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CHAPTER 50: GARBAGE AND REFUSE

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§ 50.01 DEFINITIONS.

For the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

COMMERCIAL/INDUSTRIAL GARBAGE OR REFUSE. Any garbage or refuse from any business, industry, or service establishment.

RESIDENTIAL GARBAGE OR OTHER REFUSE. Means all putrefied animal, vegetable, or other material that attends the preparation, consumption, display, dealing in or storage of meat, fish, fowl, bird, fruit, or vegetable, containers or wrappers wasted along with such materials, generally kitchen and home refuse. Such items as recyclable materials, appliances, furniture, equipment, automobiles and parts, trees, stumps, hedge and grass trimmings, brush, lumber, “hazardous” materials, demolition materials, and similar items will not be considered refuse to be picked up by the contracted residential refuse collector.

RESIDENTIAL UNIT. A single-family dwelling, apartment, townhouse, condominium, or manufactured home unit whose primary use is residential in nature.

§ 50.02 CITY COLLECTION; COLLECTION EXCLUSIVE.

(A) There is established a City garbage collection system.

(B) Except as herein provided for, no residential garbage or refuse shall be collected or disposed of by any occupant of a residential unit except through the City garbage collection system. No commercial or industrial garbage or refuse shall be disposed of except by the owner thereof or by a duly licensed garbage or refuse collector. The existence of indoor or outdoor incinerators or burning receptacles, or that a residential unit’s use is weekend or seasonal, shall not relieve any occupant of a residential unit from disposing of household garbage or refuse through the City garbage collections system.

(1) An owner of a building or complex that is primarily commercial in nature

but that also has residential units, shall be permitted to use either the City garbage collection system for the residential use, or contract with a private commercial garbage contractor for both the commercial and residential uses.

- (2) An owner of a building or complex that is primarily residential in nature with three or more residential units, may elect to use the City's garbage collection system for the residential use or contract with a private commercial garbage contractor for the residential use.

§ 50.03 DISPOSAL OF REFUSE.

No person shall hereafter deposit or cause to be deposited any garbage or refuse upon any street, avenue, vacant lot or upon any yard, backyard, or other grounds or place appurtenant to any dwelling, business, or other building in the City except if it is contained in metal or plastic cans or other suitable receptacles and in the manner provided in this Chapter, so as not to be offensive to sight or smell.

§ 50.04 CONTAINERS.

(A) Every owner or occupant or person in control or in possession of any dwelling or building must keep on the grounds, backyard or other rear or side part of the lot appurtenant to any such building, a metal or plastic can or other suitable container. The container must be weighted, have a tight cover, have a capacity of not more than 65 gallons, and have a handle. The container must be kept clean.

(B) Every person must deposit or cause to be deposited in such container all garbage and refuse which accrues on his or her premises or on premises in his or her control or possession. The refuse must be deposited in the container and must be drained of water and other fluids. The container must be kept covered and at the designated time each week, such container must be placed on the property in location that allows for access for collection that is in compliance with this Code and any rules and regulations adopted by the City Council.

§ 50.05 INDUSTRIAL CONTAINERS.

Industrial establishments must use suitable containers so as not to be offensive to sight or smell.

§ 50.06 VEHICLES.

All garbage or other refuse must be transported on the streets or alleys in the City only in vehicles with leak proof bodies. The vehicles must be completely covered with metal or with heavy canvas. Vehicles must be operated in a manner that their contents do not spill or drip on the streets or alleys or otherwise create a nuisance.

§ 50.07 PRIVATE HAULER'S LICENSE.

Any person may apply for a license for commercial and industrial garbage and refuse hauling. Upon application for this license, the applicant shall pay to the City Clerk the annual license fee, the amount of which is set forth in the City's fee schedule. The license must be approved by the Council and conditioned that the licensed hauler will comply with the provisions of this Chapter, the City Code, and any rules and regulations adopted by the City Council.

§ 50.08 RULES.

The City Council shall make and establish by resolution such administrative regulations and rules as may be necessary and proper to regulate, enforce and carry out the provisions of this Chapter.

§ 50.09 COLLECTION CHARGES.

The City and its contracted hauler will establish the amount to be charged for garbage and refuse collection for residential units. Said charges will be collected directly by the hauler. All residential units whether on mandatory residential pick-up or private commercial contract will be charged by the City for clean-up days. Residential units will also be charged by the City for the compost site. The amounts to be charged by the City for clean-up days and the compost site shall be set forth in the City's fee schedule.