

Chapters 55—57

RESERVED

Chapter 58

SOLID WASTE*

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***Cross references**—Buildings and building regulations, ch. 18; roll-off container service, § 22-61 et seq.; environment, ch. 38; scattering of refuse, § 38-59; littering, § 38-121 et seq.; utilities, ch. 78.

ARTICLE I. IN GENERAL

Sec. 58-1. Definitions.

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

Ashes means the residue from the burning of wood, coal, coke or other combustible materials.

Commercial and domestic building material means and includes sand, earth, wood, stone, brick, concrete, construction blocks, roofing, wallpaper and other building materials usually left over after a construction or remodeling project or removing of buildings.

Commercial garbage means all solid and semisolid kitchen refuse subject to decay or putrefaction and all waste of animal or vegetable matter, which was intended to be used as food or byproducts of food from kitchens or hotels, rest homes, apartment houses, roominghouses, meat markets and restaurant-type establishments.

Commercial recyclable container means a front-end load container, 95-gallon cart, or other container approved by the director for use in recycling commercial recyclable material.

Commercial recyclable material means corrugated containers (cardboard boxes); computer paper; white file stock; newspaper; clear, brown and green glass containers; aluminum cans; tin cans; HDPE or PET plastic beverage containers; and such other recyclable materials as determined by the director.

Commercial trash means all trash from commercial establishments which includes tin cans, bottles, paper, cardboard boxes and crates.

Commercial waste means trees, tree stumps, tree limbs, tree trunks or other material that may be accumulated as a result of citrus grove maintenance, or as a result of repairs to land or removing trees for buildings or as results of clearing of lots.

Construction and demolition debris container means a suitably large container with a floor and four connecting sides made from solid material

capable of hauling construction debris including concrete metals and wood. Unless the container is a truck itself, the container shall be capable of being loaded onto a truck for removal.

Cy means cubic yard.

Director means the director of public works or designee.

Domestic garbage means all solid and semisolid kitchen refuse subject to decay or putrefaction and all waste of animal or vegetable matter which was intended to be used as food, tin cans, bottles and newspapers.

Domestic trash means any refuse other than garbage or putrescible materials and building waste. It shall include cardboard boxes, grass or hedge clippings, weeds, fallen leaves, citrus droppings, branches and vines, provided that such branches, shrubs and vines are not more than four feet long or more than four inches in diameter.

Domestic waste means tree trimmings, stumps, logs, tree trunks and removing or trimming of trees on domestic property, yard grass diggings, discarded furniture and appliances.

Hazardous materials means highly inflammable, explosive materials, toxic, corrosive or contagious medical supplies that carry infectious diseases.

Manure means cleanings from all barns, stables, corrals or pens used for stabling or penning of animals or fowl.

Mixed recyclables means aluminum cans, metal cans, plastic bottles and glass bottles.

Participating commercial establishments means those businesses or other nonresidential entities within the city that utilize commercial recyclable containers for recycling commercial recyclable material. Nothing in article III of this chapter shall require any business or other nonresidential entity to recycle commercial recyclable material.

Reasonable quantity means a quantity not exceeding 200 cubic feet.

Recovered materials means those materials which have known recycling potential, which can

be feasibly recycled and which have been diverted or removed from the solid waste stream for sale, use or reuse by separation, collection or processing.

Recycling means any process by which solid waste or materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials or products.

Refuse means any combustible trash, paper, rags, pasteboard boxes, berry boxes, whole or broken bottles, and all other trash or discarded materials not containing vegetable or animal matter tending to rapid decay or putrefaction.

Roll-off compactor means a compacting container which is used for the collection of solid waste. The roll-off compactor may be of the breakaway or self-contained variety and is typically hoisted onto specifically equipped trucks for transporting solid waste to a designated facility.

(Code 1988, § 17-1; Ord. No. 98-16, § I, 3-26-98; Ord. No. 00-23, 3-23-00; Ord. No. 00-49, § I, 8-24-00)

Cross reference—Definitions generally, § 1-2.

Sec. 58-2. Refuse property of city.

Ownership of refuse material set out for collection or deposited on the city dump shall be vested in the city.

(Code 1988, § 17-2)

Sec. 58-3. Refuse containers.

(a) The city shall furnish each domestic residential customer a wheeled refuse container in accordance with specifications approved by the city commission.

(b) The city or its designated agents, licensees, franchisees, employees, or contract representatives or any person with whom the city contractually agrees to allow to furnish commercial containers may furnish commercial containers to commercial establishments so long as the city approves of such furnishing. It shall be the duty of the director to regulate the replacement of all city-owned containers and other containers. When such city-owned or other containers are furnished

to commercial establishments, such commercial establishments shall use such furnished containers and shall use no others without the director's approval.

(c) No commercial refuse shall be deposited or collected from an open bin, trash room, oil drum, boxes or any other receptacles not specified in this chapter.

(d) Ashes shall be cooled for 24 hours before depositing in any commercial container owned by the city. Any establishment depositing hot ashes in a city-owned container which causes damage to such container shall be responsible for the costs for repairing or replacing such container.

(e) All refuse containers shall be maintained and kept in a sanitary condition by the users. Any container which fails to meet such sanitary standards is declared to be a nuisance and may be abated as provided in division 2 of article II of chapter 2.

(f) It shall be unlawful for any person to dispose of refuse, garbage, or industrial waste in any refuse container furnished by the city under this section unless such person has contracted with the city for the use of such refuse container or has been given authorization by the city or by the person who has contracted with the city for the use of such refuse container. Any person or business found guilty of violating this subsection shall be punished by a fine of not more than \$250.00 for each violation. If any such fine is assessed against a business and the fine remains unpaid for more than ten days after service of the notice of such fine, the occupational license of such business shall be suspended until the fine and any costs of collection have been paid in full. If it becomes necessary to resort to legal action to enforce this section, the city shall be entitled to recover its costs and attorney fees incurred in pursuing collection, whether or not suit is brought.

(g) All construction sites must provide an adequate construction and demolition debris container at the construction site for the duration of the construction. Construction debris shall be properly placed in the construction and demolition debris container. No person shall

dispose of debris except in approved construction and demolition debris containers. Filled construction and demolition debris containers shall be promptly delivered to a commercial garbage hauler or removed to an authorized disposal facility. If, in the opinion of the public works director, the construction and demolition debris container(s) on-site is/are not adequate, the public works director may require (after written notice) additional construction and demolition debris containers to be on-site within 24 hours. The individual or agency named on the building permit is responsible for compliance with this section of the solid waste ordinance. Failure to comply with this section may result in code enforcement actions. In addition to the aforesaid enforcement procedures, in severe cases, the city manager is authorized to suspend the associated building permits if deemed necessary.

(Code 1988, § 17-3; Ord. No. 00-49, § I, 8-24-00)

Sec. 58-4. Bulky articles.

Prior to depositing refuse for collection in garbage containers or commercial containers, the owner or person shall collapse all cardboard boxes and crates.

(Code 1988, § 17-4)

Sec. 58-5. Prohibited acts.

It is declared unlawful and a violation of this chapter for any person to do or permit to be done any of the following acts or practices:

- (1) Place any refuse in any street, alley or other public place or upon any private property, whether owned by such person or not, unless it is in proper containers for collection or under express approval granted by the director of public works; further, no person shall place any refuse at the curb for collection, except on his property, adjacent and directly in front, and placement shall be behind the curb or where the curb would be.
- (2) Fail or neglect to keep or cause to be kept clean and sanitary or tightly covered and in good state of repair all solid waste containers and receptacles.

(3) Place or allow to be placed upon the streets, alleys, curbing or sidewalks of the city any rubbish, sweepings, debris, trash or waste materials of any kind which might be a menace to traffic, both vehicular and pedestrian, or which might endanger the proper operation of the city's sewer or drainage system.

(4) Any unauthorized accumulation of refuse or rubbish on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse or rubbish within such period as may be fixed in a written or printed notice shall be deemed a violation of this article.

(5) Hazardous waste, to include but not limited to motor oil, car batteries, paint, pesticides/herbicides, paint thinners/strippers, etc. shall not be placed in the regular container for collection, but shall be disposed of as directed by the director at the expense of the owner or the possessor thereof.

(Code 1988, § 17-5; Ord. No. 98-16, § II, 3-26-98)

Sec. 58-6. Building waste material.

The city shall not collect any commercial or domestic building waste material, whether created or disposed of, either by a contractor, an occupant or an owner.

(Code 1988, § 17-6)

Cross reference—Buildings and building regulations, ch. 18.

Sec. 58-7. Manure.

The city shall not collect manure, whether commercial or domestic.

(Code 1988, § 17-7)

Sec. 58-8. Tree trunks, limbs and other debris.

(a) For the purposes of this section, a parkway is defined as that portion of the street right-of-way paralleling any public thoroughfare between the curbline and the abutting property line.

(b) It shall be unlawful for any person to place or deposit or cause to be placed or deposited upon any of the streets, sidewalks, parkways, thoroughfares, public parks or other public places of the city any tree trunks or limbs or any trash, debris, papers, litter or rubbish or ashes or other discarded matter of whatever kind, except as specifically provided in this section.

(c) Any sweepings, leaves, debris, and trash resulting from ordinary trimming, care and upkeep of lawns, yards, shrubs, trees and hedges shall be deposited for collection in any easily accessible location as near the street right-of-way as practicable, on the property of the owner, tenant or person in possession thereof or on the parkway immediately in front of and contiguous to his property. Tree trunks and limbs resulting from ordinary trimming, care and upkeep may be deposited for collection and shall not exceed four inches in diameter and four feet in length. Papers, rags, magazines and the like may be deposited for collection, provided such matter is stored in sturdy containers which will, in all ordinary weather conditions, prevent such matter from being scattered about by the elements or animals. Nothing in this section shall be construed to permit the placing of tree trunks or limbs resulting from the falling or removal of large trees or large number of trees or from the clearing of lots or other areas.

(d) The matter permitted to be placed in parkways under subsection (c) of this section shall be neatly placed, and wherever possible such matter shall be placed so as to allow convenient passage of persons and conveyances lawfully in such parkways. Collections by city forces shall be limited in volume to three cubic yards. Special collections can be arranged between the city and the property owner or occupants for bulky items, items weighing more than 40 pounds or items which require special handling on a basis of cost plus 20 percent.

(Code 1988, § 17-8)

Sec. 58-9. Rolloff compactor services.

(a) The city shall supply rolloff compactor services to those multi-family residences that elect such services in lieu of bulk container solid

waste service. Such multi-family residence shall meet the following criteria in order to be eligible for rolloff compactor service:

- (1) A minimum of 100 residential units;
- (2) A site which can be prepared at the expense of the multi-family residence to accept a compactor;
- (3) For multi-family residences with 175 residential units or more, the multi-family residence shall be required to utilize compactor service for a minimum of five years;
- (4) For multi-family residences with fewer than 175 units, the multi-family residence must own and provide the compactor.

(b) *Determination of service level.* The city shall determine the service level for each multi-family residence that selects rolloff compactor service. It is understood that such service level determination shall include the number of compactors and container size. The city shall pull the container twice per month or at such time as the container is full, whichever is earlier.

(c) *Additional services.* The city shall provide the following services:

- (1) Recyclable collection one time per week;
 - (2) Yard waste collection one time per week;
 - (3) Bulky items collection one time per week;
- (Ord. No. 00-23, 3-23-00)

Secs. 58-10—58-35. Reserved.

ARTICLE II. COLLECTION

Sec. 58-36. Collection and disposal by city.

All refuse accumulated in the city shall be collected, conveyed and disposed of by the city or its designated agents, licensees, franchisees, employees, or contract representatives or any person with whom the city contractually agrees to allow to perform any or all such services. No other person shall collect, convey over any of the