

4-2-4: ACCUMULATION AND STORAGE OF WASTE:

- A. Accumulation Prohibited: It shall be unlawful for any person to accumulate, throw, discard, deposit, place, sweep, dump, conduct or allow any person to accumulate, throw, discard, deposit, place, sweep, dump or conduct any solid waste or litter into or upon any public place, private premises, street, road, alley, property abutting any alley, stream, well, spring, canal, ditch, gutter, lot or any other property or place, above or below ground level.
- B. Exceptions:
1. This section shall not apply to waste thrown, deposited or placed in containers meeting the requirements of this chapter and provided for the person's use, or a facility or site approved by the city.
 2. This section shall not apply to spreading of manure or other materials upon the land for fertilizing or conditioning the soil, provided a nuisance or health hazard is not created.
 3. This section does not preclude solid waste from being temporarily accumulated for immediate removal, if approved by the city.
 4. This section does not preclude the construction or operation of a compost pile, as provided in this section.
 5. This section does not apply to junk and scrap metal accumulated on the premises of a business enterprise lawfully situated and licensed for the same, if a nuisance or health hazard is not created.
- C. Abandoned Vehicles: It shall be unlawful for any person to abandon a vehicle upon any highway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property. For the purpose of this section, a vehicle shall be presumed to be abandoned if it is left unattended on a highway for a period in excess of twenty four (24) hours or on any public or private property for a period in excess of seven (7) calendar days without express or implied consent of the owner or person in lawful possession or control of the property.
- D. Accumulation Of Abandoned Vehicles: It shall be unlawful for any person to cause or permit any scrap metal, dismantled, junked, wrecked, abandoned or inoperable vehicles or vehicle parts to remain on any property or premises, unless in connection with a lawfully situated and licensed business or in an enclosed accessory structure such as a garage or barn, provided such building does not impose a threat to life safety, or a nuisance or health hazard and is constructed in accordance with all municipal ordinances

and state building codes and zoning regulations at the time of the original building construction. Carports are not considered "enclosed" for the purpose of this chapter.

- E. Removal Of Abandoned Vehicles: Any abandoned or inoperable vehicle on private property and not owned by the property owner may be removed upon the property owner's request.
- F. Cleaning Vacated Premises: Any person vacating a dwelling, storeroom or any other structure or the immediate grounds shall remove all garbage, trash, and refuse and leave the property in a sanitary condition within twenty four (24) hours after vacating.
- G. Removal Of Dead Animals: It shall be unlawful for any owner of a dead animal to knowingly permit said dead animal to remain upon any public street or property or private premises. If the owner of the dead animal does not remove and properly dispose of it himself, or cause it to be properly removed and properly disposed of within twenty four (24) hours after receipt of notice from the city, the city may cause it to be removed and disposed of and shall assess against the owner the actual costs of removal and disposal. The city may avail itself of all remedies at law to enforce removal, disposal and recovery of cost. If ownership of the dead animal cannot be determined, the owner of the property on which the dead animal is located shall be responsible for proper removal and disposal of the animal, and the assessing and recovering of costs shall apply to the property owner.
- H. Compost: A person may keep or maintain compost on his property for home gardening if the following requirements are met:
 - 1. The compost shall be located and maintained to prevent the spread of disease, the propagation or harborage of insects or rodents, the creation of any odor or nuisance, or any other condition that might affect the public health, safety or welfare.
 - 2. The compost shall not be used or sold as a commercial product or used in any licensed business operation unless the requirements of approval, permits, and operation given in sections 4-2-3 and 4-2-6 of this chapter are complied with.
- I. Handbills And Leaflets: Every person distributing commercial handbills, leaflets, flyers, advertising or information material shall prevent these materials from littering public or private property.

- J. Containers Provided: To facilitate proper disposal of litter by pedestrians and motorists, public establishments and institutions shall provide adequate containers that are emptied and maintained in good condition and meet the prescribed standards in this chapter. The requirements shall be applicable, but not limited to, fast food outlets, shopping centers, convenience stores, supermarkets, service stations, commercial parking lots, mobile canteens, motels, hospitals, schools and colleges.
- K. Construction And Demolition Projects: It shall be unlawful for the owner, agent or contractor in charge of any construction or demolition project to cause, maintain, permit or allow to be caused, maintained or permitted, the accumulation of any litter on the site before, during or after completion of the construction or demolition project.
1. It shall be the duty of the owner, agent or contractor to have on the site adequate containers for the disposal of litter and to make appropriate arrangements for its collection or final disposition at an authorized facility.
 2. It shall be unlawful for the owner, agent or contractor in charge of any construction or demolition project to place, for city furnished bulky waste collection, waste from construction or demolition projects.
 3. The owner, agent or contractor may be required by the city to show proof of appropriate collection, or if personally transported, of final disposition at an authorized facility.
- L. Loading And Unloading Operations: Any owner or occupant of an establishment or institution where litter is attendant to the packing or unpacking or loading or unloading of materials at exterior locations shall provide suitable containers for the disposal and storage of such litter. It shall be the duty of such owner or occupant to remove at the end of each working day any litter that has not been containerized at exterior locations.
- M. Keeping Property Clean:
1. It shall be the duty of the owner or occupant of property to keep property free of litter. This requirement applies not only to removal of loose litter, but to materials that are or become trapped at fence and wall bases, grassy and planted areas, borders, embankments or other lodging points.
 2. The owner or occupant whose property faces on municipal sidewalks, strips between streets and sidewalks, or strips between such properties and streets shall be responsible for keeping those sidewalks and strips free of litter.
 3. It shall be unlawful to sweep or push litter from sidewalks and steps into streets. Sidewalk and step sweepings shall be picked up and put into household or commercial solid waste containers.

- N. Sanitary Storage Of Waste Materials Required: The owner or occupant of any premises, residence, business establishment, institution, industry or recreation area shall ensure that all solid waste generated by such premises or establishment is stored to prevent the attraction, harborage, or breeding of insects or rodents or both and eliminate conditions harmful to public health or that create safety hazards, odors or nuisances.
- O. Sufficient Containers Required: Except as otherwise provided herein, each premises, residence, business establishment, institution, industry, construction or demolition project, or recreation area shall provide a sufficient number of containers meeting the requirements in subsections Q through T of this section, suitable for the type of material accumulated. The containers shall be sufficient to prevent overflowing and to accommodate all waste and litter accumulated between scheduled collections.
- P. Automated Collection Solid Waste Containers:
1. All dwellings and commercial units shall utilize the city furnished automated collection solid waste containers.
 2. It shall be unlawful to deface or otherwise damage city furnished automated collection solid waste containers.
 3. The city may supply additional automated collection solid waste containers to dwelling and commercial units, upon written request, at the fees set forth in the consolidated fee schedule and for minimum time periods established by the city.
- Q. Containers Provided: No waste contractor shall supply to customers solid waste storage containers that do not meet the requirements of this chapter. The name and phone number of the waste contractor shall be legibly written on the container in letters at least one inch (1") high.
- R. Maintenance Of Containers: If a waste contractor furnishes storage containers, the contractor shall be responsible for maintaining the containers in clean and good condition unless they are furnished under other terms, conditions or agreements. The waste contractor shall plan and work with the property owner or occupant, or both, for placement of the storage containers to minimize traffic and other problems on the property and for the general public.

- S. Loading Of Containers: Automated collection solid waste containers shall not be packed tightly with solid waste such that the waste will not easily slide out of the container when emptied. Automated collection solid waste containers shall not be filled with residential solid waste weighing more than two hundred (200) pounds.
- T. Containers To Be Kept Closed: Containers shall be kept securely closed at all times except when placing waste in or emptying waste from the container. All containers, including nonreusable containers, shall be stored and securely closed to prevent insects, rodents and other animals from gaining access to the contents and to prevent littering. The city may exempt containers used for the storage of rubbish from the cover requirements of this section.
- U. Standards Of Storage Containers: Containers used for the storage of solid waste shall meet the following minimum requirements:
1. Reusable type containers shall be:
 - a. Constructed of metal, plastic or rubber; durable; rust and corrosion resistant; watertight; and insect and rodentproof;
 - b. Kept clean and sanitary;
 - c. Outfitted with tight fitting lids or covers;
 - d. Provided with handles or devices sufficiently strong and accessible that the container may be handled conveniently;
 - e. Constructed with wide necks and mouth and tapered sides to prevent clogging and littering, if the containers are emptied manually; and
 - f. Capable of being emptied without the collector coming into physical contact with the solid waste.
 2. Nonreusable containers shall be constructed of reinforced weather resistant kraft paper or plastic designed specifically for the storage and collection of solid waste and have holding strength capable of withstanding stress until after collection. Plastic bags used for the storage and collection of solid waste shall be a thickness of 2.0 mils or more.
 3. Pasteboard boxes may be used for the storage and collection of waste material if the boxes can be easily handled and placed in the collection vehicle; weigh no more than fifty (50) pounds (23 kilograms) when filled; are filled with dry waste; are dry when collected; and are tightly covered to prevent littering.
 4. Wooden boxes, barrels and similar containers may be used if they have tight fitting covers.

5. Other types of containers shall meet the requirements of this chapter and be approved by the city and collection agency.

- V. **Storage Of Bulky Waste:** Bulky waste, or waste too large or otherwise unsuitable for storage containers, shall be stored temporarily in a way that does not create a health hazard, nuisance, fire hazard, rodent harborage or litter. No person shall store or leave outside any unattended or discarded ice box, refrigerator, freezer, washer, dryer or other similar bulky waste without removing or sealing any door or latch attached thereto and otherwise prevent it from being a hazard to children.
- W. **Storage Of Agricultural Waste:** Agricultural waste shall be stored to prevent insect or rodent production or sustenance, conditions for transmission of disease to man or animals, water and air pollution, and to minimize odors and nuisance conditions. No person having charge of any stable, stall, shed, coop, apartment or yard where any animal is kept, or in any place where manure or liquid discharges from any animal accumulate or collect, shall permit such stable, stall, shed, coop, apartment or yard to be kept unclean or unsanitary. Manure stacks shall be constructed or established and maintained to prevent runoff and leachate from entering surface or ground water.
- X. **Provision For New Building Site:** Before a building permit is issued for construction of a commercial building or multiple dwelling units, plans for the adequacy, location and accessibility of solid waste containerization and storage facilities shall be approved by the city.
- Y. **Storage Rooms:** Storage houses, rooms or areas used to store solid waste shall be of rodentproof construction, readily cleanable, and have proper drainage. Storage rooms or buildings not refrigerated shall be adequately vented and all openings screened to prevent entrance or egress of insects or rodents. Storage houses, rooms or areas used to store solid waste shall be kept in good repair, free from rodent or insect production, and any nuisance or unsanitary condition.
- Z. **Location Of Containers:** Solid waste and containers used for the storage of solid waste shall be stored at least three feet (3') (0.91 meters) from the property line of another person and located in places convenient for authorized users. No container shall be placed where it creates a nuisance.
- AA. **Unauthorized Use Of Container:** No person shall tamper, modify, remove or deposit solid waste in any container that has not been provided for his use, without the permission of the container owner. No person shall deposit solid waste from any business, apartment

house, multiple dwelling or public building in any receptacle for disposal of litter by pedestrians. (Ord. 8-13-02, 8-13-2002, eff. 8-13-2002)