

TITLE 17

REFUSE AND TRASH DISPOSAL¹

CHAPTER

1. REFUSE.

CHAPTER 1

REFUSE

SECTION

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17-101. Refuse defined. Refuse shall mean and include garbage, and rubbish, leaves, brush, and refuse as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, shingles, asbestos based materials, and similar materials are expressly excluded therefrom and shall not be stored therewith. (Ord. #____, May 1992)

17-102. Premises to be kept clean. (1) All persons within the City of Newport 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.

(2) It shall be unlawful for the owner or occupant of a residential building, structure or property to utilize the premises of such residential property for the open storage of an abandoned motor vehicle, furniture, appliances, glass, building material, building rubbish, junk or similar items.

¹Municipal code reference

Property maintenance regulations: title 13.

(3) It shall be the duty and responsibility of every such owner or occupant to keep the premises of such residential property clean and to remove from the premises all such abandoned items listed above, including but not limited to weeds, dead trees, trash, garbage, etc., within thirty (30) days upon receiving notice from the City of Newport. For the purpose of this section an "abandoned motor vehicle" is defined as a vehicle that is in a state of disrepair and incapable of being moved under its own power.

(4) Any person failing to comply with the above provision shall be guilty of a violation of this section and shall be fined fifty dollars (\$50.00) for each day of violation. Each day's subsequent violation shall constitute a separate offense. (Ord. #____, May 1992)

17-103. Storage. 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 (4) inches in diameter and eight (8) feet in length before being deposited for collection. Leaves shall be securely tied in six (6) bushel plastic bags constructed of 1.5 mil. strength for collection. (Ord. #____, May 1992)

17-104. Containers--general provisions. (1) Each owner, occupant, or other responsible person using or occupying any building or other premises within the City of Newport where refuse accumulates or is likely to accumulate, shall provide and keep covered a maximum of three (3) refuse containers.

(2) Containers shall be maintained in good and sanitary condition. Any container not conforming to the requirements of this chapter or having ragged or sharp edges or any other likely condition to hamper or injure the person collecting the contents shall be promptly replaced by the owner after notice by the City of Newport. (Ord. #____, May 1992)

17-105. Enclosure--solid waste receptacles. (1) All property having an industrial, commercial or apartment complex dumpster shall provide an enclosure around all solid waste receptacles for the containment of waste material, which shall meet the following design standards:

(a) The height of the enclosure shall be a minimum of one (1) foot above the top of the solid waste receptacle.

(b) The width and depth of the enclosure shall be such as to provide a two (2) foot space between the solid waste receptacle and the structure enclosing it.

(c) The enclosure shall be constructed of an opaque material. Chain link fences shall have opaque strips attached.

(d) The enclosure shall be constructed with a gate which will provide sufficient access for removal of the solid waste receptacle and for removal of the solid waste from the receptacle.

(e) The enclosure shall be located on the property so as to insure sufficient access and as such that all other city codes are conformed to.

(2) A permit must be obtained from the codes administration officer prior to location of the solid waste receptacle and construction of said enclosure.

(3) No permit shall be issued by the codes administration officer without prior approval of the design by the City of Newport Sanitation Department. The sanitation department shall determine specific site requirements.

(4) All areas around and in the enclosure shall be maintained and litter free. Routine cleaning and maintenance is a must.

(5) Any violation of this section shall be punishable by a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) with each day of noncompliance constituting a separate violation. (Ord. # _____, May 1992)

17-106. Containers--portable refuse containers. (1) The following premises shall use portable refuse containers:

(a) Single family dwellings;

(b) Multi-family dwellings containing no more than two (2) units;

(c) All businesses located in the central business district (C-1 Zone) whose containers are not serviceable by mechanical means.

(d) Any residential or commercial premises, which in the opinion of the board of mayor and aldermen does not generate a sufficient amount of refuse to warrant the placement of a commercial refuse container on site, or does not have a suitable location for placement of a commercial refuse container on site.

(2) Portable refuse containers shall be constructed of strong and durable material, rodent and insect proof and not readily corrodible. Such containers shall have a capacity of not more than thirty-two (32) gallons and not less than twenty (20) gallons, and when filled, shall weigh not more than seventy-five (75) pounds. Portable refuse containers shall be equipped with tight fitting lids or covers to preclude the free access of flies and insects and to prevent the containers from collecting water during rain or snow. The lids or covers shall be kept in place at all times except when refuse is being deposited therein or removed therefrom by the collector. Where alleys are used by the refuse collectors, containers shall be placed on or within six (6) feet 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 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 be 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. (Ord. # _____, May 1992)

17-107. Container—commercial refuse containers. All residential, commercial, and industrial locations, excepting those set out in § 17-106, shall use commercial refuse containers. Such containers shall be of welded steel construction suitable for the storage of refuse, and shall be equipped with slots or other devices capable of being engaged by a refuse truck designed for that purpose. Commercial refuse containers shall have a maximum capacity of eight (8) cubic yards. The property owner, lessee, or the user of the container shall contact the sanitation department and make provisions to have the collection from the container on such a schedule so that refuse does not accumulate so as to overflow the confines of the container or restrict the closing of the container cover. The board of mayor and aldermen shall approve the design, location, capacity, wind and/or visual barrier, and the number of commercial refuse containers in use at each site. (Ord. #____, May 1992)

17-108. Disturbances and unauthorized use of containers. (1) No unauthorized person shall uncover, rifle, pilfer, dig into, turn over or in any other manner disturb any refuse container belonging to another. All refuse containers in use on the premises of any commercial establishment shall be used solely and only by that establishment as a receptacle for its commercial refuse. No person shall use a commercial establishment's refuse container unless specifically authorized by the commercial establishment.

(2) The city administrator shall cause to have signs printed stating that such activity is a violation of this chapter and may be punished by a fifty dollar (\$50.00) fine. Such signs to be placed on containers by the operators of the business establishment.

(3) It shall also be unlawful to deposit refuse in a public receptacle in a park, except for a refuse normally generated from picnics and similar activities carried on in the park. (Ord. #____, May 1992)

17-109. Collection—general provisions. All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the board of mayor and aldermen shall designate. Collections shall be made regularly in accordance with an announced schedule. (Ord. #____, May 1992)

17-110. Collection fees. The following fees apply to all refuse collections provided by the City of Newport:

(1) From those premises using portable refuse containers, as set out in § 17-106, refuse shall be collected once per week, free of charge.

(2) From those premises using commercial refuse containers, the refuse from each such container shall be collected ____ times per week free of charge. Thereafter, any additional collections from such containers, whether schedule on a regular basis by the owner or as deemed necessary by the board of mayor and aldermen, shall be subject to a fee of ____ dollars _____ per

collection. For purposes of determining applicable charges, each container at each location will be considered separately. (Ord. #____, May 1992)

17-111. Collection vehicles. All refuse collection vehicles shall utilize closed beds and such coverings as will effectively prevent the scattering of refuse over the street or alleys. (Ord. #____, May 1992)

17-112. 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 board of mayor and aldermen is expressly prohibited and subjected to a fine for each separate offense. (Ord. #____, May 1992)

17-113. Privately owned dumpsters. (1) It shall be unlawful for any individual or group of individuals to use privately owned dumpsters for the purpose of dumping trash, garbage, waste or any other kind of materials or substances without the express consent of the owners thereof where the owner or owners have posted a public notice prohibiting the public use of the dumpsters or containers by the general public. Said notice shall expressly provide that the dumpster is for the private use of the owner or owners and the public is prohibited from using it.

(2) Any violation of this section shall be punishable by a fine of not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) for each offense. (Ord. #94-5, March 1994)