

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 54-23

AN ORDINANCE

amending Chapter 22 of the City Code as it relates to residential curbside refuse 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. 22-156. Definitions.

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Refuse. All solid wastes.

Refuse cart. A residential container provided by the City of Columbia for the disposal and collection of refuse by residential customers with a capacity of either 35-gallon, 65-gallon or 95-gallon capacity.

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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:

- (1) Hazardous waste.
- (2) Household hazardous waste.
- (3) Infectious waste which has not been rendered innocuous.
- (4) Lead-acid batteries.

- (5) Tires which have not been cut, chipped or shredded in accordance with RSMo chapter 260.
- (6) Major appliances.
- (7) Waste oil from motor vehicles.
- (b) *Unlawful acts.*
- (1) It shall be unlawful for any person to deposit any unlawful items into a refuse cart, trash bag or centralized refuse container for collection and disposal by the city. No person shall 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.
- (2) It shall be unlawful for any person to utilize the refuse cart or container containers or bags of another customer for the disposal of such customer's his own refuse or garbage without express consent.
- (3) It shall be unlawful for any person to deliver, deposit, drop off or set out at any residential yard waste site any materials, substances or thing other than yard waste from that person's personal residence.
- (4) It shall be unlawful for any person to place or deposit the following items inside a refuse cart:
 - a. Hot ashes, coals, or loose cool ashes.
 - b. Items too large for refuse carts, such as furniture and appliances, or any other item or collection of items which prohibit the lid on the top of the refuse cart from closing.
 - c. Rocks, dirt or construction debris.
- (5) It shall be unlawful for any person to place refuse in any bag or refuse cart without first eliminating, as far as possible, all water and liquid from such refuse prior to placing the same in such bag or refuse cart.
- (6) It shall be unlawful for any person, partnership or corporation to place or allow any refuse, or yard waste to remain at the curb or edge of the roadway on any day other than the scheduled day of collection 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 10:00 p.m. the day of collection.

- (4-7) It shall be unlawful for any person to dispose of any refuse by depositing the same in any public alley, street, roadway, vacant lot or property of any kind or character within the city or in any stream or body of water within the city, or by burning garbage. However, nothing in this section shall be construed to prohibit the disposition of refuse by means of burning the same in an incinerator enclosed within a building in compliance and complying with applicable state law.
- (5-8) It shall be unlawful for any person to block, either by parking a motor vehicle or by placing any barriers or other restrictive devices, the access to any refuse storage container by the city collection vehicles.
- (6-9) It shall be unlawful to place liquid fats, oils and greases into a trash compactor, ~~or dumpster or refuse cart~~. ~~A violation of this subsection is a Class A misdemeanor as designated by this code and punishable under section 16-31 of this code.~~
- ~~(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).~~
- (8-10) Except as otherwise provided in this subsection, it shall be unlawful for any person to take, open or remove the contents of, a 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.

(c) Information obtained from waste disposed or deposited in violation of this section shall establish a rebuttable presumption that the person so identified committed a violation.

(d) The person(s) in whose name the refuse account is maintained and the owners of record of the property on which the refuse, garbage, refuse cart or yard waste is placed or allowed to remain shall be prima facie responsible for its placement and maintenance in violation hereof.

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

Sec. 22-159. Residential refuse customers.

(a) Residential curbside pickup refuse carts required, when. Every single family home, duplex, and apartment buildings containing four (4) living units or less shall use the city's curbside refuse collection service. Residential curbside refuse customers shall use a refuse cart provided by the city for the collection of refuse. When using a refuse cart, the customer may, but is not required to, place refuse in a trash bag prior to placing the refuse

in the cart. The director may grant an exception to the requirements of this subsection for good cause shown.

(b) ~~Reserved~~ Residential centralized container pickup required, when. Every apartment or grouped residential structure containing more than four (4) living units shall use a centralized container provided by the city for refuse disposal and collection. Refuse placed by a customer in a centralized container shall be placed in a refuse (trash) bag which is securely closed prior to placing the refuse in the centralized container. The director may grant an exception to the requirements of this subsection for good cause shown.

(c) Collection and pickup. Residential refuse pickup shall be made once weekly according to a schedule established by 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.

(a-d) Residential refuse collection rates. The following rates shall apply for the removal of refuse:

(1) Curbside pickup. Residential curbside service shall consist of the removal of refuse by weekly curbside pickup ~~of a refuse cart as set forth herein at single family, duplex and apartment buildings containing a maximum of four (4) living units unless otherwise approved by the director.~~ Residential curbside customers may choose from three (3) sizes of refuse carts. The monthly fee per residential unit for such service shall be based upon the size of the refuse cart as follows:

Residences, per month, per residential unit	\$17.37
<u>35-gallon</u>	<u>\$12.87 per month</u>
<u>65-gallon</u>	<u>\$17.37 per month</u>
<u>95-gallon</u>	<u>\$22.50 per month</u>

(2) Additional refuse carts: Residential curbside customers who are currently using a 95-gallon refuse cart may request an additional 95-gallon refuse cart if additional capacity to dispose of refuse is required. The fee for each additional 95-gallon cart is as follows:

<u>Each additional 95-gallon refuse cart</u>	<u>\$13.50 per month</u>
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(2-3) Centralized container pickup. Residential service shall consist of the removal of refuse by weekly centralized container pickup as provided herein. ~~for apartment or grouped residential structures containing more than four (4)~~

living units, unless otherwise approved by the director. The fee for removal of refuse deposited in a centralized container shall be as follows:

Grouped residential units having centralized collection containers, per unit, per month \$15.72

(3-4) *Vacant residence.* A residence that is vacant and the owner has requested discontinuance of a metered service shall be charged fifty (50) percent of the per month, per residential unit rate applicable for the unit.

~~(c) *Customer responsibility.* It shall be the duty of every customer to place the daily accumulation of refuse in refuse bags which are securely sealed. Every person placing garbage in any such bag shall eliminate, to the greatest extent possible, all water and liquid from such garbage before placing the refuse in the bag. Bags may only contain refuse generated from the residential location at which the bags are placed for collection. No commercial waste or off-site construction debris may be deposited at a residential location for collection.~~

(e) *Regulations related to refuse carts.*

(1) Placement of refuse carts for collection.

a. All refuse carts shall be set out by the customer at the public curb, alley or other city designated location no earlier than 4:00 p.m. of the day preceding collection and no later than 6:30 a.m. on the collection day.

b. Customers shall remove all refuse carts from the curb or alley collection location no later than 10:00 p.m. on the collection day.

c. Customers shall leave at least three (3) feet between each refuse cart and at least eight (8) feet from any other object such as a vehicle or mail box.

d. Refuse carts are to be placed in locations with a minimum fifteen (15) feet of vertical clearance.

e. Customers shall only place the city-issued refuse cart(s) at the curb for collection.

f. Customers shall keep refuse cart lids closed when placing refuse cart at the curb for collection.

g. All refuse and yard waste bags must be placed inside the refuse cart and the cart lid must be fully closed. Any bags placed on top of the refuse cart or on the ground next to the refuse cart will not be collected.

h. Customers shall notify the city of any damage to the city-issued refuse cart(s). Damaged refuse carts will be replaced by the city, but may be charged to the customer for damages beyond “normal wear and tear.”

i. Customers shall notify the city if the refuse cart is missing or has been stolen.

(2) Maintenance of refuse carts.

a. Refuse carts shall be stored on private property.

b. Refuse carts are property of the city and must remain at the address assigned.

c. When a resident vacates a property, the resident is responsible for leaving the refuse cart at the property in a secure location. The city may remove the refuse cart(s) from the property for non-payment of fees or any other violation of the rules and regulations established by the director.

d. The customer shall keep the refuse cart(s) reasonably clean so it will not attract flies, rodents or other pests, emit a strong odor or otherwise cause a health concern.

(3) Refuse cart exchanges. A residential curbside refuse customer may request to exchange a refuse cart for a different size as provided in this subsection.

a. A new customer may request to exchange a refuse cart for a different size one time within the first one hundred and twenty (120) days of initial receipt of the cart at no charge.

b. A twenty-five dollar (\$25.00) exchange fee per cart will be charged for any refuse cart exchange after the initial one hundred and twenty (120) day period has expired.

~~(d) Location of refuse or yard waste for pickup. All items 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 any material other than refuse as defined in this into a bag for removal of refuse.~~

~~(f) Reserved~~

- (g) *Reserved.*
- (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 city provided refuse bag and shall not exceed fifty (50) pounds total weight per bag.
- (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.
- (f) *Special services, rates.*
- (k-1) *Bulky item collection.* Collection of bulky items will be provided for residential customers receiving curbside collection. Bulky items are normal household items that are too large to be placed in the refuse cart city provided refuse bags. Materials resulting from the erection, destruction or remodeling of a building, felled trees, large automobile parts, hazardous materials, etc., and items which generally cannot be handled by two (2) individuals do not qualify as bulky items. Collection of bulky items will be required to be scheduled a minimum of one (1) week in advance of collection. Collection will be provided based on first available schedule. The request for collection must identify the number and type of items requested to be collected. Items for bulky item collection shall be placed no earlier than twenty-four (24) hours in advance of the scheduled pickup date 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. Each residential customer with curbside collection will be provided the collection of one (1) bulky item each year at no additional cost.

The charge for each additional scheduled bulky item collection will be as follows:

First item per scheduled bulky item collection: \$21.50
Each additional item per scheduled bulky item collection: \$5.00

(~~1~~-2) *Suspension of tree limb and yard waste requirements.* In the event of a storm which causes widespread tree damage, the requirement to place brush and tree trimmings into refuse bags for collection may be suspended by the director.

(~~m~~-3) House collection-Curbside collection accommodation for physically disabled or handicapped:

(~~1~~)a. Any owner, occupant, tenant or lessee of a residential unit receiving curbside collection services who, due to a physical disability or handicap, is unable to transport a their carry refuse cart to the curb for collection ~~curbline~~ may receive house collection at the same service rate as curbside collection. A request for house collection 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 inability of the responsible person to perform the activity of transporting the cart to the curb. ~~physical disability or handicap.~~

(~~2~~)b. Refuse to be collected from the ~~house~~ residential unit must be placed in a refuse cart ~~bags~~ and shall be located in plain view in an accessible location at ground level in front of the residence ~~or on an open platform not more than four (4) feet above the ground level and so placed that it may be reached from the ground by the collector.~~ Refuse carts for house collection shall not be located within a building or structure. Collection will be made from only one location on the premises.

(~~n~~-4) *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-nine dollars (\$29.00) for appliances equipped for use of refrigerants, per appliance and twenty-one dollars and fifty cents (\$21.50) 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.

(5) Extra refuse cart collection. A one-time extra refuse cart collection service is available for a residential curbside refuse customer who requests a refuse

cart be emptied a second time during the regularly scheduled collection week. The request for additional refuse cart collection shall be by appointment. An additional collection fee shall be charged for such service based upon the refuse cart size of the customer as follows:

35-gallon:..... \$7.70 per collection
65-gallon:..... \$12.20 per collection
95-gallon:..... \$16.70 per collection

(e-6) *Special pickup of unlawfully placed material.* ~~It shall be unlawful for any material to be placed or allowed to remain at the curb or edge of the roadway in violation of this article.~~ The fee for removal of unlawfully placed material shall be as follows:

Special pickup fee of unlawfully placed material \$72.13
Plus \$55.00 per ton plus \$1.15 per collection minute with a minimum of five (5) minutes.

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.

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

PASSED this _____ day of _____, 2022.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor