

## **Chapter 14**

### **GARBAGE AND TRASH**

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## **Chapter 14**

### **GARBAGE AND TRASH**

#### **ARTICLE I. IN GENERAL**

##### **Sec. 14-1. Definitions.**

**Bulky Rubbish** – non-putrescible solid wastes consisting of combustible and/or non-combustible waste materials from dwelling unit, commercial, industrial, institutional, or agricultural establishments which are either too large or too heavy to be loaded in solid waste collection vehicles with safety and convenience by solid waste collectors, with the equipment available therefor.

**Collection** – removal and transportation of solid waste from its place of storage to its place of processing or disposal.

**City** – The City of Freeburg, Missouri.

**Demolition and Construction Waste** – waste materials from the construction or destruction of residential, industrial or commercial structures.

**Dwelling Unit** – any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.

**Health Officer** – the legally designated health authority of the City of Freeburg or his authorized representative.

**Hazardous Wastes** – including but not limited to: pathological wastes, explosive wastes, pesticides, pesticide containers, toxic or radioactive materials.

**Occupant** – any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or of any other improved real property, either as owner or as a tenant.

**Person** – any individual, partnership, co-partnership, firm company, corporation, association, joint stock company, trust, estate, political subdivision, or organization of any kind, or their legal representatives, agent or assigns.

**Premises** – business houses, boarding houses, rooming houses, offices, theaters, hotels, tourists camps, apartments, restaurants, cafes, bars, eating houses, hospitals, schools, private residences, vacant lots, or other places within the limits of the City of Freeburg.

Processing – incinerating, composting, baling, shredding, salvaging, compacting and other processes whereby solid waste characteristics are modified or solid waste quantity is reduced.

Solid waste – unwanted or discarded waste materials in a solid or semi-solid state, including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, discarded appliances, special wastes, industrial wastes, and demolition and construction wastes.

- (a) Commercial solid waste – solid waste resulting from the operation of any commercial, industrial, institutional or agricultural establishment, and multiple housing facilities with more than one (1) dwelling units.
- (b) Residential solid waste – solid waste resulting from the maintenance and operation of dwelling units, excluding multiple housing facilities with more than one (1) dwelling units.

(Ord. 113a, §1, dated 06/03/1974)

**Sec. 14-2. Solid waste storage.**

1. The occupant of every dwelling unit and of every institutional, commercial or business, industrial or agricultural establishment within the county, producing solid waste shall provide sufficient and adequate containers for the storage of all solid waste except bulky rubbish and demolition and construction waste to serve each such dwelling unit and/or establishment; and maintain such solid waste containers in good repair at all times.
2. The occupant of every dwelling unit and of every institutional, commercial, industrial, agricultural or business establishment shall place all solid waste to be collected in proper solid waste containers, except as otherwise provided herein, and shall maintain such solid waste containers and the area surrounding them in a clean, neat and sanitary condition at all times.
3. Residential solid waste to be collected shall be stored in containers of not more than 35 gallons in nominal capacity. Containers shall be rodent and fly proof, leakproof, waterproof and fitted with a tight fitting lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The weight of any individual container and contents shall not exceed 75 pounds. Galvanized metal containers, rubber or fiberglass containers, and plastic containers which do not become brittle in cold weather, may be used. Disposable solid waste containers with suitable frames may also be used for residential solid waste.
4. Every institutional, commercial or business, industrial or agricultural establishment that produces excessive amounts of solid waste to be collected shall maintain a bulk storage container or containers instead of the containers described in Section 14-2.3. These containers shall be rodent and fly proof, leakproof, waterproof and fitted with a tight fitting lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall be of a type that is compatible with the equipment that is used to empty the containers.

5. Accumulations of solid waste such as tree limbs less than 4 inches in diameter, brush, hedge trimmings, paper boxes and small light scrap lumber which cannot be conveniently placed in the containers required under this order shall be gathered together and tied in compact bundles to be collected. These bundles shall not be larger than 48 inches long and 16 inches in diameter. The weight of any individual bundle shall not exceed 75 pounds. Waste of this kind generated on a dwelling unit premises may be burned if all federal, state and local rules and regulations are abided by.
6. Demolition and construction waste may be stored temporarily on the premises in such a manner as not to create a nuisance. This waste should not be stored in an unsightly manner for a period of more than 6 months. A reasonable amount of rubble can be placed in acceptable solid waste containers for collection or be removed to the disposal site at the expense of the occupant.

(Ord. 113a, §2, dated 06/03/1974)

**Sec. 14-3. Collection of solid waste.**

1. The City shall provide for the collection of all residential and commercial solid waste in the City provided, however, that the City may provide the collection service by contracting with a person, city, or other county or a combination thereof, for the entire city or portions thereof, as seemed to be in the best interests of the City.
2. All solid waste from premises to which collection services are provided by the City shall be collected except bulky rubbish as defined herein, provided however, that bulky rubbish will be collected if tied securely in bundles not exceeding reasonable limitations of weight and bulk as set herein. All solid waste collected shall, upon being loaded into collection equipment, become the property of the collection agency.
3. The container described in sections 14-2.3 and 14.2.4 shall be located for collection as follows:
  - (a) In residential areas containers are to be located at the front curb or in areas where alleys may be used and are designated collection routes, the containers shall be placed at the edge of the alley.
  - (b) In commercial areas containers shall be located in plain view near the rear exit of the building.
4. Bulky rubbish shall be collected by request of and at the expense of the person controlling same. The request shall be made to the collection organization.
5. All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to present spillage of solid waste therefrom.

6. No person, firm or corporation shall collect solid waste as a business who does not possess a permit from the City. Said permit shall be issued only upon the payment of an annual permit fee of \$\_\_\_\_\_ per collecting vehicle and only after the City has satisfied itself that the license is capable of complying with the collection requirements.
7. Permits shall not be required for the removal, hauling or disposal of earth and rock material from grading or excavation activities, however, all such materials shall be conveyed in tight vehicles, trucks or receptacles, so constructed and maintained that none of the materials being transported shall spill upon the public right of way.
8. Transportation and disposal of demolition and construction wastes shall be in accordance with Section 4 and 5.

(Ord. 113a, §3, dated 06/03/1974)

**Sec. 14-4. Disposal of solid waste.**

1. Disposal of all waste collected shall be at a processing or disposal area complying with all Federal, State and local regulations.
2. Certain waste may be classified as hazardous waste which will require special handling and shall be disposed of in compliance with all federal, state and local regulations.

(Ord. 113a, §4, dated 06/03/1974)

**Sec. 14-5. Duties of the Health Officer.**

It shall be the duty of the Health Officer of the City to make all necessary inspections and investigations of any and all premises to see that the terms of this order are complied with. It shall be the duty of the Health Officer to administer all items of this order pertaining to solid waste collection and disposal and he shall assist in seeing that all terms of this order are complied with.

(Ord. 113a, §5, dated 06/03/1974)

**Sec. 14-6. Prohibited practices.**

1. It shall be unlawful for any person to deposit solid waste in any container other than his own, without the consent of the owner of such container.
2. It shall be unlawful for any person to burn solid waste unless in a incinerator which complies with all federal, state and local regulations.

(Ord. 113a, §6, dated 06/03/1974)

**Sec. 14-7. Service fees.**

1. Every person receiving water and/or sewer service within the City Limits shall receive solid waste collection service and shall pay such fees as are set forth by Ordinance, unless waive of service is authorized by the City Council after special investigation of conditions upon which the waiver or variance is requested.
2. This service fee provided for in this Ordinance shall be billed and collected by the City Utility Department and shall be part of the utility bill each month. Should such charge for solid waste collection become delinquent, utility service shall be discontinued under the same terms as provided for the failure to pay for other utility services.
3. In the event that issuance of the solid waste service causes an undue hardship on the occupant, the city council may issue a waiver for the payment of all or part of the solid waste service fee.

(Ord. 113a, §7, dated 06/03/1974)

**Sec. 14-8. Penalties.**

Any person violating any of the provisions of this ordinance, or any lawful rules or regulations promulgated pursuant thereto shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a find of not less than \$5.00 nor more than \$50.00 provided, that each day's violation thereof shall be a separate offense for the purpose hereof.

(Ord. 113a, §8, dated 06/03/1974)

**Sec. 14-9. Charges for refuse collection and deposition.**

There shall be a charge of two dollars per month for weekly collections at residences. The two dollar charge shall be added to the monthly water bill. All non-city water users shall be billed separate. Business establishments shall be charged and collected by the refuse collector.

(Ord. 114, §1)

