

CHAPTER 37

TRASH REGULATIONS

ARTICLE I – SOLID WASTE COLLECTION

37-1-1 WEEKLY DISPOSAL OF SOLID WASTE.

(A) As used herein, "owner" means any person who owns or controls real property, including but not limited to owners, lessees, occupants and contract for deed purchasers, whether residential or commercial. Where there are multiple "owners" as defined herein of a piece of real property, all "owners" are jointly and severally responsible for the obligations set forth in this Chapter.

(B) Each owner of real property shall have removed from the premises by a registered refuse hauler all household waste, garbage and other solid waste generated on the premises, a minimum of once every **seven (7) days**. This Section shall not require customers to contract with refuse hauler to dispose of household rubbish or refuse resulting from remodeling or construction, such debris may be disposed of directly at a landfill or waste transfer station.

37-1-2 RECEPTACLES TO BE PROVIDED.

(A) For each parcel of single family or duplex real property, the owner shall provide or cause to be provided for each dwelling unit, a receptacle or receptacles that are:

- (1) Clean and in good repair.
- (2) Galvanized metal or plastic with a close-fitting metal or plastic cover.
- (3) Watertight.
- (4) Of sufficient capacity to contain the accumulation of waste material for a period of at least **seven (7) days**.
- (5) With suitable handles for carrying, unless a wheeled design is specified by the waste hauler serving the premises.

(B) Owners of commercial and dwelling properties with **three (3)** or more dwelling units, shall provide and maintain clean and in good repair receptacles commonly known as dumpsters. The dumpsters shall include lids which shall be kept closed at all times except when garbage is being deposited in the dumpsters or when the dumpster is being emptied. Dumpsters shall be of sufficient capacity to contain the accumulation of waste for a period of at least **seven (7) days**.

37-1-3 DISPOSAL OF GARBAGE ON OTHER PREMISES PROHIBITED. No person shall dispose of any solid waste in any receptacle not located on the premises where the waste was generated, without the express written consent of the owner of the premises on which the waste is deposited, who then becomes responsible for the disposition of such solid waste as if it were generated on such owner's premises.

37-1-4 PLACING RECEPTACLES FOR COLLECTION. All receptacles for the collection of garbage and rubbish shall be placed on the owner's premises in an accessible place at ground level, provided that if the property has alley access, the receptacles shall be placed at the alley. No receptacle shall be placed on public property or right-of-way so as to impede or interfere with pedestrian or motor vehicle traffic.

37-1-5 REGISTRATION REQUIRED. After **September 1, 2012**, no person, firm or corporation shall engage in the business of solid waste pickup, hauling or disposal within the corporate limits of the City unless registered with the City on a registration form which shall contain the following information:

- (A) The name, business address, and telephone number of the person, firm or corporation;
- (B) If the waste hauler is a corporation, the corporation shall provide a certificate of good standing and the name, address and telephone number of the corporation's president and of its registered agent;
- (C) If the waste hauler is a partnership, it shall provide the names, addresses and telephone numbers of all partners holding greater than a **five percent (5%)** interest;
- (D) If the waste hauler is doing business under an assumed name, it shall provide a copy of the assumed name certificate filed with the County Clerk, if a natural person, and of the assumed name certificate filed with the Secretary of State, if a corporation.

37-1-6 **REGULATIONS GOVERNING WASTE HAULERS.** Each waste hauler doing business in the City shall:

- (A) Clearly mark each vehicle used for solid waste collection with its name.
- (B) Employ only persons with valid CDL licenses as drivers.
- (C) Keep its vehicles insured in the statutory amount, and provide workers compensation insurance in the statutory amount for its employees.
- (D) Keep and provide, upon request of the City, customer and route lists sufficient to enable the City to determine compliance of owners with **Section 27-1-1.**

37-1-7 **CITY CONTRACTS WITH WASTE HAULERS.** The City may from time to time enter into contracts with waste haulers, on such terms as the Council may determine to be appropriate, by which the City will bill waste haulers' customers and collect waste haulers' charges, on and as part of City utility bills. Such contracts shall provide that any funds received from customers shall be applied first to debts owed by the customers to the City and second to the waste hauler. The City shall have no obligations to engage in further collection efforts in the event of nonpayment of waste haulers' charges.

37-1-8 **PENALTIES.** Any person violating any provision of this Chapter shall, upon conviction, be fined not less than **Two Hundred Fifty Dollars (\$250.00)** nor more than **Seven Hundred Fifty Dollars (\$750.00)** for each offense. Each day's violation shall constitute a separate offense.

(Ord. No. 12-07; 07-05-12)