

Chapter 15

SOLID WASTE MANAGEMENT*

Art. I. In General, §§ 15-1–15-30

Art. II. Collection, §§ 15-31–15-42

***Cross references**—Buildings and building regulations, ch. 4; mobile home parks, ch. 9; nuisances, ch. 10.

State law reference—Accumulation and removal of garbage and trash, Vernon's Ann. Civ. St. art. 4477-1, § 4.

ARTICLE I. IN GENERAL**Sec. 15-1. Combustible refuse.**

(a) It shall be unlawful to permit or store any combustible refuse in such a way as to create a fire hazard or to store or throw away any refuse of any kind in an alley, street or public way in the city.

(b) Accumulations of waste paper, hay, grass, straw, weeds, litter or combustible or flammable waste or rubbish of any kind shall not be permitted to remain upon any roof or in any court, yard, vacant lot or open space or upon any public street, sidewalk, easement or alley or open space or upon any public street, sidewalk, easement or alley abutting thereon. All weeds, grass, vines or other growth, when the same endangers property or is liable to cause fires, shall be cut down and removed by the owner or occupant of the property including all weeds, grass, vines or other growth growing in or upon any public street, sidewalk, easement or alley abutting the property.

(Ord. of 8-14-75, § 1)

Sec. 15-2. Windblown refuse.

It shall be unlawful to deposit or leave any refuse or material in such a place or condition that it can be blown by the wind so as to be scattered or cause clouds of dust or particles; and it shall be unlawful to permit the escape of soot, ashes or other solid products or results of combustion so as to be windblown or scattered.

(Ord. of 8-14-75, § 2)

Sec. 15-3. Deposit of refuse or garbage on private premises.

It shall be unlawful to place, deposit, leave or dump any trash, ashes, broken articles, garbage, junk, refuse or waste material of any kind on any premises in the city without the consent of the owner or tenant in possession thereof. For the purpose of this section vehicles or parts of vehicles not in condition for normal use shall be considered as junk or trash.

(Ord. of 8-14-75, § 3)

Sec. 15-4. Debris on streets.

It shall be unlawful to throw or deposit any glass, tacks, nails or other similar articles on any street, alley, sidewalk or other public place in the city.

(Ord. of 8-14-75, § 4)

Sec. 15-5. Deposit of grass and rubbish prohibited in public streets.

It shall be unlawful for any person to dump or deposit, or cause to be dumped or deposited any grass, leaves, branches, or other things in the roadway or gutter of any public street in the city.

(Ord. of 8-14-75, § 5)

Sec. 15-6. Burning near buildings.

It shall be unlawful to build or light any bonfire so close to any building or other structure as to endanger such building or structure, or on any asphalt street or sidewalk pavement.

(Ord. of 8-14-75, § 7)

Cross reference—Fire prevention and protection, ch. 5.

Sec. 15-7. Burning leaves and rubbish.

It shall be unlawful for any person, firm or corporation to burn any leaves, paper, rubbish or other substances upon any of the public streets, sidewalks, alleys or other public places in the city.

(Ord. of 8-14-75, § 6)

Cross reference—Fire prevention and protection, ch. 5.

Sec. 15-8. Burning refuse and garbage.

(a) It shall be unlawful to burn any garbage, or other organic refuse, outside of any building at any time in the city.

(b) It shall be unlawful to burn papers, excelsior or other material which may be blown about by the wind anywhere in the city unless the same is burned in a stove, fireplace or furnace or in an incinerator with a sufficiently fine screen to prevent the escape of ignited particles.

(Ord. of 8-14-75, § 8)

Cross reference—Fire prevention and protection, ch. 5.

Sec. 15-9. Controlled outside burning.

Upon prior approval of the city fire marshal, controlled outside burning of refuse shall be permitted within the city. Any persons engaging in any controlled outside burning shall undertake all reasonable safety measures to eliminate the danger of such fire from spreading.

(Ord. No. 05-01-90, § I, 5-14-90)

Cross reference—Fire prevention and protection, ch. 5.

Sec. 15-10. Penalty.

Any person violating any provision of this chapter shall be punished in accordance with section 1-14.

(Ord. of 8-14-75, § 12)

Secs. 15-11–15-30. Reserved.

ARTICLE II. COLLECTION

Sec. 15-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garbage means refuse, rubbish, trash, ashes, paper, weeds, tree trimmings, hedge trimmings, cans, grass, paper products, dirt, and other substances.

(Ord. of 5-2-68, § II)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 15-32. Permit required; application, fee.

(a) Any person who desires to engage in the removal of garbage and trash in the city shall file an application with the city secretary and set forth the manner of proposed operation, the area to be served, and if approved to pay the current annual fee. The city reserves the right to revoke any permit issued upon reasonable notice to permittee if state law or city regulations are violated.

(b) It shall be unlawful for any person to remove, and handle garbage, rubbish and refuse within the city except at places provided in this article, and in accordance with provisions hereof.

(Ord. of 5-2-68, §§ III, IV)

Sec. 15-33. Containers generally.

Owners, occupants, lessees and tenants shall provide suitable garbage containers, and they shall be watertight receptacles, not to exceed 30 gallons in capacity, and fitted with suitable lifting handles. Owners shall maintain such containers in good condition. The containers shall remain covered at all times, and city shall condemn any container that becomes not suitable.

(Ord. of 5-2-68, § V)

Sec. 15-34. Placement of containers.

It shall be the duty of the owner to place his container between the curblin and the sidewalk, and it shall not be placed so as to hinder vehicle or pedestrian traffic. All industrial waste and brush in lengths exceeding six feet shall be moved at additional expense to the owner. Trash resulting from construction or major remodeling, car bodies and similar items will not be removed as regular service, and the owner shall remove such items at an additional expense.

(Ord. of 5-2-68, § VI)

Sec. 15-35. Offensive odors prohibited.

It shall be unlawful to place or deposit waste matter and garbage in a manner so as to emit noxious and offensive odors, or to throw or dump same on vacant lots, streets or driveways.

(Ord. of 5-2-68, § VII)

Cross reference—Nuisances, ch. 10.

Sec. 15-36. Dead animals.

It shall be unlawful to place any dead animal in garbage containers. All small animals shall be picked up upon notice to the city. No garbage or residue shall remain on any premises in an unsanitary condition or in condition injurious to public health.

(Ord. of 5-2-68, § VIII)

Cross reference—Animals, ch. 3.

Sec. 15-37. Vehicles to be approved.

All vehicles used to transport garbage and trash shall be approved by the city and shall be fitted properly so as to not scatter such refuse.

(Ord. of 5-2-68, § IX)

Cross reference—Vehicles and traffic, ch. 18.

Sec. 15-38. Use of city dump.

(a) Any and all garbage and trash picked up by the city or any authorized permittee, shall be delivered to and deposited on city operated dumping grounds and nowhere else, and any permittee and person who uses city operated dumping ground shall assume all risks incident thereto.

(b) It shall be unlawful for any person to use the city dumping ground except as provided in this section or to dump garbage or trash elsewhere in the city.

(Ord. of 5-2-68, §§ X, XI)

Sec. 15-39. Notification to city if garbage uncollected.

Each owner and occupant shall maintain constant supervision over garbage and trash cans, and if such garbage and trash cans are not emptied within seven days, the owner or occupant must notify the city within three days.

(Ord. of 5-2-68, § XII)

Sec. 15-40. Inspections.

It shall be the duty of the health officer or mayor, or their authorized representative to make inspection trips at regular intervals and to report any violations of state or city regulations.

(Ord. of 5-2-68, § XIII)

Sec. 15-41. Residential fee.

The monthly collection fee for each one-family residence or single-family apartment shall be set from time to time by the city council and this monthly charge to each user shall be shown on the monthly water bill of city. This charge shall accrue whether or not a person uses the service of the city. The city is empowered and authorized to discontinue all city services, including garbage collection, if payment of the above monthly fee is not paid at city hall within 15 days after mailing out monthly statements.

(Ord. of 5-2-68, § XIV)

Sec. 15-42. Business and industrial fee.

The monthly collection fee for business and industrial use will be computed and determined by type of garbage and refuse and volume thereof. The mayor or his representative is empowered to negotiate the monthly collection fee with each business and industrial user.

(Ord. of 5-2-68, § XV)