

Introduced by _____

First Reading _____

Second Reading _____

Ordinance _____ No.
Council Bill No.

_____ B 282-19

AN ORDINANCE

amending Chapter 13 of the City Code to permit licensed waste haulers to engage in food waste removal; 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 13 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. 13-186. Definitions.

The following terms are, for the purpose of this article, defined as follows:

Acceptable Wastes:

(a) *Acceptable liquid wastes*. Those liquid wastes which may be discharged into the city's designated disposal facilities. Acceptable liquid wastes are limited to septic tank pumpings, portable/chemical toilets, domestic holding tanks, food service grease traps, waste activated sludge from package waste activated sludge plants and liquid from stabilization ponds.

(b) **Acceptable Organic Waste.**

(1) *Food waste*. Uneaten food and food preparation wastes which have been separated from other refuse so to be free from contaminants such as wrappers. Food waste is limited to waste generated from commercial establishments such as grocery stores, restaurants, produce stands, institutional cafeterias and kitchens, and industrial sources such as employee lunchrooms or other locations as approved by the director.

(2) Yard trimmings and plants not contaminated by food packaging or any other non-food materials.

(3) *Clean Wood*. Wood products that have never been painted, stained, glued or treated.

Director. The director of utilities or the director's designee.

Licensed waste hauler. A waste hauler licensed by the City of Columbia.

Liquid waste. Sand trap pumpings, septic tank pumpings, portable/chemical toilet pumpings, food service or petroleum service pumpings, sludge generated from domestic wastewater treatment plants and lagoons, waste or used oils and lubricants, chemical wastes, waste from commercial or industrial treatment systems, storm drain sludges and other waste as defined by the director.

Waste vehicles. All vehicles and vessels used for the transportation of the contents of privies, liquid waste, ~~or manure~~ or organic waste.

Waste hauler. Any person, company, corporation or other entity that collects, hauls, transports or disposes of the contents of privies, liquid waste, ~~or manure~~ or organic waste.

Sec. 13-187. Supervision of waste hauling activities.

It shall be the duty of the director to supervise or cause to be supervised the removal of food waste, the contents of privies, the contents of septic tanks and manure, and all persons licensed or engaging in the activities of waste hauler shall be subject to the director's direction to time, manner and place of removal.

Sec. 13-188. Only licensed waste hauler to engage in removal.

It shall be unlawful for any person to transport, haul, convey or carry on or over the streets of the city, organic waste, any contents of privies, contents of septic tanks or manure, unless licensed as a waste hauler, according to the provisions of this article.

Sec. 13-189. Waste hauling vehicles—Sanitary specifications; markings.

(a) All vehicles used for the transportation of the contents of privies, contents of septic tanks or manure, shall be watertight and flytight, equipped with sanitary metal compartments and fully enclosed bodies and shall be so maintained as to prevent the escape of any of their contents. All waste hauling vehicles shall be equipped with closefitting covers so as to prevent the escape of offensive odors, and the covers shall be kept closed except when refuse is actually being loaded or unloaded. The vehicle compartments shall be thoroughly washed and cleaned once every twenty-four (24) hours. The size of waste hauling vehicles shall meet with the approval of the director.

Waste hauling vehicles shall be kept in good running order and in a clean, sanitary condition at all times.

(b) All vehicles used for the transportation of food waste shall be watertight, equipped with sanitary metal compartments, and shall be maintained so as to prevent the escape of any contents within such compartments. All waste hauling vehicles shall be equipped with close-fitting covers so as to prevent the escape of offensive odors, and the covers shall be kept closed except when refuse is being loaded or unloaded. All food waste hauling vessels, such as buckets or cans, shall be equipped with close-fitting covers and the covers and shall be kept closed except when food waste is actually being loaded or unloaded. The vehicle compartments shall be thoroughly washed and cleaned once every twenty-four (24) hours. The size of waste hauling vehicles shall meet with the approval of the director. Waste hauling vehicles shall be kept in good running order and in a clean, sanitary condition at all times.

(c) All vehicles used for the transportation of organic waste other than food waste shall be watertight, equipped with sanitary metal compartments, and shall be maintained so as to prevent the escape of any contents within such compartments. The vehicle compartments shall be thoroughly washed and cleaned once every twenty-four (24) hours. The size of waste hauling vehicles shall meet with the approval of the director. Waste hauling vehicles shall be kept in good running order and in a clean, sanitary condition at all times.

(d) Waste hauling vehicles must bear the name and business address of the owner on both front door panels in clear and legible letters at least two (2) inches high and such letters shall be in a contrasting color to the vehicle.

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Sec. 13-191. Delivery of refuse to authorized areas.

(a) It shall be unlawful for any person engaged in the activities of a waste hauler to dispose of the contents of privies or manure, except at the city landfill or other solid waste disposal facility which is licensed and approved by the Missouri Department of Natural Resources.

(b) It shall be unlawful for any person engaged in the activities of a licensed waste hauler to transport or dispose of any liquid waste, except in the manner and at locations designated by the director. The director may require the pretreatment of the contents of acceptable liquid waste loads and may require sampling and analyses of the wastes before allowing dumping, and may refuse to allow dumping if in the director's discretion allowing the dumping would violate any wastewater treatment regulations or requirements, cause damage to the treatment process or facility, or a hauler violates any regulation or ordinance regarding use of the plant.

(c) It shall be unlawful for any person engaged in the activities of a waste hauler to dispose of food waste, except at a composting facility which is licensed and approved by the Missouri Department of Natural Resources.

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Sec. 13-193. On-site storage and proper disposal of food waste required.

(a) All food waste stored for collection by a licensed waste hauler shall be stored on the property where the food waste is generated. It shall be unlawful for any person to store food waste on any public street, sidewalk, alley or right-of-way without the consent of the city. 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.

(b) 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. ~~13-193~~ 13-194—13-205. Reserved.

Chapter 22 - PUBLIC WORKS AND IMPROVEMENTS

ARTICLE IV. - REFUSE COLLECTION^[10]

DIVISION 1. - GENERALLY

Sec. 22-156. - Definitions.

For the purpose of this article, the following words and terms shall have the meanings respectively ascribed:

Battery, or lead-acid battery. A battery designed to contain lead and sulfuric acid with a nominal voltage of at least six (6) volts and of the type intended for use in motor vehicles and watercraft.

Bioreactor landfill. A landfill to which liquid is added to actively manage decomposition of waste and enhance gas recovery.

Bulky item. Any single item which cannot be contained in a refuse bag, can be easily collected by two (2) persons, as determined by the director, and weighs less than fifty (50) pounds.

Clean commingled fibers. Commingled loads of mixed paper product, such as cardboard, chipboard, newsprint, magazines and office paper, shall be considered clean if containing less than five (5) percent of non-recyclable materials and no glass.

Clean commingled containers. Commingled loads of containers, such as #1 through #7 rigid container plastics, aluminum beverage cans, glass jars and bottles and tin cans, shall be considered clean if containing less than five (5) percent of non-recyclable materials.

Clean fill. Uncontaminated soil, rock, sand, gravel, concrete, asphaltic concrete, cinderblocks, brick, minimal amounts of wood and metal, and inert solids as approved by rule or policy of the state department of natural resources for fill, reclamation or other beneficial use.

Clean old corrugated cardboard. Boxes made from fibrous containerboard used in packaging applications that are free of a plastic liner, Styrofoam and other contaminants.

Commercial. All types of solid wastes generated by stores, offices, restaurants, warehouses and other nonresidential entities.

Director. The director of utilities or the director's designee.

Organic wastes.

(a) *Food waste compostables.* Uneaten food and food preparation wastes, free of contaminants such as wrappers, from residences and commercial establishments such as grocery stores, restaurants, and produce stands, institutional cafeterias and kitchens, and industrial sources such as employee lunchrooms.

(b) *Yard Waste.* Leaves, grass clippings, brush and limbs, yard and garden vegetation and Christmas trees. The term does not include stumps, roots or shrubs with intact root balls.

Garbage. Refuse containing food wastes from homes, kitchens, apartments, hotels, restaurants, fraternity houses, sorority houses, stores, markets, and similar establishments.

Holidays. All holidays observed by the city.

Household hazardous waste. Small quantities of hazardous waste generated by use within residences which are exempt from regulation under the provisions of Sections 260.350 to 260.434, RSMo., but are considered flammable, explosive, corrosive, toxic or radioactive and considered a threat to the health or environment.

Major appliance. Clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, woodstoves, air conditioners, refrigerators and freezers.

Mixed materials. Loads of commingled recyclables that have greater than five (5) percent non-recyclable material or consist of a mix of fibers and containers.

Recyclable item. Recyclable items shall include aluminum and tin cans, #1 through #7 rigid container plastics, glass, cardboard, newsprint, magazines and catalogs, chipboard and any other item duly designated by regulation by the director.

Refuse. All solid wastes.

Residential unit. Premises used as residence for one or more persons which contains one kitchen unit, except for multiple kitchen residences owned or occupied by the same family.

Separated materials. Separated materials, such as full loads of a single accepted recyclable, having less than two (2) percent of non-recyclable materials and requiring no processing other than baling or stockpile for resale.

Solid waste. Garbage and other discarded materials including, but not limited to, solid and semisolid waste materials resulting from industrial, commercial, agricultural, governmental and domestic activities, but does not include hazardous waste.

Tire. A continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle or trailer as defined in chapter 301, RSMo.

Unacceptable recyclable materials. Loads that contain more than twenty (20) percent non-recyclable material, liquid saturated fibers or hazardous materials shall be deemed unacceptable and shall be directed to the landfill for disposal.

Yard Waste. Leaves, grass clippings, brush and limbs, yard and garden vegetation and Christmas trees. The term does not include stumps, roots or shrubs with intact root balls.

(Code 1964, § 10.9050; Ord. No. 12820, § 1, 12-10-90; Ord. No. 13056, § 1, 8-19-91; Ord. 15641, § 1, 6-15-98; Ord. No. 19873, § 1, 4-21-08; Ord. No. 20341, § 1, 7-20-09; [Ord. No. 22578, § 4, 9-21-15](#); [Ord. No. 22786, § 1, 4-4-16](#).)

Sec. 22-161. - Commercial service.

(a) *Customer responsibility.* Commercial customers shall comply with the following requirements:

- (1) Every person owning, managing, operating, leasing or renting any commercial premises where excessive amounts of refuse and/or recycling accumulate shall maintain a metal bulk storage container or containers, approved by the director, of sufficient size to contain all refuse and/or recycling which the establishment accumulates between collections.
- (2) Every person owning, managing, operating, leasing or renting any premises shall place the daily accumulation of refuse and/or recycling in the required container or containers.
- (3) Every person placing garbage in any such container shall eliminate, as far as possible, all water and liquid from the garbage, and shall securely wrap the garbage in paper before placing it in the container.
- (4) It shall be unlawful for any person required to maintain a metal bulk storage container or containers to allow refuse and/or recycling to be deposited anywhere except within the container or to allow the container to become overly filled to the extent that all material cannot be confined to the container.
- (5) Material shall be collected at a point jointly agreed to by the solid waste collections staff and the customer.
- (6) Recycling material shall be separated the same as residential recyclables. Dumpsters will be placed for containers such as glass, plastic, aluminum and metal or for fibers such as newspapers, cardboard, chipboard, office paper and magazines, or multiple carts will be placed if both containers and fibers are to be collected.
- (7) Food waste compost customers shall separate the food waste compostables from all non-compostable wrappers and containers and customers shall place food waste compostables loosely in the collection containers.

(c) *Commercial collection methods and rates.* The following refuse collection methods and rates shall apply to commercial customers as approved by the director:

(1) Rates for organic waste compost collection by a private hauler shall be set by the private hauler.

(2) Commercial hand pickup:

- a. Reoccurring and/or scheduled commercial hand pickup services may be provided for commercial customers who produce minimal amounts of refuse and/or recycling or in situations where bulk storage containers are not feasible and must be approved by the director.
- b. The service charge for hand pickup of businesses or commercial places, boarding and rooming houses, fraternities and sororities, shall be at the rate of three dollars and fourteen cents (\$3.14) per collection minute, or a minimum of five (5) minutes which is equivalent to fifteen dollars and seventy cents (\$15.70) per occurrence.

- c. Commercial customers served by hand pickup service, shall conform to container capacity of twenty (20) to thirty-three (33) gallons and weighing, with contents when full, not over fifty (50) pounds, or the equivalent thereof.

Sec. 22-165. - Unauthorized hauling of garbage.

- (a) It shall be unlawful for any person, other than an agent of the city **or a duly licensed organic waste hauler**, to haul, convey, carry or transport any garbage from any location within the city.
- (b) Notwithstanding the provisions of subsection (a), any generator of garbage that had been hauling its own garbage with the written permission of the director before April 7, 2003, shall be allowed to continue hauling its own garbage from its point of origin to a properly licensed disposal site.

(Code 1964, § 10.9130; Ord. No. 12820, § 1, 12-10-90; Ord. No. 17636, § 1, 4-7-03)

Note— See the editor's note following § 22-158.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2019.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor