

**TITLE 17**

**REFUSE AND TRASH DISPOSAL<sup>1</sup>**

**CHAPTER**

**1. REFUSE.**

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**REFUSE**

**SECTION**

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**17-101. Refuse defined.** Refuse shall mean and include garbage, rubbish, and refuse as those terms generally defined except that dead animals and fowls, body wastes; debris such as hot ashes, rocks, concrete and bricks; tree limbs, tree trunks, brush, used building materials including roofing and similar materials are expressly excluded therefrom and shall not be stored therewith. (1970 Code, § 8-201)

**17-102. Debris defined.** Debris shall mean and include hot ashes, rocks, concrete, bricks and debris as those terms generally defined except that refuse as defined and used building materials including roofing and similar materials are expressly excluded therefrom and shall not be stored therewith. (1970 Code, § 8-202)

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

**17-103. Brush defined.** Brush shall mean and include tree limbs and tree trunks cut in lengths not to exceed six (6) feet, shrubs and shrub trimmings and brush as those terms generally defined except that debris and refuse as defined and used building materials including roofing and similar materials are expressly excluded therefrom and shall not be stored therewith. (1970 Code, § 8-203)

**17-104. Used building materials defined.** Used building materials shall mean and include all used lumber, shingles and other materials from demolished structures and used building materials as those terms generally defined except that refuse, debris and brush as defined and similar materials are expressly excluded therefrom and shall not be stored therewith. (1970 Code, § 8-204)

**17-105. Premises to be kept free of.** All persons within the City of Rockwood are hereby required to keep their premises in a clean and sanitary condition, free from accumulations of refuse, debris, brush, and used buildings materials, except when the same is stored in such refuse containers as are described in this chapter. The city may abate nuisances created by violations of this section at the property owner's expense when the owner does not take appropriate action after reasonable notice from the city. Any costs thereby incurred by the city may be collected the same as delinquent taxes are collected. (1970 Code, § 8-205)

**17-106. Fee schedule.** Charges for collection of refuse, debris, brush and used building materials as defined are determined by a fee schedule approved by the Rockwood City Council. Revisions and exceptions to the fee schedule will be approved by the city council. (1970 Code, § 8-206)

**17-107. Penalties for non-compliance.** Any violation of this chapter shall constitute a civil offense and shall, upon conviction, be punishable under the general penalty provision of this code. Each day a violation shall be allowed to continue shall constitute a separate offense.

**17-108. Storage.** Each owner, occupant, or other responsible person using or occupying any building or other premises within the City of Rockwood where refuse accumulates, or is likely to accumulate, shall provide and keep covered an adequate number of strong, durable, rodent and insect proof, refuse containers each having a **capacity of not more than thirty-two (32) gallons.** **The combined weight of the refuse container and its contents shall not exceed seventy-five (75) pounds.** Each refuse container shall be equipped with lifting handles or a bail and a tight fitting lid and no refuse container shall have any jagged or sharp edges that might injure a person handling it. No refuse shall be placed in a refuse container until it has been drained of all free

liquids. Boxes and cartons shall be broken down and securely tied in bundles weighing not more than seventy-five (75) pounds each before likewise being deposited for collection. (1970 Code, § 8-208)

**17-109. Location of containers.** Where alleys are used by the city 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 city refuse collectors, containers shall be 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. (1970 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 refuse containers for their intended purposes. (1970 Code, § 8-210)

**17-111. Collection.** Except as provided herein, all refuse accumulated within the corporate limits shall be collected, conveyed and disposed of by the city or by the collection service the city has contracted with. Collections shall be made regularly in accordance with an announced schedule. All residents, commercial users, industrial users, real estate owners and real estate tenants within the corporate limits are required to participate in said refuse collection services and pay the fees therefor imposed by Rockwood City Council pursuant to § 17-106 of the Rockwood Municipal Code, unless an exception has been granted, or unless the commercial or industrial user qualifies for the exception set forth in § 17-114 of the Rockwood Municipal Code. The city administrator is authorized and empowered to grant exceptions for the following reasons:

(1) A residential owner or tenant suffers from a medical condition that prevents said residential owner or tenant from taking refuge to the curb of the city street for pickup, and has provided other means for the regular, weekly removal of said refuse.

(2) The real estate, whether residential, commercial or industrial, is vacant and thereby no refuse is produced thereon.

(3) The real estate is used exclusively for livestock purposes as permitted by the Rockwood Municipal Code.

(4) A commercial or industrial user has contracted for a dumpster, and the regular collection of refuse from said dumpster, and has produced a copy of such contract.

Exceptions for any reasons other than those stated above and those allowed by § 17-114 of the Rockwood Municipal Code must be approved by city council.

However, building and industrial wastes shall not be collected by the city except when the city is reimbursed according to the fee schedule for rendering such service. The person creating or in possession of such wastes shall be responsible for the disposal of the same in such manner as will not violate the provisions of this chapter. For the purposes of this section "building waste" shall mean waste incident to and resulting from building construction and repair, and from clearing land for new construction. "Industrial waste" shall mean waste and by-products of manufacturing and processing establishments.

It shall be unlawful for parties living outside the City of Rockwood to transport refuse generated outside the City of Rockwood into the corporate limits for the purpose of disposal. (1970 Code, § 8-211, as replaced by Ord. #12-61, Sept. 2019 *Ch4\_6-20-22*)

**17-112. 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 garbage 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 and alleys. (1970 Code, § 8-212)

**17-113. 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 city council is expressly prohibited. Failure to comply with the proper disposal of refuse shall result in penalties covered in § 17-107. (1970 Code, § 8-214)

**17-114. Exceptions.** Sections 17-106, 17-108, 17-109 and 17-111, shall not be applied to commercial or industrial users who contract to have their garbage hauled off, unless services are provided by the city. (1970 Code, § 8-216)