

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 257-18

AN ORDINANCE

amending Chapters 11, 22 and 24 of the City Code relating to the storage, disposal and cleanup of fats, oils and greases by food establishments; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 11 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 11-134. On-site storage and proper disposal of fats, oils and greases required.

(a) Food establishments, as defined in the City of Columbia, Missouri, Food Code, shall store fats, oils and greases on-site and shall properly and lawfully dispose of solid, semi-solid and liquid fats, oils and greases. Solid and semi-solid fats, oils and greases shall be placed into plastic refuse bags which are securely closed prior to disposal into a trash compactor or dumpster. It shall be unlawful to place liquid fats, oils and greases into a trash compactor, dumpster or recycling containers.

(b) It shall be unlawful for a person or food establishment to store fats, oils, greases and collection devices or containers for fats, oils and greases on any public street, sidewalk, alley, right-of-way, or in any other place, without the consent of the city or the underlying property owner. In addition to any other penalties prescribed, any such collection device or container found to be on public property or in the public right-of-way may be removed at the enforcement officer's discretion and all costs for removal and storage of such collection device or container shall be levied against the responsible party.

(c) Food establishments shall maintain detailed records of the lawful disposal of fats, oils and greases. Records required to be kept by this section shall be provided to the enforcement official during official's periodic inspections and upon request during the normal business hours of the food establishment. Records shall remain on file for at least one (1) year.

(d) For purposes of this section, fats, oils and greases are defined as animal fat, cooking oil, and other food-related fat, oil or grease substance used in, generated by, or for use in food preparation.

(e) A violation of this section is a Class A misdemeanor as designated by this code and punishable under section 16-31 of this code.

Secs. ~~44-134~~11-135—11-175. Reserved.

SECTION 2. Chapter 22 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 22-158. Prohibitions.

(a) Unlawful items. The city shall not collect for disposal at its sanitary landfill, nor shall it accept for disposal at its sanitary landfill, the following items:

...

(b) Unlawful acts.

(1) It shall be unlawful for any person to conceal or attempt to conceal any unlawful items in refuse to be collected by the city or deposited in the city's sanitary landfill. The director shall be authorized to cause inspection of any materials brought to the landfill to assure conformance with this requirement.

...

(6) It shall be unlawful to place liquid fats, oils and greases into a trash compactor or dumpster. A violation of this subsection is a Class A misdemeanor as designated by this code and punishable under section 16-31 of this code.

~~(6-7)~~ Information obtained from waste disposed or deposited in violation of this section may be a rebuttable presumption that the person so identified committed the violation of sections 22-158(b)(2) and (4).

~~(7-8)~~ Except as otherwise provided in this subsection, it shall be unlawful for any person to take, open or remove the contents of, commingled recycling bag placed near the street for collection by the city. This subsection shall not apply to city refuse collectors performing their job duties.

...

Sec. 22-170. District boundaries; provision of service within district; character of the service.

(a) The Downtown Community Improvement District Solid Waste District (the "district") is established consisting of all property within the boundaries of the Downtown Community Improvement District.

(b) The city shall provide solid waste services within the district.

(c) Solid waste services within the district shall be based upon the common use of trash containers, trash compactors, recycling facilities and other solid waste management programs rather than individual customer service. Individual customer service in addition to the common solid waste services may be provided within the district when the director determines such service is necessary, appropriate and in the best interest of the city.

(d) Customer responsibility. District customers shall comply with the following requirements:

(1) Construction or remodeling waste shall not be placed in the dumpsters and compactors intended for regular daily refuse or recyclable items.

(2) Every person owning, managing, operating, leasing or renting any premises shall place the daily accumulation of refuse in a trash compactor or dumpster.

(3) Every person owning, managing, operating, leasing or renting any premises shall place the daily accumulation of recycling in a recycling container.

(4) Every person placing garbage in any such compactor, dumpster or recycling container shall eliminate, as far as possible, all water and liquid from the garbage, and shall place garbage in a plastic bag before placing it in the compactor, dumpster or recycling container.

(5) It shall be unlawful for any person to allow refuse and/or recycling to be deposited anywhere except within a compactor, dumpster or recycling container or to allow the compactor, dumpster or recycling container to become overly-filled to the extent that all material cannot be confined to the compactor, dumpster or recycling container.

SECTION 3. Chapter 24 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 24-12. Cleaning sidewalks.

All persons are hereby required to keep the sidewalks in front of, or adjacent to, the property or premises owned or occupied by them or under their control, within the city, clear and free from rubbish, filth, refuse, fat, oil, grease, dirt, snow, ice and from any and all obstructions and dangerous agencies of every kind and description whatsoever; and any person failing to observe the provisions of this section shall be deemed guilty of a misdemeanor.

SECTION 4. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2018.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor