

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 212-20

AN ORDINANCE

amending Chapter 22 of the City Code to eliminate the requirement of the City to provide bags for curbside collection of residential refuse and recycling and to eliminate residential curbside recycling collection; 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 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. 22-159. Residential customers.

(a) *Rates.* Residential service shall consist of the removal of refuse, in bags or disposable containers or in centralized containers set for grouped residential units as approved by the director, once weekly. The fees for such service shall be as follows:

...

(b) Reserved. ~~Refuse bags. Residential customers shall be provided refuse bags by the city at the rate of twenty-five (25) bags every six (6) months. Additional refuse bags will be made available for sale to the customer at a cost and location to be determined by the director.~~

(c) *Customer responsibility.* It shall be the duty of every customer to place the daily accumulation of refuse in refuse bags which are securely closed or other disposable container for pickup, and it shall be the duty of every person placing garbage in any such bag or container, to eliminate, as far as possible, all water and liquid from such garbage before placing same in such bag or container.

(d) *Location of refuse or yard waste for pickup.* All material to be removed by the city, or its authorized collector, shall be placed in an easily accessible location at the back of the curb, edge of the roadway or immediately adjacent to an alley, as the case may be. Material for disposal shall not be located within a building or structure. If more than one bag

is necessary to hold the refuse accumulated at a customer's premises, or if more than one bag is used for the refuse from any one building, all bags shall be placed at the same location on the premises.

(e) *Unlawful to deposit other than refuse in bags for pickup.* It shall be unlawful for any person to deposit in a container or bag from which refuse is to be removed by the city or its authorized collector, any material other than refuse as defined in this article. If any container or bag contains material other than refuse, the city or its authorized collector shall not be obliged to remove the contents of such container or bag.

(f) *Roll carts prohibited.* Except as otherwise provided herein for centralized containers set for grouped residential units, the purchase of roll carts for residential refuse collection is hereby prohibited. There shall be no requirement for the use of residential roll carts for residential refuse collection from customers within the city. No roll carts shall be purchased or required for residential customers.

(g) *No automated refuse collection vehicles for roll carts.* The purchase of new (or modification of existing) refuse collection vehicles designed or made for automated residential roll cart pick-up for residential refuse customers within the city is hereby prohibited.

(h) *Unlawful to place refuse at curb, when:*

(1) It shall be unlawful for any person, partnership or corporation to place or allow any refuse, grass clippings, leaves or brush, to remain at the curb or edge of the roadway, or in any other open and unscreened area accessible to animals, on any day other than the scheduled day of collection of refuse for that location. The "day of collection" is hereby defined to be the period from 4:00 p.m. of the day preceding collection until 6:00 p.m. the day of collection.

(2) The person or persons in whose name the refuse account is maintained and the owners of record of the property on which the refuse, garbage, or grass clippings, leaves or brush, is placed or allowed to remain shall be prima facie responsible for its placement and maintenance in violation hereof.

(3) Violation of this subsection shall constitute a class "C" misdemeanor pursuant to the provisions of chapter 16, article II of this Code.

(i) *Dimensions and weight.* All material for collection must be in a bag, disposable containers, or securely bound bundles not greater than four (4) feet in length, two (2) feet in diameter, and shall not exceed fifty (50) pounds total weight each.

(j) *Collection and pickup.* Residential refuse pickup shall be made once weekly according to a schedule on file with the director. The director may vary the schedule and will post notice of any such variance because of weather conditions or other conditions

which make the normal collection schedule impractical. When a holiday is observed on the normal day of collection, the collection will be made the following day or as approved and publicly announced by the director.

(k) *Special pickup.* A special pickup for residential customers will be provided on a continuous basis at no additional charge. This service is intended for disposal of quantities or items which are too large for regular pickup. All material for special collection shall be placed in a visible and easily accessible location not to extend more than fifteen (15) feet from the back of curb, edge of roadway or immediately adjacent to an alley, as the case may be. Materials resulting from the erection, destruction or major remodeling of a building, felled trees, large automobile parts, hazardous materials, etc., and items which cannot be handled by the special collection crew will not be picked up. Material meeting the special pickup criteria but placed for collection by owners of commercial businesses or rental property will be collected based on the commercial hand pickup service charge, provided previous arrangements are made.

(l) *Suspension of bundle requirements.* In the event of a storm which causes widespread tree damage, the requirement to bundle brush and tree trimmings for collection may be suspended by the director.

(m) *House collection for physically disabled or handicapped:*

(1) Any owner, occupant, tenant or lessee of a residential unit who, due to a physical disability or handicap, is unable to carry refuse to the curblineline may receive house collection at the same service rate as curbside collection. A request for this service must be submitted in writing to the director. This request must include certification by a licensed health care provider of the applicant's physical disability or handicap.

(2) Refuse to be collected from the house must be in bags and shall be located in plain view in an accessible location at ground level or on an open platform not more than four (4) feet above the ground level and so placed that they may be reached from the ground by the collector. Bags shall not be located within a building or structure. Collection will be made from only one location on the premises.

(n) *Major appliance pickup.* The director shall establish a date and time for pickup of major appliances at curbside upon the payment of a fee of twenty-two dollars and seventy-five cents (\$22.75) for appliances equipped for use of refrigerants, per appliance and fifteen dollars and nineteen cents (\$15.19) for appliances not requiring refrigerants, per appliance and receipt of a permit for each appliance to be picked up by the person desiring the pickup. The permit shall be nonrefundable and nontransferable. Upon the applicant's request, the permit fee may be charged to the applicant's utility account.

(o) *Special pickup of unlawfully placed material.* The city may remove refuse that is untimely placed or allowed to remain at the curb or edge of the roadway in violation of

subsection (h) of this section. The city may remove yard waste that is improperly deposited at curbside for pickup in violation of section 22-158(b)(3). The fee for material removal service under this subsection shall be as follows:

Special pickup fee of unlawfully placed material \$50.00

The person(s) whose refuse or yard waste is being disposed of, the person(s) who unlawfully placed the refuse or yard waste, the occupant(s) of the property where a special pickup occurs and the owner(s) of the property, if different, shall be jointly and severally liable for payment of the special pickup fee of unlawfully placed material. Normally, special pickup fees of unlawfully placed material shall be billed initially to the city utility customer for the location where the special pickup was made.

Sec. 22-159.1. Residential recycling program.

(a) ~~Reserved. As part of its basic service to residential customers, as set out in section 22-159, the city will also provide, by August 1, 1998, or as soon thereafter as is reasonably practicable, weekly pickup of recyclable material. The schedule for pickup shall be on file with the director. Any variances from the schedule shall be made in accordance with section 22-159(j).~~

(b) ~~Reserved. Duties of customer. It shall be the duty of the customer to place recyclable items in bags identified for that purpose at the curb as provided for residential pickup (section 22-159(d)) or in designated bulk storage recycling containers. All recyclable items shall be separated and packaged according to rules promulgated by the director.~~

(c) ~~Reserved. Three (3) blue bag vouchers will be provided per year. Each voucher may be redeemed for eighteen (18) bags. Commingled recycling bags will be provided to all customers not receiving centralized pickup and having access to curbside recycling. Additional bags will be made available for sale to the customer at a cost and location to be determined by the director.~~

(d) *No roll carts.* Except as otherwise provided herein for centralized containers set for grouped residential units, the purchase of roll carts for residential recycling collection is hereby prohibited. There shall be no requirement for the use of residential roll carts for residential recycling collection from customers within the city. No roll carts shall be purchased or required for residential recycling customers.

(e) *No automated refuse collection vehicles for roll carts.* The purchase of new (or modification of existing) refuse collection vehicles designed or made for automated residential roll cart pick-up for residential recycling customers within the city is hereby prohibited.

SECTION 2. This ordinance shall be in full force and effect from and after October 1, 2020.

PASSED this _____ day of _____, 2020.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor