

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE²

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17-101. Definitions. (1) "Refuse." The term "refuse", as hereinafter referred to in this chapter shall include garbage, rubbish, ashes, and all other putrescible and nonputrescible, combustible and non-combustible material originating from the preparation, cooking, and consumption of food, market refuse, waste from the handling and sale of produce, and other similar unwanted materials, but shall not include sewage, body waste, or recognizable industrial by-products from all residences and establishments public and private.

¹Municipal code reference

Property maintenance regulations: title 13.

²A schedule of sanitation rates is available in the office of the city recorder.

(2) "Garbage." The term "garbage" shall include all putrescible wastes, except sewage and body wastes, including vegetable and animal offal and carcasses of dead animals, but excluding recognizable industrial by-products from all public and private residences and establishments.

(3) "Rubbish." The term "rubbish" shall include all non-putrescible waste materials except ashes from all public and private residences and establishments.

(4) "Ashes." The term "ashes" shall include the waste products from coal, wood, and other fuels, used for cooking, heating, and on-site incinerations from all public and private residences and establishments.

(5) "Dumpster." The term "dumpster" means a bulk storage container for refuse that can be hauled directly to the point of disposal or emptied into a large compactor-type truck for disposal.

(6) "Collector." The term "collector" shall mean any person, firm, corporation, or political subdivision, that collects, transports, or disposes of any refuse within the corporate limits.

(7) "Health officer." The term "health officer" shall mean the health authority of the city or his authorized representative or authorized representative of the state health department. (1988 Code, § 8-201)

17-102. Premises to be kept clean. All persons, firms, and corporations within the corporate limits are hereby required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, offal, filth, and trash. Such persons, firms, and corporations are hereby required to store such refuse in sanitary containers of the type described in this chapter between intervals of collection or to dispose of such material in a manner prescribed by the health officer so as not to cause a nuisance or become injurious to the public health and welfare. (1988 Code, § 8-202)

17-103. Storage of refuse. Each owner, occupant, tenant, sub-tenant, lessee, or others using or occupying any building, house, structure, or grounds within the corporate limits where refuse materials or substances as defined in this chapter accumulate or are likely to accumulate shall provide an adequate number of suitable containers of a type approved by the health officer for the storage of such refuse. Such containers shall be constructed of strong and durable metal, not readily corrodible, rodent and insect-proof, and of a capacity not exceeding thirty two (32) gallons and not less than ten (10) gallons, except that the maximum capacity shall not apply in cases where the city is equipped to handle containers of similar construction mechanically. Such containers shall be equipped with handles to facilitate emptying, and they shall be equipped with tight fitting lids or covers, constructed of the same material of such design as to preclude the free access of flies and other insects and to prevent the container from collecting water during rains. The lid or cover shall be kept in place at all times except when refuse is being deposited therein or removed therefrom by an

official collector. Such storage containers should be placed in a convenient accessible location for trucking as may be designated by the official refuse collecting agency. Wet garbage or refuse must be drained of all liquids and wrapped in paper or other equivalent material prior to placing it into the storage receptacle. The containers shall be maintained in a clean and sanitary manner and shall be thoroughly cleaned by washing or other methods as often as necessary to prevent the breeding of flies and the occurrence of offensive odors. (1988 Code, § 8-203)

17-104. Confiscation of unsatisfactory storage containers. The official refuse collecting agency is herein authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences and establishments, public and private, when at the discretion of the health officer such containers are not suitable for the healthful and sanitary storage of refuse substances. Such unsatisfactory containers shall be removed and disposed of at a place and in a manner designated by the official collecting agency only after the owner of such containers has been duly notified of such impending action. (1988 Code, § 8-204)

17-105. Limits of responsibility of refuse collector. In no case will it be the responsibility of the refuse collecting agency to shovel or pick up from the ground any accumulations of refuse including leaves, lawn clippings, brush, and packing material. All materials are to be placed in containers of the type described in § 17-103 or cut and baled, tied, bundled, stacked, or packaged so as not to exceed thirty six (36) inches in length and seventy five (75) pounds in weight. (1988 Code, § 8-205)

17-106. Collection of refuse. (1) Collection interval. All refuse as heretofore defined shall be collected at intervals of at least once in ten (10) days so as to prevent the occurrence of nuisance and public problems.

(2) Permits. No person, firm, or corporation shall engage in the business of collecting or removing refuse who does not possess a permit to do so from appropriate authority of the city. Such permits may be issued only after the applicant's capability of complying with the requirements of this chapter has been fully determined. Such permits may be suspended or revoked upon the violation of any of the terms of this chapter.

(3) Collection vehicles. The collection of refuse shall be by means of vehicles with beds constructed of impervious material, easily cleanable, and so constructed that there will be no leakage of liquids draining from the refuse onto the streets and public thoroughfares. Provisions shall be made to prevent the scattering of refuse over the streets and thoroughfares by effective coverings or closed truck beds. (1988 Code, § 8-206)

17-107. Disposal of refuse. The disposal of refuse in any quantity by any individual, householder, firm, establishment, or corporation in any place, public or private, other than the site or sites designated by the City of Dresden, is expressly prohibited. (1988 Code, § 8-207)

17-108. Dumping in streams, sewers, and drains prohibited. It shall be unlawful for any person, firm, or corporation to dump refuse in any form into any stream, ditch, storm sewer, sanitary sewer, or other drains within the city. (1988 Code, § 8-208)

17-109. Burning refuse. It shall be unlawful for any person, firm, or corporation to burn or attempt to burn refuse on private or public property within the corporate limits of the city without first securing the approval of the appropriate city departments having jurisdiction. (1988 Code, § 8-209)

17-110. Disturbing containers. No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any other manner disturb or use any refuse container belonging to another. This section shall not be construed to prohibit the use of public anti-litter cans for the deposit of refuse commonly recognized as litter. (1988 Code, § 8-120)

17-111. Exclusive city function. Except as otherwise herein provided, only the city shall engage in the business of collection, removing, or disposing of refuse within the corporate limits. The city may provide such services either with its own forces or by contractors. (1988 Code, § 8-211)

17-112. Billing of service fee.¹ The service fee for collection, removal, and disposal of refuse shall be included as a separate item each month on the bills rendered for water service. Said charges shall be rendered on the first water bill for each month thereafter. The accounts shall be paid monthly at the same time water bills are paid.

Water service shall be discontinued for failure to pay the refuse service fee by the delinquency date prescribed for the water bill.

When service commences or ceases, applicable fees may be prorated. If water services shall be supplied to a location the occupant or tenant of which has vacated said premises, and the city is satisfied that there has been a termination of the need for refuse collection, then the city, on application of the owner or agent therefor, may suspend liability for such refuse fees, and said fees shall be reinstated with the next water bill rendered to an occupant or tenant of the premises.

¹Sanitation rates for the City of Dresden are of record in the office of the city recorder.

In the case of premises containing more than one dwelling unit or place of business each of which is billed separately for water by the city, such fees shall be billed to each person in possession, charge, or control who is a water customer of the city. In the case of premises containing more than one dwelling unit or place of business which are served through a single water meter, so that the occupants or tenants cannot be billed separately by the city, the customer responsible for the water bill shall be liable for refuse service fees for the premises. (1988 Code, § 8-212)

17-113. Special rules, regulations, and charges authorized for certain refuse. Collection, removal, and disposal of the following types of refuse shall be subject to reasonable rules and regulations and special charges approved by the board of mayor and aldermen:

- (1) Building or construction debris.
- (2) Trees, tree trimmings. (1988 Code, § 8-213)

17-114. Use of dumpsters. Only residents of the city shall be allowed to deposit material in the dumpsters. For purposes of this section, a "resident" shall also include a business located within the city; provided, however, that such business may deposit only such materials that are generated by the business.

No person shall be authorized or allowed to deposit ashes, animal offal, carcasses of dead animals, industrial by-products, sewage, body waste, or building or construction debris in a dumpster.

No person shall be authorized or allowed to deposit any large, bulky, or heavy wooden or metal object in a dumpster.

No person shall be authorized or allowed to deposit any material in a dumpster, unless the material can be completely contained within the dumpster and no materials shall be placed on top of or in the area surrounding the dumpster. (1988 Code, § 8-214)

17-115. Removal of brush and limbs. (1) The City of Dresden is to be divided into four (4) separate zones, and brush and limbs are to be collected on a schedule of one time per month within each zone.

(2) City of Dresden property owners can request an additional pickup of brush and limbs from their property, or make a request for a pickup at a time other than the normal scheduled pick up time. This pick up of brush and limbs will be made a cost of double the normal pick up fee rate described herein.

(3) The City of Dresden works director may at any time determine that additional pick up is needed due to special circumstances, such as increase in the need for service due to bad weather.

(4) Brush and limbs are to be placed for removal at the edge of the property line adjacent to the public street. Leaves and small limbs are to be

placed in appropriate bags. The brush and limbs are not to be placed in the public street or in the gutter.

(5) Property owners shall notify the City of Dresden when they have brush or limbs to be removed.

(6) All requests for service shall be sent to the public works department to be placed on the appropriate zone schedule in accordance with the next pick up time within that zone.

(7) The City of Dresden work crew on site is to determine the time required for loading the limbs and brush. This time period will be used to calculate the costs of removal.

(8) If material to be removed contains items other than limbs and/or brush or consists of sizes so large that one (1) person, under ordinary circumstances cannot lift such into the truck or grinding equipment being used, then the City of Dresden is not required to remove such material. If the City of Dresden work crew determines not to remove such material, an explanation of the reason(s) for such decision, shall be provided to Dresden City Hall in order for the property owner to be notified.

(9) After each work period of brush and limb removal, a report of work completed will be submitted to Dresden City Hall in order for the property owners to be billed for such services.

(10) The amount for such services shall be calculated upon the time required to load for the removal of brush and limbs as follows:

- (a) 0 to 30 minutes of load time \$10.00;
- (b) 31 to 45 minutes of load time \$50.00;
- (c) 46 to 60 minutes of load time \$100.00;
- (d) 61 to 120 minutes of load time \$250.00;
- (e) 121 to 180 minutes of load time \$500.00; and
- (f) Each additional hour \$100.00 per hour.

(11) The amount billed will be submitted to the property owner on the monthly bill for water, sewer and sanitation. Payment will be due at the same time as other items on the monthly bill. Should the property involved in brush and limb removal not receive a monthly water bill, then an invoice shall be submitted to the property owner for payment within the same time period authorized for the payment of water bills. (Ord. #____, June 2003)

17-116. Placement of refuse and garbage cans. (1) Findings. The Dresden Board of Mayor and Aldermen has determined that the prolonged placement of refuse and garbage cans in close proximity to public streets, alleys, and rights-of-way poses a significant threat to the public health, safety, and general welfare of the community by:

- (a) Encouraging the propagation and the harboring of stray animals, rats, mice, mosquitoes, flies, and other vermin.
- (b) Placing filth and filthy deposits within easy access of scavengers, children, and pets.

(c) Increasing the potential for the scattering of refuse within the community by stray animals, acts of vandalism, traffic accidents, or extreme weather conditions.

(d) Increasing the potential for traffic hazards, in the form of debris or empty garbage containers, to be blown into the public streets.

(e) Detracting from the aesthetic quality of commercial areas.

(2) Definitions. All definitions pertaining to refuse included in § 17-101 of the Dresden Municipal Code shall be used in the administration of this section. Additionally, the following definition is hereby adopted:

"Collection point" shall mean the location, adjacent to the city street, alley, or right-of-way, where a person is authorized to place refuse, garbage, rubbish, ashes, or any container filled with such materials, including bags, for pick up and sanitary disposal by the city or its authorized agent.

(3) Times for placement of refuse or refuse containers at collection points. It shall be unlawful for any person to:

(a) Place any refuse, garbage, rubbish, or ashes, whether such wastes are loose, bundled, or in a container, at any collection point prior to 6:00 P.M. on the day prior to the scheduled collection by the city or its authorized agent.

(b) Fail to remove any uncollected refuse, garbage, rubbish, ashes, or any empty container of the same, at any collection point by 9:00 A.M. on the day immediately following the scheduled collection. (as added by Ord. #2007-02, Oct. 2006, and replaced by Ord. #2010-03, June 2010)