any solid waste container. No unauthorized person shall deposit solid waste into any solid waste container. *[Section 4.065 amended by Ordinance No. 97-03, passed April 7, 1997; and Ordinance No. 04-02, passed February 2, 2004.]*

**4.070**     *[Section 4.070 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.075**     *[Section 4.075 amended by Ordinance No. 71-07, passed July 6, 1971; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*

- 4.080** *[Section 4.080 amended by Ordinance No. 71-07, passed July 6, 1971; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*
- 4.085** *[Section 4.085 repealed by Ordinance No. 97-03, passed April 7, 1997.]*
- 4.090** *[Section 4.090 amended by Ordinance No. 82-01, Section 1, passed January 18, 1982; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*
- 4.095** *[Section 4.095 amended by Ordinance No. 71-07, passed July 6, 1971; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*
- 4.100** *[Section 4.100 repealed by Ordinance No. 97-03, passed April 7, 1997.]*
- 4.105** *[Section 4.105 repealed by Ordinance No. 97-03, passed April 7, 1997.]*
- 4.110** *[Section 4.110 amended by Ordinance No. 71-07, passed July 6, 1971; and repealed by Ordinance No. 97-03, passed April 7, 1997.]*
- 4.115** *[Section 4.115 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

### **Disposal Practices**

- 4.120** *[Section 4.120 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.125** **Prohibited Disposal Practices.**

- (1) No person may deposit or bury rubbish or garbage except at the disposal area. Upon the written permission of the public works director, nonputrefactive and waste material may be used for filling in holes, depressions and low lots if the material is leveled and properly covered.
- (2) No person may burn rubbish or garbage except at the disposal area. Except for paper, cardboard and wood containers in commercial quantities, any waste paper, boxes, rubbish, debris, brush, leaves, grass, wood, and cuttings from trees, lawns and gardens may be burned on private property in furnaces, or, upon special permit from the fire department, may be burned in outside fireplaces, private incinerators or in open fires. *[Section 4.125 amended by Ordinance No. 97-03, passed April 7, 1997.]*

- 4.130** **Private Property Disposal.** No person may dump, place or deposit upon any lot or property owned by any other person any garbage, swill, dirt, rubbish, refuse or other waste material, except that dirt and clean fill material may be

dumped or deposited upon any lot or property owned by any other person within the city after first obtaining the written consent of the owner or legal occupant of such property. *[Section 4.130 amended by Ordinance No. 97-03, passed April 7, 1997.]*

**4.135     Public Property Disposal.** No person may dump, place or deposit upon any of the public streets, alleys, ways, parks or lots of the city any garbage, or rubbish, refuse or other waste material without first obtaining the consent in writing from the public works director. *[Section 4.135 amended by Ordinance No. 97-03, passed April 7, 1997.]*

**4.140**     *[Section 4.140 repealed by Ordinance No. 97-03, passed April 7, 1997.]*

**4.145     Non-payment by Customer.** In the event of non-payment for refuse collection services, the collector may use any lawful process to collect the debt. In addition, the collector may terminate service for non-payment, charge a "resume service" fee upon reinstatement, and/or require a deposit for any customer when service is resumed to guarantee payment for services. *[Section 4.145 added by Ordinance No. 99-17, passed September 7, 1999; and amended by Ordinance No. 03-01, passed March 17, 2003.]*