

**TITLE 17****REFUSE AND TRASH DISPOSAL****CHAPTER****1. COLLECTION AND STORAGE.****CHAPTER 1****COLLECTION AND STORAGE****SECTION**

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**17-101. Definitions.** (1) The term "garbage" shall mean all putrescible wastes, except sewage and body wastes, including discarded particles of food and meat, vegetable and animal offal, kitchen wastes in general, and tin cans, bottles, paper and other containers, paper, or any other materials that contain or have attached thereto any putrescible residue, but excluding industrial wastes and by-products.

(2) The term "small dead animals" shall mean the carcasses of fowls and animals no larger than a dog.

(3) The term "industrial wastes" shall mean wastes and by-products of manufacturing and processing establishments.

(4) The term "building wastes" shall mean discarded materials incident to and resulting from construction or repair of buildings and clearing of land for new construction, such as, but not limited to, rock, brick, metal, wood, glass, trees, brush, and vegetation, when such materials are in greater quantity than can be placed in one container.

(5) The term "refuse" shall mean all other wastes, such as tin cans, metal, stone, brick, wood, glass, bottles, paper, cordage, ashes, household rubbish, tree limbs, brush, leaves, lawn trimmings, weeds, flowers, other vegetation, and any other non-classified trash or discarded materials.

(6) The term "garbage container" shall mean a watertight can of solid and durable material, of not more than thirty-two gallons capacity and not less than twenty (20) gallons capacity, equipped with lifting handles, or bail, and having a tight-fitting lid with a handle. A garbage container or any other container must not have any inside structures, such as bands or reinforcing angles, that will prevent or impede the free discharge of its contents, and shall not have any jagged or sharp edges that might injure a person handling it.

(7) The term "person" shall mean any natural person, firm, company, partnership, cooperative, association, corporation, or any other legal entity.

(8) The masculine shall include the feminine and neuter genders.

(9) The term "city" shall mean the City of Humboldt.

(10) The term "sanitary engineer" shall mean the mayor or some person expressly designated by him to act as such.

(11) The term "commercial waste" shall mean garbage and not included in the definition of "industrial waste" and "building waste" as herein defined.

(12) The term "residential class" and symbol "RC" shall mean all accounts requesting garbage and/or refuse collection from places of dwelling as opposed to places of commercial business within the city limits.

(13) The term "commercial class" and symbol "CC" shall mean all accounts requesting garbage and/or refuse collection from businesses within the City limits.

(14) The term "outside residential" and symbol "OR" shall mean all accounts requesting garbage and/or refuse collection from places of dwelling outside the city limits.

(15) The term "outside commercial" and symbol "OC" shall mean all accounts requesting garbage and/or refuse collection from commercial businesses outside the city limits.

(16) The term "sanitation committee" shall mean that committee appointed by the mayor to oversee the sanitation department.

(17) The term "service" shall mean the act of collecting and disposing the garbage or refuse from any account. (Ord. #87-02, \_\_\_)

**17-102. Preparation for collection.** Materials and wastes to be collected by the sanitation crew of the city shall be prepared as follows:

(1) All garbage must be placed in garbage containers. Containers not meeting the specifications of this chapter may be confiscated. Garbage shall be well wrapped in paper bags, newspapers or other suitable materials. No liquids shall be placed in containers.

(2) Refuse, if not placed in the garbage container, shall be placed in another container in such a manner as to prevent the contents from spilling or blowing out, except that tree limbs and brush may be cut in lengths not to exceed four feet and shall be prepared for easy handling. Tree limbs larger than one inch in diameter will be collected only on special order. Such collection shall be on an actual cost basis, the minimum fee to be \$10.50. Business and

commercial establishments shall break down boxes and cartons and securely tie them in bundles. Refuse containers may be confiscated when they fail to meet the specifications of this chapter.

(3) The combined weight of garbage containers and the contents shall not exceed seventy-five (75) pounds except for containers for commercial waste.

(4) It shall be the responsibility of the head of every family occupying a dwelling unit, or the owners, or agents therefor, to provide sufficient garbage and refuse containers at proper locations for the collection of garbage and refuse. The lids of all garbage containers shall at all times be kept secure and fastened so that flies and other insects cannot have access to the contents thereof, and said lids shall be removed only while being filled or emptied as the case may be.

(5) It shall be the duty of the person in charge of each business and commercial establishment to provide satisfactory containers and to place them in proper locations. (Ord. #87-02, \_\_\_)

**17-103. Location of containers.** (1) Where alleys are used by collecting trucks, containers shall be placed on the alley line in such a position as not to intrude upon the traveled portion of the alley. If a fence without a gate separates an alley from the yard where containers are located, a platform for the containers shall be so constructed that its top shall be level with and adjoining the top of the fence. Such platforms must be constructed entirely back of the property line and no part of same may be in an alley.

(2) Where streets are used by collecting trucks, containers shall be placed in the rear of the dwelling unit or business and commercial establishment, so as not to be visible from the street, but in a convenient and easily accessible location.

(3) Tree limbs and brush bundled separately shall be placed either in alleys, where they are used by collecting trucks, or, if alleys are not available and streets are used by collecting trucks, then adjacent to and back of the curb, or adjacent to and back of the ditch if there is no curb.

(4) Commercial waste shall be placed in containers supplied by the city in locations on or near each commercial customer, which location shall be selected by the city. (Ord. #87-02, \_\_\_)

**17-104. Industrial and building wastes.** The person creating or in possession of industrial or building wastes shall be responsible for disposal of such wastes in such manner and at such places as the sanitary engineer shall approve, and such wastes shall not be collected as a part of the city's refuse and garbage collection service. (Ord. #87-02, \_\_\_)

**17-105. Dead animals.** The sanitary department upon call will pick up small dead animals, which shall not be placed in garbage or refuse containers. The person owning or in possession of large dead animals shall be responsible

for their prompt disposal in such a manner as the sanitary engineer shall direct. (Ord. #87-02, \_\_\_)

**17-106. Restrictions on hauling.** No person, other than employees of the sanitary department, may collect or haul any garbage or refuse. (Ord. #8-702, \_\_\_)

**17-107. Prohibited acts.** (1) It shall be unlawful for any person without permission of the owner to place garbage or refuse in the container of another person.

(2) It shall be unlawful to place, deposit, dump, or throw any garbage, refuse, dead animals, or industrial or building wastes:

(a) On public or private property except under the provisions of this chapter except as provided in subsection (9) hereof.

(b) On lots or land, vacant or occupied.

(c) On or in any gutter, street, sidewalk, or other public property.

(3) It shall be unlawful for any person to permit garbage, refuse, dead animals, or any other waste to remain on his property except under the provisions of this chapter. A violation of this provision shall constitute a nuisance.

(4) It shall be unlawful for any person to permit weeds, grass, or other vegetation to grow or to remain on lots or land, occupied or vacant, or upon any abutting sidewalks, curb, or street so as to become offensive, or emanate offensive and obnoxious odors, or become a breeding place for flies or insects, or become a potential menace to public health. A violation of this provision shall constitute a nuisance.

(5) Should the sanitary engineer find that a nuisance is being committed he shall notify the person in charge of such property either in person or by registered mail to take immediate steps to remedy the nuisance. If no action is taken within three (3) days, the sanitary department may correct the nuisance, at the expense of the property owner, said expense to become a lien upon the property to be collected as any delinquent tax.

(6) It shall be unlawful to dispose of body wastes or sewage in any manner except through the city sewerage system, unless otherwise specifically approved by the sanitary engineer.

(7) It shall be unlawful for any person, firm, partnership, association, or corporation to use the City of Humboldt sanitary sewer system, or any part thereof, for the purpose of collecting and disposing of rain water or surface water of any type, or to make any connection, including gutter spouts, to said sewer system for any purpose other than disposal of sewage.

(8) It shall be unlawful to burn garbage or refuse or other waste materials within the corporate limits.

(9) The city may from time to time by appropriate resolution adopted by the board of mayor and aldermen designate locations available to the public for the disposal of residential, commercial, industrial, and building wastes but under the following conditions:

- (a) By the payment of the fees as provided by this chapter.
- (b) That the transporting vehicle be enclosed, or covered as to prevent the spilling of garbage or refuse.
- (c) That it be unloaded at a spot designated by the person in charge of the location. (Ord. #87-02, \_\_\_)

**17-108. Method of billing.** Charges for the collection of residential and commercial garbage and refuse collection service shall be made monthly and billed through central service association of the gas and water billings. Charges for disposal of garbage at locations provided for in § 17-107(9) shall be due at the time of disposal. (Ord. #87-02, \_\_\_)

**17-109. Schedule of charges.** (1) Garbage and refuse collection service shall be furnished by the city according to the following rate schedule:

- (a) Residential Class ("RC"): one pick-up per week--\$12.00 per month;
- (b) Commercial Class ("CC"): one pick-up per week--\$14.50 per month;
- (c) Outside Residential ("OR"): one pick-up per week--\$14.00 per month;
- (d) Outside Commercial ("OC"): one pick-up per week--\$25.00 per month.

(2) Dumpster and additional services charges. For commercial establishments utilizing dumpster pick-up, the following rates shall apply:

- (a) Commercial Class ("CC"): standard rate of one dumpster with one service per week--\$15.00 per month;
  - (i) Each additional dumpster--\$15.00 per month;
  - (ii) Each additional service--\$15.00 per month;
  - (iii) Every account shall be designated by number from 11 through 99. The first digit refers to the number of dumpsters utilized by that account. The second number refers to the number of services per dumpster. (E.g. "CC 22" shall mean two dumpsters and two services for a rate of \$60.00 per month.)
- (b) Outside Commercial ("OC"): standard rate of one dumpster with one service--\$25.00 per month.
  - (i) Each additional dumpster--\$25.00 per month;
  - (ii) Each additional service--\$25.00 per month;
  - (iii) Every account shall be designated by number from 11 through 99. The first digit refers to the number of dumpsters utilized by that account. The second number refers to the number

of services per dumpster. (E.g. "OC 13" shall mean one dumpster and three services for a rate of \$75.00 per month.) (Ord. #87-02, \_\_\_\_\_, as amended by Ord. #88-5, and Ord. #91-10, Aug. 1991)

**17-110. Enforcement.** Enforcement of the provisions of this chapter shall be the responsibility of the mayor acting with such assistants and clerical help as shall from time to time be authorized by the board of mayor and aldermen. (Ord. #87-02, \_\_\_\_\_)

**17-111. Classification, adjustment and reclassification.**

(1) Subsequent customers requesting solid waste pick-up other than residential customers will be base rated by existing sanitation committee.

(2) Any special rate classification other than those set out in § 17-109 shall be determined by the sanitation committee.

(3) Any or all rate adjustments or reclassifications of customers must be authorized by means of written notice from the city sanitation superintendent or official to the utility department via standard form. (Ord. #87-02, \_\_\_\_\_)

**17-112. Containers to be removed from curb within 48 hours of collection.** (1) All residents of the City of Humboldt who avail themselves of the city's curbside garbage pick up shall remove the containers used for their garbage within forty-eight (48) hours of said pick up.

(2) A violation of this section shall be punishable by a penalty of five dollars (\$5) for the first offense, fifteen dollars (\$15) for the second offense, twenty five dollars (\$25) for the third offense and fifty dollars (\$50) for the fourth offense and every offense thereafter.

(3) The penalty shall be waived in cases in which the resident was unable to move the container due to their absence from the city or was called away by an emergency. (Ord. #95-10, Sept. 1995)