

## **ARTICLE III. - COLLECTION AND DISPOSAL**

### **Sec. 42-48. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Ashes* means the residue from the burning of wood, coal, coke or other combustible materials.

*City contract* means the agreements in effect between the city and the city contractor, as amended from time to time and approved by a resolution of the city council.

*City contractor* means the business entity providing collection and disposal services for garbage, trash, and/or recyclable materials under the terms of a contract with the city.

*Collection services* means the collection and disposal of garbage, recyclable materials and trash.

*Concentrated dwelling area* means a building or a group of buildings located in a zoning district in which the permitted density of dwellings (the number of dwellings permitted in a given area of land) exceeds the permitted density of dwellings in residence C districts.

*Garbage* means all waste and discarded foods, animal and vegetable matter and all other putrescible waste matter, including food containers, drink containers, food cans and food packaging materials, but not including liquid waste or body waste.

*Garbage container* means a watertight can or receptacle having a capacity of not more than 30 gallons of substantial metal or weather resistant plastic construction, with a tightfitting lid or cover, with not less than one handle on the lid or cover and two handles on the side of such can or other receptacle, which can be conveniently lifted or moved.

*Recyclable materials* means household waste products made of paper, plastics, or metals as designated by the city for collection by the city's recycling contractor, these materials being appropriate and feasible for use in producing other manufactured products.

*Recycling container* means the 14-gallon plastic container issued by the city's recycling contractor to each household covered by the citywide recycling contract for use in the collection of recyclable materials.

*Trash* means nonputrescible solid wastes consisting of both combustible and noncombustible wastes such as paper, cardboard, tin cans, yard clippings, grass cuttings, leaves, tree limbs, wood, glass, bedding, crockery, metals and other nonputrescible solid waste substances not included in the definition of "garbage" as it appears in this section.

*Trash container* means a plastic bag or a watertight metal or plastic container of substantial construction having a holding capacity of not more than 30 gallons and equipped with grips or handles for convenient lifting and moving of such container or a plastic bag.

(Code 1996, § 16-5; Ord. No. 853, § 1, 8-22-1983; Ord. No. 1057, 2-24-1992; Ord. No. 1299, 2-23-1998; Ord. No. 1340, 12-14-1998)

### **Sec. 42-49. - Collection by city contractor.**

- (a) *Extent.* To the extent prescribed in this article, trash, garbage, and recyclable materials accumulated within the city will be collected, conveyed and disposed of by the city contractor under the terms of the contract between the city and the contractor.
- (b) *Categories not to be collected.*
  - (1) The following categories of trash and garbage will not be collected, conveyed and disposed of by the city contractor, and the actual producers thereof and the owners, lessees and other

occupants of the premises on which such trash and garbage is accumulated shall be responsible for collecting, conveying and disposing of such trash and garbage in accordance with the provisions of [section 42-53](#):

- a. Dangerous materials and substances such as poisons, acids, caustics, infected materials, hot ashes, highly inflammable materials and explosives;
  - b. Rocks, dirt and earth, except as to small amounts as herein provided;
  - c. Rubber, rubber products, roofing and similar materials, except as to small amounts as herein provided;
  - d. Large accumulations of debris and materials resulting from the repair, excavation or construction of buildings or structures or from work performed by persons in landscaping, tree service, plumbing, heating and other like businesses;
  - e. Solid wastes resulting from industrial or commercial processes;
  - f. Dead animals of over 75 pounds in weight;
  - g. Trash and garbage accumulated from premises located in the police jurisdiction of the city; and
  - h. Trash and garbage not prepared for collection in accordance with the provisions of this article.
- (2) The deposit of any of the foregoing categories of trash and garbage in containers for collection by the city contractor shall be deemed a violation of [section 42-1](#).
- (c) *Service and service requirements.* Service will be provided by the city contractor and trash, garbage and recyclable materials shall be prepared for collection all in the following manner:
- (1) The collection of garbage, trash and recyclable materials shall be made at the frequencies provided for in the city contract.
  - (2) Garbage must be stored in a garbage container as herein defined. Use of plastic liner bags in the garbage containers is recommended. Garbage will not be collected from containers that do not meet city standards. Garbage cans to be emptied as herein provided must be outside of basements, garages and other similar enclosed areas and located no further from the street than 20 feet beyond the rear of the dwelling and be visible and accessible from the public street providing access to such dwelling.
  - (3) Fireplace ashes will be collected only in a closed container or plastic bag.
  - (4) Rocks and dirt will not be collected as trash. Scrap lumber, plaster, carpeting, roofing, brickbats, sanding dust and other building debris resulting from building construction, repair or remodeling will not be collected as trash; provided, however, that small amounts of debris from do-it-yourself home maintenance projects will be collected as trash when placed in trash containers as herein described. Rubbish, limbs, brush, and other debris resulting from the cleaning of lots of work preliminary or subsequent to construction will not be collected as trash.
  - (5) Logs not exceeding five feet in length and 80 pounds in total weight will be collected. Limbs up to four inches in diameter must be placed in a separate pile with all butt ends facing the street.
  - (6) Trash, leaves, limbs, bushes, etc., should be placed within three feet of the curb line as herein required. They must not be placed on the street or in gutters. Hedge clippings must be no longer than five feet and stacked with all butt ends facing the street separate and apart from all other trash. Vines and vine clippings must be cut to a maximum length of three feet so that they can be loaded with a fork. Tree limbs, vines and vine clippings, hedge trimmings and other trash not separately stacked, piled or placed in containers as herein required will not be picked up.
  - (7) Recyclable materials shall be placed in the recyclable container in accordance with instructions provided to the householder by the city contractor. Cans or other receptacles shall be empty and free of all food or contaminating residue. Sorting of different products is not required, however, placement of all recyclable materials in the recycling container should be such as to minimize their spilling and spread as litter by weather or animals. To the extent practical, paper products should be protected to avoid undue wetting in rainy weather.
  - (8) Trash and recyclable materials collected at curbside should be set out the night before or prior to 7:00 a.m. on the morning of scheduled trash or recyclable service.
  - (9) Except during the city's leaf season, from October 15th of each year to February 15th of the following year, leaves and grass cuttings should be placed in a covered container or plastic

bag and placed within three feet from the gutter. Leaves or grass not in a container or plastic bag will not be picked up by trash route. If during the city's leaf season, leaves are raked to the edge of the lawn in piles and not more than three feet from the gutter, they will be picked up on the next scheduled route of the city contractor's leaf machine. Limbs and vines must be separated from leaves and grass to be picked up by the leaf machine.

- (10) Dog and cat litter and the clean-ups from dog pens will not be picked up by the city contractor.
- (11) Any dog that harasses city contractor employees in any way must be leashed, chained or locked in a resident's garage or basement or fenced area on the scheduled days of service. Where dogs are kept fenced in, garbage cans must be kept outside the fenced area.
- (12) Except for recyclable materials as provided in subsection (c)(7) of this section, garbage, bottles, cans and other receptacles, which have contained food, shall, after being drained free of all liquid, be deposited in garbage containers and shall, unless otherwise authorized or directed by the city manager, be kept at the rear of the premises.
- (13) Ashes shall, after all embers have expired, be deposited in appropriate containers or plastic bags, separate and apart from garbage and trash and placed at curb side or adjacent to the alley (where trash is picked up from an alley). Such containers shall be watertight and be equipped with handles adequate to facilitate collection, and shall have a capacity of not more than 30 gallons.
- (14) Trash, exclusive of receptacles, which have contained food, which items shall be handled in the same manner as garbage, and as provided in subsection (c)(12) of this section and exclusive of leaves, limbs and brush handled as provided in subsection (c)(6) or (c)(9) of this section, shall be deposited in trash containers or plastic bags and apart from garbage and ashes. Such containers shall be left for collection where they are easily accessible to, and not more than three feet from, a public right-of-way, yet do not impede or otherwise interfere with other uses of such right-of-way. No trash shall be placed in the same can with garbage in any amount. Any broken glass or pottery must be placed in a trash can and placed for collection as provided hereinabove.
- (15) Trash and garbage not prepared for collection in accordance with the foregoing provisions of this section shall not be collected by the city contractor; provided that where the failure to comply with such provisions arises by virtue of the use of defective containers, such as containers which are leaky or which have ragged or sharp edges or other defects liable to hamper or injure persons engaged in collecting the contents thereof, the users of such containers shall be given 48 hours after notice, which notice will be given by placing thereon a tag marked "condemned," to correct such defect before such users shall be deemed guilty of a violation of this article.

(Code 1996, §§ 16-6—16-8; Ord. No. 853, § 1, 8-22-1983; Ord. No. 1057, 2-24-1992; Ord. No. 1299, 2-23-1998; Ord. No. 1340, 12-14-1998)