

ORDINANCE TO AMEND ARTICLE III, SOLID WASTE DISPOSAL

Section 11-40 (No change)

Section 11-41 Powers and duties of supervisor.

The supervisor is hereby empowered to promulgate such rules and regulations, and to work with private contractor as may be necessary to the efficient operation of the department of sanitation.

Section 11-42 (No change)

Section 11-43 (Delete)

Section 11-44 (Delete)

Section 11-45 (Delete)

Section 11-46 Monthly rates - Schedule.

(a) The following charges are hereby made for collection and handling of refuse and garbage in the town:

(1) Each residence, per month, fee set by town council in December for the following year. The property owners will be held responsible for any indebtedness incurred.

(2) The business offices (light commercial) will be determined by town council at the first meeting in December, per month fee, for the following year.

(3) Any heavy commercial retail establishment located within town may contract with a person other than the town for dumpster service for the collection and disposal of its garbage. Trailer parks located within the town will be classified heavy commercial providing that they have a commercial business license.

(4) Each original unit customer shall be responsible for paying, in addition to the water tap fees heretofore set for additional units connected to the original meter, a sanitation fee, set by the town council in December for the following year, the same to be paid monthly for each additional unit connected to the original unit customer's original meter. Nonpayment of said sanitation fee for each additional unit, shall subject the original unit customer to discontinuance of services, including water service, as provided in Section 11-6. For purpose of this subsection, an "additional unit" shall be defined as a water and sanitation customer who is serviced as an additional unit which has been added onto an original unit. An original unit is defined for purposes herein as a water and sanitation customer serviced by an original water meter.

Section 11-47 (Delete)

Section 11-48 Collection by unauthorized persons.

No person other than the town or town contractor may engage in the public collection and disposal of residential garbage within the town. Nothing herein contained shall abridge the right of any individual from collecting and removing such person's own garbage, provided the individual so electing to remove such person's own garbage does not allow the same to litter the premises, streets or highways within the town in violation of this Code. This does not exempt such individual from paying fee set by town council.

Section 11-49 (Delete)

ATTESTED:

Barbara S. Long  
Clerk/Treasurer

Arthur Hansen  
Mayor

James M. Bradham  
Council Member

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Council Member

Edna H. Berry  
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Will R. Holt  
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Council Member

Date of First Reading 4/17/95

Date of Second Reading 5/15/95

- (1) Variances granted shall include a timetable for compliance.
  - (2) Variances granted shall expire when the water shortage no longer exists, unless the petitioner has failed to meet specified requirements.
- (Ord. of 9-14-87, § 10)

### ARTICLE III. SOLID WASTE DISPOSAL

#### **Sec. 11-40. Department of sanitation—Purposes; appointment of supervisor.**

In order to promote the general health and welfare of the people of the city and in order to suppress nuisances created by the accumulation of garbage and other like matter within the city there was created a department of sanitation for the city. The city council shall elect one of the members of the city council to serve as supervisor of the department of sanitation, and the member of the council so elected shall serve in such capacity during the pleasure of the city council and without additional pay from the city.

(Code 1978, § 6-100)

**Cross reference—**Department created, § 2-2.

#### **Sec. 11-41. Same—Powers and duties of supervisor.**

The supervisor shall employ sufficient personnel to collect and dispose of garbage and like matter to perform such other duties as may be prescribed for the department of sanitation by the city council, the rate of pay of such personnel to be recommended by the supervisor and be subject to approval by the council. The supervisor is hereby empowered to promulgate such rules and regulations for the department of sanitation as may be necessary to the efficient operation thereof. The supervisor may enter into contracts effective for and during the term of such supervisor's office with private property owners or lessees of private property for the removal of garbage from premises within or without the city. A complete record thereof shall be furnished the clerk and treasurer by the supervisor. The supervisor shall promptly notify the clerk and treasurer of additional accounts or the discontinuance of accounts.

(Code 1978, § 6-1002)

#### **Sec. 11-42. Sanitation deposit required on rental property.**

In addition to the schedules set forth in this article, the department of sanitation shall charge and collect the sum of thirty dollars (\$30.00) as a sanitation deposit on all rental property. Such deposit will cover two (2) billings for sanitation and will allow for penalty.

(Code 1978, § 6-1012; Ord. of 3-4-85)

#### **Sec. 11-43. Receptacles—Required; placement.**

All householders and proprietors of business shall provide at their own expense receptacles for all garbage and refuse accumulating on the premises, and all such garbage and refuse shall be placed in said receptacles for collection. Such receptacles shall be placed at such locations as determined by the supervisor of the department of sanitation.

(Code 1978, §§ 6-1003, 6-1007)

**Sec. 11-44. Same—Type.**

Receptacles required hereunder shall be substantial and in good repair and shall be of metal, plastic or some other impervious substance of such size as specified by the supervisor of the department of sanitation, and shall be provided with tight-fitting covers and strong handles.

(Code 1978, §§ 6-1003, 6-1008)

**Sec. 11-45. Same—Duty to keep receptacles covered.**

The covers shall be kept on receptacles at all times except when being filled or emptied.  
(Code 1978, § 6-1009)

**Sec. 11-46. Monthly rates—Schedule.**

(a) The following charges are hereby made for collection and handling of refuse and garbage in the city:

- (1) Each residence, per month, six dollars and fifty cents (\$6.50); same to be paid regularly bi-monthly and the property owner will be held responsible for any indebtedness incurred;
- (2) The trailer parks located within the city will be charged a minimum of ten dollars and fifty cents (\$10.50) per month for a centralized place of pickup;
- (3) The business offices and places located in the city will be determined by the city council and at the first meeting in January of each year a review of said fee for garbage collection of said business will be held for the purpose of determining the fair and equitable fee for such garbage collection;
- (4) Fees for public schools will be reviewed each year, the same as a business;
- (5) Any commercial retail establishment located within the city may contract with a person other than the city for the collection and disposal of its garbage; provided further, that any establishment so engaging such person shall pay to the city an administrative fee of six dollars and fifty cents (\$6.50) per month; and
- (6) Each original unit customer shall be responsible for paying, in addition to the water tap fees heretofore set for additional units connected to the original meter, a sanitation fee of six dollars and fifty cents (\$6.50) per month, the same to be paid bi-monthly, for each additional unit connected to the original unit customer's original meter. Nonpayment of said sanitation fees for each additional unit shall subject the original unit customer to discontinuance of services, including water service, as provided in section 11-6. For the purpose of this subsection an "additional unit" shall be defined as a water and sanitation customer who is serviced as an additional unit which has been added on to an original unit. An original unit is defined for purposes herein as a water and sanitation customer serviced by an original water meter.

(b) Rates for individual commercial establishment not specified herein shall be as set by council from time to time.

(Code 1978, § 4-1003; Ord. of 6-14-82; Ord. of 8-9-82)

**Sec. 11-47. Same—Discount for payment in advance.**

Any private owner or lessee of private property who shall pay in advance by the year said garbage collection service charges shall be entitled to a ten (10) per cent discount on said garbage collection service bill.

(Code 1978, § 6-1004)

**Sec. 11-48. Collection by unauthorized persons.**

No person other than the city may engage in the public collection and disposal of garbage within the city. Nothing herein contained shall abridge the right of any individual from collecting and removing such person's own garbage, provided the individual so electing to remove such person's own garbage does not allow the same to litter the premises, streets or highways within the city in violation of this Code.

(Code 1978, § 6-1010)

Cross reference—Littering, § 10-30.

**Sec. 11-49. Supervisor to secure, maintain a disposal area for garbage, refuse.**

The supervisor shall secure and maintain a sufficient disposal area for garbage and other like material as shall have been collected and shall make and post at such disposal area such rules and regulations as may be necessary with regard to the use thereof.

(Code 1978, § 6-1005)