

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

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17-101. Refuse defined. "Refuse" means and includes garbage, rubbish, leaves, brush, and refuse as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, and similar materials are expressly excluded therefrom and shall not be stored therewith. (1994 Code, § 17-101)

17-102. Premises to be kept clean. All persons within the city are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse except when stored as provided in this chapter. (1994 Code, § 17-102)

17-103. Storage. Each owner, occupant, or other responsible person using or occupying any building or other premises within this city where refuse accumulates or is likely to accumulate shall provide and keep covered an adequate number of refuse containers. The refuse containers shall be strong, durable, and rodent and insect proof. They shall each have a capacity of not less than twenty (20) nor more than thirty-two (32) gallons, except that this

¹Municipal code reference

Property maintenance regulations: title 13.

maximum capacity shall not apply to larger containers which the city handles mechanically. Furthermore, except for containers which the city handles mechanically, the combined weight of any refuse container and its contents shall not exceed fifty (50) pounds. No refuse shall be placed in a refuse container until such refuse has been drained of all free liquids. Tree trimmings, hedge clippings, and similar materials shall be cut to a length not to exceed four feet (4') and shall be securely tied in individual bundles weighing not more than fifty (50) pounds each and being not more than two feet (2') thick before being deposited for collection.

Additionally, each owner, occupant, or other responsible person using or occupying any building or other premises within this city where refuse accumulates or is likely to accumulate shall place all refuse into plastic garbage bags before depositing such refuse into containers for collection. The garbage bags shall be of such strength so as not to tear or puncture once the refuse is placed inside. The garbage bags must be no less than ten (10) gallons. (1994 Code, § 17-103, as amended by Ord. #7-15, July 2015, and Ord. #7-15, Sept. 2020)

17-104. Location of containers. Where alleys are used by the municipal refuse collectors, containers shall be placed on or within six feet (6') of the alley line in such a position as not to intrude upon the traveled portion of the alley. Where streets are used by the municipal refuse collectors, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there is no curb, at such times as shall be scheduled by the city for the collection of refuse therefrom. As soon as practicable after such containers have been emptied they shall be removed by the owner to within, or to the rear of, his premises and away from the street line until the next scheduled time for collection. (1994 Code, § 17-104)

17-105. 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 refuse containers for their intended purpose. (1994 Code, § 17-105)

17-106. Collection. All residential refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the governing body shall designate. Collections shall be made regularly in accordance with an announced schedule. (1994 Code, § 17-106, as amended by Ord. #7-15, July 2015)

17-107. Collection vehicles. The collection of refuse shall be by means of vehicles with beds constructed of impervious materials which are easily cleanable and so constructed that there will be no leakage of liquids draining

from the refuse onto the streets and alleys. Furthermore, all refuse collection vehicles shall utilize closed beds or such coverings as will effectively prevent the scattering of refuse over the streets or alleys. (1994 Code, § 17-107)

17-108. Disposal. The disposal of refuse in any quantity by any person in any place, public or private, other than at the site or sites designated for refuse disposal by the governing body is expressly prohibited. (1994 Code, § 17-108)

17-109. Solid waste service charge. There is hereby imposed for the collection of solid waste and for the improvement of the general public health and environment a service charge for each dwelling unit and for each commercial and industrial establishment.

Residential: The service charge for collection of residential solid waste shall be set by the current budget.

In all cases where containers are used the City of Niota will not have the responsibility of collecting garbage placed outside the container.

Customers that have special waste or require other than the standard service should contact the superintendent for service and cost data in advance.

Nothing in excess of one (1) large piece of trash such as side table, chair, couch, etc., in addition to normal household trash will be picked up once per month. No hazardous materials will be picked up by our employees or our equipment. (1994 Code, § 17-109, as amended by Ord. #7-15, July 2015 and Ord. #3-172, April 2017, modified)

17-110. Dumping permitted in designated places only. It is unlawful for any non-resident to dispose of, or to cause to be disposed of, any garbage into a receptacle belonging to another unless so authorized by the owner of the receptacle. (1994 Code, § 17-110)

17-111. Violations and penalty. Any person violating any of the provisions of this chapter is guilty of a misdemeanor and, upon conviction thereof, shall be fined fifty dollars (\$50.00) per occurrence, per day. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. (1994 Code, § 7-111, as amended by Ord. #3-172, April 2017)