



CITY OF TRINITY  
ORDINANCE  
COLLECTION OF SOLID WASTE

**Section 1: Definitions**

- (a) The following definitions shall apply in the interpretation and enforcement of this ordinance:
- (1) *Bulk Container* means a metal container made of watertight construction with sliding doors opening on two sides and hinged top, constructed so that it can be emptied mechanically by specially equipped trucks.
  - (2) *City* means the City of Trinity.
  - (3) *Construction or demolition* when used in connection with waste or debris means solid waste resulting solely from construction, remodeling, repair, or demolition operations on pavement, buildings, or other structures.
  - (4) *Garbage* means all solid waste that is capable of being decomposed of by microorganisms with sufficient rapidity as to cause nuisances from odors and gases, such as kitchen wastes and carcasses, including animal carcasses and recognizable industrial byproducts, but excluding sewage and human waste.
  - (5) *Hazardous waste* means solid waste, or combinations of solid wastes, which because of its quantity, concentration, physical, chemical, or infectious characteristics may:
    - a. Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or
    - b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.
  - (6) *Junk* means any object, thing, matter or substance that appears to a reasonable person to be of no economic value or worth. This shall include accumulations of rubbish and household waste that are normally stored for a short period to time before being disposed of by the property owner or occupant. This definition shall also apply to collections of motor vehicles, machinery, appliances, rags, cardboard and building materials.

- (7) *Medical waste* means any solid waste which is generated in the diagnosis, treatment, immunization of human beings or animals, in research pertaining thereto, or in the production or testing.
- (8) *Oil* means any oil, new or used, which been refined from crude oil or synthetic oil and, as a result of use, storage, or handling has become unsuitable for its original purpose due to the presence of impurities and loss of original properties but which may be suitable for further use and is economically recyclable.
- (9) *Person* means an individual, corporation, company, association, partnership, unit of local government, state agency, federal agency or other legal entity.
- (10) *Recyclable material* means those materials which are capable of being recycled, can be marketed at a value greater than the costs associated with processing and shipping that material to a buyer, and which would otherwise be processed and disposed of as solid waste.
- (11) *Recycling* means any process by which solid waste, or materials which would otherwise become solid waste, are collected, separated, or processed, and reused or returned to use in the form of raw materials or products.
- (12) *Refuse* means solid waste that is not likely to become putrid or capable of being quickly decomposed by microorganisms.
- (13) *Rollout container* means a wheeled solid waste or recycling receptacle provided by the City or its contractor that can be serviced with automated collection system equipment.
- (14) *Rubbish* (See definition of junk)
- (15) *Solid waste* means any hazardous or non hazardous garbage or refuse.
- (16) *Special wastes* means solid waste that can require special handling and management, including white goods, whole tires, used oil, lead acid batteries and medical waste.
- (17) *Tire* means a continuous solid or pneumatic rubber covering intended to encircle the wheel of a motor vehicle.
- (18) *White goods* include inoperative and discarded refrigerators, ranges, water heaters, freezers, and other similar domestic and commercial large appliances.
- (19) *Yard waste* means solid waste consisting solely of vegetative matter resulting from landscaping maintenance, which includes but is not limited to tree limbs grass clippings, leaves, brush, etc.

## **Section 2: Garbage, Garbage Containers**

- (a) Roll out garbage containers with a capacity of approximately 96 gallons shall be provided by the City or its contractor and shall remain the property of the City or its contractor. Containers shall be maintained in a sound and serviceable condition such that they can be emptied with automated collection system equipment.
- (b) Each customer as defined in Section 5 (a), (b), (c) and (e) shall be entitled to one container which shall be serviced, at curbside (or at the street right-of-way in the absence of curbs), once per week. Additional containers may be available and may be provided for with an additional monthly fee.
- (c) All household garbage and trash must be placed inside the roll out container to be serviced.
- (d) The following items are not accepted at regulated landfills and therefore may not be placed in containers:
  - Yard waste
  - Medical waste
  - Construction and demolition materials
  - Auto parts and fluids
  - Hazardous waste
  - White goods
- (e) The City and the contractor reserve the right to temporarily suspend service when weather conditions make delivery of service unsafe.
- (f) Containers shall be placed at curbside (or at the street right-of-way in the absence of curbs) for collection immediately prior to time of collection and shall be removed from the public area or way as soon as possible thereafter. However in residential areas, when collection time is prior to 9 a.m. containers may be placed in designated service areas the night before.
- (g) The schedule of days and collection times shall be available at the City Offices. Notices of changes or alterations to scheduled collection days will be distributed through local media outlets including the City web site, social media networks, the City Connection newsletter and/or direct mailings.
- (h) Containers, when placed for collection, must be placed such that they will not interfere with traffic on foot, in vehicles, or otherwise and can be serviced by an automated collection system vehicle without interference from utility poles, mailboxes, trees, and parked cars.

## **Section 3: Storage and Removal of Rubbish**

- (a) Bulk handling or storage of refuse of any characteristic shall be subject to review by the City Council, and the owner or occupant of any industrial, commercial, or

business establishment shall make provisions as the City Council may require for the sanitary storage and collection of such refuse.

- (b) The open storage of junk, solid waste, and refuse in the public view shall not be permitted.
- (c) In the interest of the health and safety of the community, excessive accumulations of junk, solid waste and refuse shall not be permitted to be stored on private property, regardless of the method and length of storage.
- (d) The owner of property that is in violation of this Ordinance shall be notified by first class mail of the violation of this section of the Ordinance. The property owner will have a maximum of ten days from the date postmarked on the notification to correct the violation.
- (e) A civil penalty of \$25.00 for the first day and \$10.00 for each subsequent day may be assessed for the violation of the provisions of this section of the Ordinance.
- (f) The City may, upon excessive delay in correcting the violation, remove the offending solid waste or refuse at the owner's expense. In such cases the owner must pay all costs associated with correcting the violation in addition to any assessed civil penalties.
- (g) Junk, refuse, rubbish and solid waste shall be as defined in Sec. 1 (6), (12), (14) and (15).

#### **Section 4 Collection of Recyclable Materials and Recycling Containers**

- (a) Recyclable materials shall be placed in the roll out container provided to each customer by the City or its contractor. Customers shall be as defined by Section 5 (a), (b), (c) and (e). Containers shall remain the property of the City or its contractor.
- (b) Recyclables shall be collected biweekly by the City or its contractor.
- (c) Recycling containers shall be placed at curbside (or at the street right-of-way in the absence of curbs) for collection immediately prior to time of collection and shall be removed from the public area or way as soon as possible thereafter. However, in residential areas, when collection time is prior to 9 a.m. containers may be placed in designated service area the night before.
- (d) The schedule of days, collection times and acceptable recycling materials shall be available at the City Offices. Notices of changes or alterations to scheduled collection days will be distributed through local media outlets including the City web site, social media networks, the City Connection newsletter and/or direct mailings.
- (e) Recycling containers when placed for collection, must be placed such that they will not interfere with traffic on foot, in vehicles, or otherwise and can be serviced by an automated collection system vehicle without interference from utility poles, mailboxes, trees, and parked cars.

- (f) Recyclable materials and their subsequent resale value are subject to market economies, and therefore the items accepted for recycling may be changed, amended, or canceled as per the contracts with the City's recycling contractor.

## **Section 5 Customer Groups and Service Responsibilities**

- (a) *Residential Customers* are defined as those customers living in single family households and whose driveways connect to a public road. Residential customers residing in single family households shall have their garbage collected at the curbside (or at the street right-of-way in the absence of curbs) once per week and their recyclable materials collected on a bi-weekly basis. A monthly fee for service approved by City Council shall be added to every utility bill.
- (b) *Residential customers (on private roads)* are defined as those customers living in single family households and whose driveways connect to a private road. Residential customers on private roads shall not receive City provided solid waste collection service and shall not be billed for service unless:
  - 1. Owners of residences abutting a single private road or homeowners associations representing entire neighborhoods submit to the City a petition for service and agree to hold the City harmless from damages to the private road. Said petition to be on a form provided by the City; and
  - 2. Service provision is approved by the City upon consideration of access to the private property, condition of roadway and ability to provide service along the private roadway without damage to existing structures and facilities.
  - 3. If service is provided, said residential customers shall have their garbage collected at the curbside (or at the street right-of-way in the absence of curbs) once per week and their recyclable materials collected on a bi-weekly basis. A monthly fee for service approved by City Council shall be added to every utility bill.
- (c) *Non-residential Customers (without bulk containers)* are defined as those businesses or other non-residential enterprises that generate junk, recyclable material, refuse, rubbish, and non-hazardous solid waste as defined in Sec. 1 (6), (10), (12), (14) and (15) and deposit said materials in containers with a capacity of no more than 96 gallons as described in Sections 2 and 4. Non-residential (without bulk containers) customers shall have their garbage collected at the curbside (or at the street right-of-way in the absence of curbs) once per week and their recyclable materials collected on a bi-weekly basis. A monthly fee for service approved by City Council shall be added to every utility bill.
- (d) *Non-residential Customers (with bulk containers)* receive garbage collection through a private collector and at no expense to the City.
- (e) *Multi-family Residential Customers (without bulk containers)* are defined as those apartments, condominiums, duplexes, manufactured home parks and other similar housing complexes at which roll-out containers with a capacity of no more than 96 gallons as described in Sections 2 and 4 are utilized to deposit junk, recyclable

material, refuse, rubbish, and non-hazardous solid waste as defined in Sec. 1 (6), (10), (12), (14) and (15) from individual households and collection is provided from a public roadway. Multi-family Residential Customers (without bulk containers) shall have their garbage collected at the curbside (or at the street right-of-way in the absence of curbs) once per week and their recyclable materials collected on a bi-weekly basis. A monthly fee for service approved by City Council shall be added to every utility bill.

- (f) *Multi-family Residential Customers (with bulk containers)* receive garbage collection through a private collector and at no expense to the City.
- (g) *Industrial and Manufacturing Customers* are responsible for their own garbage collection and disposal at no expense to the City.

### **Section 6: Rules and Regulations Authorized**

The City Manager may make such rules and regulations not inconsistent with this chapter as s/he deems advisable to safeguard the health and welfare of the citizens of the City in the disposal of solid waste.