

CHAPTER 18

SOLID WASTE

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ARTICLE I.

IN GENERAL

Sec. 18-1. Title.

This chapter shall be known and may be cited as the "Solid Waste Disposal Ordinance of East Dublin, Georgia." (Ord. of 4-21-80, Art. I)

Sec. 18-2. Definitions.

For the purposes of this chapter:

Garbage is hereby defined to mean and to include all refuse of domestic waste of animal, fruit, vegetable or grain origin that attends or is attributable to the preparation, use, cooking or dealing in, handling or storage of meats, fish, fowl, fruits, vegetables, grains and such other organic materials or substances normally to be disposed of from residences, churches, schools, business establishments and similar places. Tin cans or other containers that have contained food are considered as garbage until they have been washed. Animal excrement or manure is considered as garbage. All other organic materials not specified herein are also considered as garbage if such materials are not stored in a manner to prevent fly breeding (for example, improperly stored fertilizer or stock feeds, vegetables or grass-cuttings, even though intended as feed for domestic animals).

Other waste is hereby defined to mean and to include animal carcasses, trees and shrubbery trimmings and all other refuse of organic origin occurring in a volume too great to be contained in six (6) standard thirty-five (35) gallon containers with lids in place.

Trash or rubbish is hereby defined to mean and to include all nonedible refuse matter of organic or nonorganic origin such as paper, rags, excelsior, wood, glass, tin cans, crockery, metals, ashes, yard trimmings and leaves, incapable of sustaining fly breeding. (Ord. of 4-21-80,

Art. II)

Sec. 18-3. Building construction or remodeling waste.

The City shall not be responsible for the collection and hauling of rubbish, trash, discarded building material, dirt, rock, metal or other like material originating from private property preliminary to, during or subsequent to the construction of new buildings or the remodeling of old buildings of whatever type; said material shall be removed by the owner of the said property or the contractor. In the case of new buildings, no certificate of occupancy shall be issued until the aforesaid material is removed by the owner or contractor. (Ord. of 4-21-80, Art. XIX)

Sec. 18-4. Disposal of tree trimmings, etc.

- (a) The City shall not be responsible for the collection, hauling and disposing of the residue created and left as a result of professional pulpwood cutting, professional timber-cutting of any type, professional tree surgeons' operations and professional tree trimmers of any type whatsoever or liked residue originating from professional services on private or public property within the City. The foregoing designated personnel will dispose of their own residue immediately upon creating same. The foregoing described and stated people are hereby authorized to use the sanitary landfill being used at this time by the City for said disposal.
- (b) This section is passed with the intention of being an exception to Section 18-36, so as to allow the persons designated in this section to remove and dispose of their residue. The above described and stated persons are liable and responsible to see that the provisions of this section are complied with. (Ord. of 4-21-80, Art. XX)

Sec. 18-5 - 18-15. Reserved.

ARTICLE II.

LITTER AND NOXIOUS DEPOSITS

Sec. 18-16. Throwing or depositing - In street, sewer, etc.

No person shall throw or deposit, or cause or permit to be thrown or deposited, upon the streets, sidewalks, lanes or alleys or into any storm sewer, catch basin or drainage ditch, any paper, garbage or other waste matter. (Ord. of 1-10-77, Art. II, {1; Ord. of 4-21-80, Arts. III, V)

Sec. 18-17. Same - Upon yards or premises.

It shall be unlawful for any person to throw, drop, cast or deposit upon any yard or premises, public or private, any filth of any kind, or cans, paper, trash, paper containers, rubbish, tree limbs, grass cuttings, bottles or any other form of litter or waste matter. (Ord. of 1-10-77, Art.

II, {1; Ord. of 4-21-80, Art. V)

Sec 18-18. Garbage, etc., placed in receptacles.

No person shall deposit on or bury in, cause to be deposited on or buried in any of the land, public square, street, alley, lanes, vacant or unoccupied lot, or into any lake or watercourse, any noxious filth, odors or offensive liquid, solid material or garbage, or place or keep such material within the limits of the city except in standard approved garbage receptacles from which regular collections are made. (Ord. of 4-21-80, Art. III)

Sec. 18-19. Scattering during transportation.

No person shall convey or cause to be conveyed upon the public streets, alleys or lanes, any garbage, trash, rubbish or other materials of like nature except when such material is secured in such a manner as to prevent said material from falling or being blown from such vehicle while in transit. (Ord. of 4-21-80, Art. IV)

Sec. 18-20. Places of business - Duty to keep clean.

The owner or occupant of any store or other place of business situated within the city shall exercise reasonable diligence at all times to keep his premises clean of wastepaper, wrapping paper, paper napkins, cartons, package containers and other used or waste materials thrown or left on such premises by its customers, and to take reasonable measures to prevent the same from drifting or blowing to adjoining premises. (Ord. of 4-21-80, Art. VI)

Sec. 18-21. Same - Receptacles.

Receptacles of sufficient size and number shall be placed on the premises accessible to the customers of a business where the articles or waste referred to in the preceding section may be disposed of. (Ord. of 4-21-80, Art. VI)

Sec. 18-22. Same - Duty of customer.

It shall be unlawful for any customer going upon the premises of any store or other place of business to in any manner dispose of wastepaper, wrapping paper, paper napkins, cartons, package containers and other used or waste materials except in receptacles provided for such purposes. (Ord. of 4-21-80, Art. VII)

Sec. 18-23 - 18-35. Reserved

ARTICLE III.

COLLECTION OF REFUSE GENERALLY

DIVISION I. GENERALLY

Sec. 18-36. Exclusive right of city.

The mayor and council, through the department of sanitation, shall have the exclusive right to the collection, removal and disposal of garbage, trash, rubbish and debris within the city. No private individual, business, agent or other operation shall be permitted to haul the garbage, trash and rubbish as produced by the individuals, owners, occupants, tenants, lessees or any other persons of residential buildings, offices or business and commercial buildings, and any other premises from said stated locations without first obtaining a permit to do so from the mayor and council. (Ord. of 4-21-80, Art. VIII)

Sec. 18-37. Only City employees to make collections.

No person, other than employees of the City charged with such duty, shall move, molest, burn or interfere with any refuse receptacle or its contents or any other waste material set out for collection by the City personnel, unless authorized by the superintendent of sanitation. (Ord. of 4-21-80, Art. IX)

Sec. 18-38. Frequency of collection.

The City shall furnish garbage collection service once weekly to all residences and commercial establishments. (Ord. of 4-21-80, Art. XVIII)

Sec. 18-39. Collection personnel not to enter buildings or to accept money.

Garbage and trash collection personnel are not permitted to enter buildings for the collection of refuse nor shall they accept any money for their services from persons served. (Ord. of 4-21-80, Art. X)

Sec. 18-40. Dangerous material.

No person shall place or cause to be placed with the material to be collected under this chapter any acid, corrosive or explosive material, inflammable liquid or any other dangerous material of any kind. The City will not be responsible for the collection of such material or its disposal. (Ord. of 4-21-80, Art. XXI)

Sec. 18-41. Prohibited acts.

It shall be unlawful for any person to:

- (1) Permit or suffer garbage and/or refuse to accumulate in or about any yard, lot, place or premises, or upon any street or sidewalk adjacent to or abutting upon any lot, block or premises owned or occupied by him or them or for which he or they may be the agent or agents, within the city limits of the city or to suffer such lot, yard, place or premises to be

or remain in an unsanitary condition by reason of deposits of garbage or refuse.

- (2) Burn any garbage or refuse, except waste paper, boxes, brush, grass, weeds and cuttings from trees, lawns or gardens, unless burned in a furnace or upon a permit from the fire chief and the street superintendent.
- (3) Bury or deposit any garbage or refuse in such a manner as to be unsanitary or offensive to the sight or smell of the public.
- (4) Engage in the business of collecting, removing or disposing of garbage and refuse in the city or to remove, transfer or transport for hire through any of the public streets or alleys of the city, any garbage and refuse. This section shall not apply to the sanitary department of the City.
- (5) Dump or deposit garbage and refuse upon any street, place or alley or upon any street, place or alley or upon any improved or unimproved or vacant lot or property within the City. (Ord. of 4-21-80, Art. XXII)

Sec. 18-42 - 18-50. Reserved.

ARTICLE III.

SOLID WASTE COLLECTION & DISPOSAL

DIVISION 4. ROLL CART SYSTEM

A. Applicability. The provisions of this section apply only to the “roll cart system”. Except as provided in this section, the “roll cart system” shall be the only approved system for the use by residential customers in the city.

B. Ownership of carts. The carts shall remain the property of the city and will be assigned to residents for the health, safety, convenience and general welfare of the occupant.

C. Placement; contents. The person having authority to control the disposal of garbage in any household shall cause all garbage collected therein to be placed in a receptacle by the city and placed at the curb on scheduled collection days. Only garbage may be placed in approved containers.

D. Weight. The combined weight of a container and its contents shall not exceed 200 pounds and container shall not be filled to overflowing.

E. Identification. Where more than one family occupies a dwelling or apartment, the garbage receptacles shall be marked by the city so as to indicate the family using the particular garbage receptacle. The receptacle may be identified by putting the apartment number thereon or the name of the household. When receptacles are so identified, such receptacle may be used only by

the person whose name or other identification is shown thereon.

F. Lost, stolen or damaged containers. Any residential container provided by the City which becomes lost, stolen, or damaged shall be replaced by the City and cost for such replacement shall be borne by the City or property owner depending upon the circumstances of damages or disappearance. The City shall be sole determiner as to responsibility. Containers which are damaged through normal usage shall be repaired or replaced by the City.

G. Commercial containers used. The owner of apartment houses, including public housing, condominiums, and townhouses, consisting of six or more attached living units, may be furnished commercial containers in sufficient number to adequately contain the garbage and refuse disposal at such location. The decision to use commercial containers will be at the discretion of the City. The type, size, number and location of such commercial containers required shall be subject to the approval of the public works department, but in no instance shall be the size of said commercial container be less than four cubic yards.

H. Maintenance of container. It shall be the responsibility of the occupant to maintain all garbage containers serving his property in a clean and sanitary manner, free of obnoxious odors, maggots, insects and rodents, or any other conditions which may render them unhealthy to the occupants of the apartment or the neighborhood, in compliance with state and county health code requirements.

I. Location of container. Receptacles provided to residences by the City as provided in subsection (a) of this section shall be placed in the area between the sidewalk and curb or in an accessible place approved by the public works department. Containers shall not be placed at curbside before 7:00 p.m. on the day proceeding the collection day and shall be removed from the curbside when collected on collection day. Exceptions to this requirement may be granted by public works department for persons with physical limitation which prevent placement of the garbage receptacles at the curb, provided such person submits a written request for the exception.

J. Time of collection. The public works department shall provide a schedule to each residence receiving garbage collection service from the City which shall indicate the days on which such collection will be made. The City shall provide weekly collection of trash. Such trash shall be placed either at the curb or at the alley on the person's property on collection day. Under no circumstances shall any person place or cause to be placed any trash or litter upon any alley, street or drain of the city. No trash shall be placed on any sidewalk unless there is no other place at the curb for the placement of such trash, and such a placement will be allowed only on collection day.

K. Covered. Containers for garbage shall be kept tightly covered at all times.

L. Leaves. Leaves shall be piled back of the curb in the area between the curb and the sidewalk, not in the street. If no sidewalk exists, the leaves should be piled in the same general vicinity but so as not to block the flow of water in the side ditch of the street.

M. Branches, etc. All branches, limbs and shrubbery shall be cut into lengths of six (6) feet

or less, and no single piece shall exceed one hundred (100) pounds in weight.

N. Cutting trees. All persons cutting trees in the city, except property owners must have a valid city business license and must haul off all debris, limbs, stumps and trunk branches from all trees cut or trimmed.

DIVISION 3. MULTI FAMILY DWELLINGS

Sec. 18-75. Same - Payment of fees.

Owners of all duplex and multi-family dwelling units shall be required to make payment of the refuse collection and disposal fee directly to the City. The fee for all multi-family units containing less than eight (8) units, or other multi-family units not receiving bulk container service, shall be the minimum residential rate per family units as established in Article V of this chapter. (Ord. of 4-21-80, Art. XVII)

Sec. 18-76. Same - Blocking by vehicles.

No vehicle shall be parked in such a manner that detachable containers are blocked to access by the collection truck during the hours designated for collection. (Ord. of 4-21-80, Art. XVII)

Sec. 18-77 - 18-88. Reserved.

ARTICLE IV.

RATES AND CHARGES

Sec. 18-89. Payment required

Each residence and each commercial establishment shall be entitled to receive such garbage

collection service as may be needed upon payment to the City of a monthly garbage collection fee. (Ord. of 4-21-80, Art. XXIII)

Sec. 18-90. Fees Established.

The monthly fee schedule for garbage collection service shall be as provided in this article. Additionally, all Garbage collection fees charged will increase each year by the amount of 1% effective with each July billing. (Revised: 7/11/2016)

Sec. 18-91. Residential rates.

Each residential premise shall receive ONE (1) collection under this chapter per week, the fee for which shall be \$16.47 per month inside the City and \$31.17 per month outside the city. An extra cart shall be issued upon request at an additional cost of \$13.46 per month inside the City and \$25.00 per month outside the City. (Revised: 7/11/2016)(Revised 7-01-2017)

Sec. 18-92. Commercial establishments.

For each commercial establishment using city garbage cart, the number of pickups (once per week) under this chapter the fee for which shall be \$31.18 per month inside the city limits and \$33.49 per month outside the city limits. An extra cart shall be issued upon request at an additional cost of \$25.61 per month inside the city limits and \$30.47 per month outside city limits. (Revised: 7/11/2016)(Revised 7-01-2017)

Chart of Accounts by Quantity for Non-container users:

<u>Size/Cubic Yard</u>	<u>1 Dump/Wk.</u>	<u>2 Dumps/Wk.</u>	<u>3 Dumps/Wk.</u>
4	\$ 79.60	\$ 126.00	\$ 174.00
6	\$ 119.00	\$ 190.30	\$ 261.60
8	\$158.90	\$ 254.15	\$ 348.10

Sec. 18-93. Mobile home parks; apartments.

At mobile home parks and apartments, each with five (5) or more units, the fee for collections under this chapter (once a week) shall be \$16.22 per unit per month inside the city. (Revised: 7/11/2016) (Revised 7-01-2017)

Sec. 18-94. Waiver or Reduction of Certain Residential Users - Conditions.

- (A) The sanitation use fee for residential premises shall be waived upon proper notification to the city clerk that all of the following conditions are existing:

- (1) Head of household is aged sixty-five (65) years or more.
 - (2) No type business or service is provided at the residence.
 - (3) No tenants live in the residence.
 - (4) It is not a public housing unit.
 - (5) Regulation garbage containers are used
 - (6) Effective for life for current applicants and all applicants approved on or before November 30, 1996.
- (B) The sanitation use fee for residential premises shall be reduced to eight dollars and seventy cents (8.70) upon proper notification to the city clerk that all of the following are existing:
- (1) Head of household is age sixty-five (65) years or more
 - (2) No type business or service is provided at the residence.
 - (3) No tenants live in the residence.
 - (4) It is not a public housing unit
 - (5) Regulation garbage containers are used.
 - (6) Effective December 1, 1996 for all new applicants.

(Revised Ord of 3-09-09; Revised: 7/11/2016)

Sec. 18-95. Same - certification.

- A) It shall be incumbent upon the City Clerk to certify the conditions set forth above by:
- (1) Verify that person is head of household.
 - (2) Verify head of household age from birth certificate, driver's license, etc.
 - (3) Verify that no business or service and no tenants are in residence.
 - (4) Verify residence is not a public housing unit or subsidized housing unit.
 - (5) Verify that regulation garbage containers are used.

- B) Certification and waiver or reduction shall be completed and effective for:
- (1) Notice for information to certify waiver shall be mailed to residences each year.
 - (2) Information for certification of waiver must be in the City Clerk's office by December 1st for waiver to be effective for the month of January.

Sec. 18-96. Same - Procedures.

It shall be incumbent upon the City clerk to establish the means to certify the conditions set forth in the preceding section. The City clerk shall re-examine the qualifications of each household for waiver of the garbage fee on a yearly basis. (Ord. of 4-21-80, Art. XXIV)

Sec. 18-97. Same Forfeiture.

Failure to disclose requested information or failure to use and maintain regulation garbage containers shall be grounds for forfeiture of the waiver provided in Section 18-94. (Ord. of 4-21-80, Art. XXIV)

Sec. 18-98. Billing.

The City shall send to each residence and each commercial or business establishment within the city a bill for the garbage collection services rendered the preceding month. (Ord. of 4-21-80, Art. XXV)

Sec. 18-98 -A. Due date of fees.

All bills for garbage collection service shall be due and payable at the office of the City Clerk on the first day of each month, and if said bills are not paid by the tenth of the month a ten (10) percent delinquency penalty shall be added. If said bills are not paid by the twentieth of the month, garbage collection and water service shall be discontinued, without further notice. Provided, however, that when the first, tenth or twentieth of the month falls on a Saturday, Sunday or legal holiday, said bills shall become due, said penalty shall attach or said service shall be discontinued on the next succeeding business day after the first, tenth or twentieth. (Ord. of 4-21-80, Art. XXVI)

Sec. 18-99. Obligation for payment of fees.

The failure or any person to accept or take advantage of the services of the sanitation department in removing garbage shall not relieve such person of the obligation to pay such fees unless authorized by the mayor and council. (Ord. of 4-21-80, Art. XXV)

ARTICLE V.

FILLING OF LOTS AND BUILDING SITES

Sec. 18-100. Reserved.

Sec. 18-101. Purpose.

The purpose of this Article is to provide for the protection of public health, safety and welfare by prescribing the manner of filling lots and building sites in the city.

Sec. 18-102. Definitions.

Unless the context specifically indicates otherwise, the meaning of the terms used in this Article shall be as follows:

Sec. 102.1 Fill Material - Consists only of dirt, concrete, brick, mortar mix, concrete blocks, concrete, masonry products and cement.

Sec. 102.2 Fill Site - is any real property that is filled one cubic yard on one square yard or greater located in the city upon which fill material may be, or is deposited.

Sec. 102.3 Person - means any real person, firm or corporation.

Sec. 18-103. Permit.

Sec. 103.1 Prior to any fill site being filled with permissible fill material, a permit shall be obtained from the City clerk.

Sec. 103.2 The fee for said permit shall be \$25.00

Sec. 103.3 The permit called for in this Article shall be valid for a period of six (6) months from the date of issuance only.

Section 18-104. Required Acts.

Sec. 104.1 Any person, firm or corporation who obtains the permit provided for by this Article shall fill with permissible fill material only.

Sec. 104.2 The fill material shall be pushed or leveled every 60 days during the six (6) month permit period

Sec. 104.3 At the completion of the project, the fill site shall be covered with two (2) feet of fill dirt, substantially free of any other materials or substances.

Sec. 18-105. Enforcement.

Sec. 105.1 The director of public works shall be responsible for the enforcement of this Article.

Sec. 105.2 In connection with the director's management duties, the director shall:

- (a) Supervise the fill site and the dumping of the fill material during the permit period.
- (b) Issue cease and desist orders if the provisions of this Article are being violated.

Sec. 18-106. Penalties.

Any person convicted of violating any of the provisions of this Article shall be punished by a fine not exceeding \$1,000.00 or be imprisoned not to exceed 12 months., or both at the discretion of the judge of the municipal court.

Sec. 18-107. Effective Date.

This Article shall be effective upon passage by an affirmation vote of the City Council.