

**BARNWELL CITY CODE**

**Chapter 24**

**SOLID WASTE**

**Article I. In General**

**Secs. 24-1--24-18. Reserved.**

**Article II. Garbage and Refuse**

**Sec. 24-19. Definitions.**

**Sec. 24-20. Collection by city, promulgation of regulations.**

**Sec. 24-21. Days of collection established.**

**Sec. 24-22. Residential pickup procedures.**

**Sec. 24-23. Number of roll-a-waste containers.**

**Sec. 24-24. Use and maintenance of roll-a-waste containers, prohibitions.**

**Sec. 24-25. Commercial and industrial containers.**

**Sec. 24-26. Use and maintenance of containers.**

**Sec. 24-27. Damaged containers.**

**Sec. 24-28. Unauthorized use of commercial containers, responsibility of user.**

**Sec. 24-29. Number of containers permitted.**

**Sec. 24-30. Containers to be put out at time fixed.**

**Sec. 24-31. Interference with contents of containers.**

**Sec. 24-32. Number of pickups.**

**Sec. 24-33. Dumping of garbage, etc.**

**Sec. 24-34. Placing or sweeping trash, rubbish, etc., onto street or sidewalk.**

**Sec. 24-35. Industrial and building materials and refuse.**

**Secs. 24-36--24-58. Reserved.**

**Article III. Refuse Service Charges**

**Sec. 24-59. Levy and collection.**

**Sec. 24-60. Roll-a-waste containers.**

**Sec. 24-61. Commercial containers.**

**Sec. 24-62. Payment, when due.**

**Sec. 24-63. Applications for container for single-level housing facilities.**

**Sec. 24-64. Garbage fees to be collected with water and sewer bills.**

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SOLID WASTE

§ 24-20

**ARTICLE I. IN GENERAL**

**Secs. 24-1--24-18. Reserved.**

**ARTICLE II. GARBAGE AND REFUSE**

**Sec. 24-19. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Ashes* means the cold residue from the burning of wood, coal, coke or other combustible materials.

*Commercial container* means a metal container approved by the city.

*Curbside* means the area at the edge of a road where garbage and trash shall be placed. The term "curbside" means the area immediately adjacent to the edge of the roadway.

*Garbage* means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*Refuse* means all putrescible and nonputrescible solid wastes, except body wastes, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

*Roll-a-waste container* means a type of garbage container, provided by the city and specified by the administrator for use in garbage and trash collection. Such container shall remain the property of the city.

*Rubbish* means nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

(Code 1989, § 10.301.1)

**Sec. 24-20. Collection by city, promulgation of regulations.**

(a) All refuse accumulated in the city shall be collected, conveyed and disposed of by the city or designated contractor, under supervision of the administrator.

(b) The administrator shall have the authority to make regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection, conveyance and disposal as he shall find necessary and to change and modify the same; provided, that such regulations are not contrary to the provisions hereof. It shall be unlawful for any person to fail, neglect or refuse to comply with such regulations so promulgated and approved.

(c) No person, other than those under the direction of the administrator, shall haul away or remove

## BARNWELL CITY CODE

### § 24-20

any refuse set out for collection as provided for in this chapter, except by written consent of the administrator.  
(Code 1989, § 10.301.2)

### **Sec. 24-21. Days of collection established.**

The city shall collect residential garbage, based upon a schedule as prepared by the administrator.  
(Code 1989, § 10.301.3)

### **Sec. 24-22. Residential pickup procedures.**

Accumulations of refuse shall be placed in roll-a-waste containers and placed at the curbside no earlier than 7:00 p.m. on the evening prior to the designated collection day and shall be removed from the curbside by 7:00 p.m. on such designated collection day. Persons who fail to remove the roll-a-waste cart from the curb by 7:00 a.m. on the day following the designated collection day shall be issued a written warning of such violation. Upon the issuance of the third such warning, with the approval of the city administrator, the cart may be removed and garbage and refuse service terminated to such residence. At such time, the disposal of garbage, refuse and trash shall become the responsibility of the property owner.  
(Code 1989, § 10.301.4)

### **Sec. 24-23. Number of roll-a-waste containers.**

Each residence shall be provided with one roll-a-waste container. One additional container will be provided, upon the demonstrated need for such container for a fee.  
(Code 1989, § 10.301.5)

### **Sec. 24-24. Use and maintenance of roll-a-waste containers, prohibitions.**

(a) The containers shall not be used for purposes other than the storage of refuse which is noncombustible.

(b) The deposit of poisons, acids, caustics, explosives, soils, construction materials, furniture or any other materials which would cause damage to the containers or the mechanical lifting devices on collection vehicles is prohibited.

(c) Writing, marking, cutting, painting or any abusive treatment of such containers is prohibited.  
(Code 1989, § 10.301.6)

## SOLID WASTE

§ 24-28

### **Sec. 24-25. Commercial and industrial containers.**

(a) Properly sized commercial containers for refuse collection, as may be designated by the sanitation department, shall be provided by the owner of all commercial and industrial establishments. These also shall include businesses, schools, churches, clubs, eleemosynary institutions, clinics or any other locations where the use of such containers is considered to be advantageous to the general welfare of the city for reasons of health, sanitation, economy or appearance.

(b) A commercial or industrial establishment may be allowed by the sanitation department to make use of roll-a-waste containers for refuse collection. In such case, they shall be governed by the rules for residential collection.

(Code 1989, § 10.301.7)

### **Sec. 24-26. Use and maintenance of containers.**

Those persons generating large objects of refuse shall be required to first reduce the size of such objects before placing them in the commercial container or roll-a-waste containers for disposal. Large objects shall include, but not be limited to, cardboard boxes, paper containers, wooden boxes and crates and other such objects larger than 18 inches in width or depth and 18 inches in height. It shall be unlawful for the containers to remain open except while being serviced. Users of containers shall be responsible for keeping containers closed. It shall be unlawful to burn refuse in commercial or roll-a-waste containers. Refuse set outside of commercial containers shall not be collected. Refuse set outside roll-a-waste containers shall be collected. Commercial containers shall not be serviced if ready access is not available to the container. Roll-a-waste containers shall be placed at curbside to be emptied, unless a waiver of this requirement, for medical reasons, has been granted by the city administrator.

(Code 1989, § 10.301.8)

### **Sec. 24-27. Damaged containers.**

The replacement cost of any roll-a-waste container found to be damaged due to placing unauthorized objects into container or through neglect of user, shall be charged to said user.

(Code 1989, § 10.301.9)

### **Sec. 24-28. Unauthorized use of commercial containers, responsibility of user.**

- (a) It shall be unlawful to place the following objects into commercial containers:
- (1) Tires.
  - (2) Building materials.

BARNWELL CITY CODE

§ 24-28

- (3) Bed springs.
- (4) Box springs.
- (5) Mattresses.
- (6) Stoves.
- (7) Refrigerators.
- (8) Water heaters.
- (9) Large furniture items.
- (10) Poles.
- (11) Hot ashes.
- (12) Hazardous waste.

(b) It has been determined that the above objects cause damage to the packing mechanism of the garbage truck. It will be the responsibility of the users to ensure that none of the above objects are placed into commercial containers. It will also be the responsibility of the person or business that generates the objects in subsection (a) of this section to ensure that they are properly disposed of. The sanitation department is authorized, upon the showing of special circumstances and conditions, to authorize a modification of the requirements contained in this section.

(Code 1989, § 10.301.10)

**Sec. 24-29. Number of containers permitted.**

Each user shall be limited to four containers. The sanitation department is authorized, upon the showing of special circumstances and conditions, to authorize a modification of the limits contained in this section.

(Code 1989, § 10.301.11)

**Sec. 24-30. Containers to be put out at time fixed.**

It shall be the duty of each landlord, tenant or storekeeper to see that all refuse containers are set out at such time as may be fixed by the sanitation department.

(Code 1989, § 10.301.12)

**Sec. 24-31. Interference with contents of containers.**

No person shall overhaul, molest or interfere with the contents of any container set out for removal, unless permission is granted by the sanitation department.  
(Code 1989, § 10.301.13)

**Sec. 24-32. Number of pickups.**

The number of pickups shall be determined by the sanitation department, subject to the approval of the city council.  
(Code 1989, § 10.301.14)

**Sec. 24-33. Dumping of garbage, etc.**

No refuse or offensive or disease-producing material shall be dumped on any lot or space within the city for any purpose.  
(Code 1989, § 10.301.15)

**Sec. 24-34. Placing or sweeping trash, rubbish, etc., onto street or sidewalk.**

(a) It shall be unlawful for any person to put, place or throw any refuse, trash, house sweepings, paper cups, garbage, shavings or any other rubbish upon any sidewalk or in any public street, public alley or other public place except in containers of the type required by this chapter and special sidewalk containers made available in the downtown business district.

(b) It shall be unlawful for any person to deposit in or sweep into any street, sidewalk, gutter or catchbasin any refuse, paper, trash, rubbish, broken glass, tin cans, bottles, fruit or vegetable peelings or any other refuse, ashes or waste. Such materials shall be accumulated as hereinbefore specified and placed in containers as defined in section 24-19. Nor shall any house holder or storekeeper, by himself or agent, cause to be swept from any house, yard, store or elsewhere, any dirt or refuse in or upon the sidewalks or public streets.  
(Code 1989, § 10.301.16)

**Sec. 24-35. Industrial and building materials and refuse.**

No building materials or refuse from building operations or landscape contract work will be removed from any lot by the city. All large accumulations of glass, shavings or waste materials of any kind resulting from building operations shall be removed by the contractor in charge of such building operation.  
(Code 1989, § 10.301.20)

**Secs. 24-36--24-58. Reserved.**

BARNWELL CITY CODE

§ 24-59

**ARTICLE III. REFUSE SERVICE CHARGES**

**Sec. 24-59. Levy and collection.**

A special garbage and trash collection fee for the collection of refuse is hereby levied and shall be collected. In no event shall the special fee be waived.

(Code 1989, § 10.302.1)

SECTION 1: Chapter 24, Article III, Section 24-60 and Chapter 24-61 of the City Code of Barnwell are hereby amended by deleting said sections in their entirety and inserting in lieu thereof new Sections which shall read as follows:

**Sec. 24-60. Roll-a-waste containers.**

(a) There is hereby established a special fee for use of roll-a-waste containers in the amount of fourteen dollars (\$14.00) per cart per month for residential customers and fifteen dollars (\$15.00) per cart per month for commercial customers.

(b) In the case of shared containers, each residence or business shall be charged the minimum fee.

(Code 1989, § 10.302.2; Ord. No. 91-7, 8-5-1991; Ord. No. 89-4, 7-3-1989; Ord. No. 2008-6, § 1, 9-15-2008; Ord. No. 2011-3, 9-12-2011; Ord. No. 2014-3, 9-8-14; Ord. No. 2016-4, 8-1-16)

**Sec. 24-61. Commercial containers. Deleted.**

SECTION 2: All Ordinances or parts of Ordinances in conflict herewith are repealed to the extent of inconsistency.

SECTION 3: This Ordinance shall become effective on the utility bills rendered on October 31, 2014.

(Code 1989, § 10.302.3; Ord. No. 91-7, 8-5-1991; Ord. No. 89-4, 7-3-1989; Ord. No. 2008-6, § 2, 9-15-2008; Ord. No. 2011-3, 9-12-2011; Ord. No. 2014-3, 9-8-14)

**Sec. 24-62. Payment, when due.**

The refuse special fee provided for in this article shall be due and payable under the same rules and regulations as are provided for the collection of utility bills and paid therewith.

(Code 1989, § 10.302.4)



SOLID WASTE

§ 24-64

**Sec. 24-63. Applications for container for single-level housing facilities.**

Single-level housing facilities containing more than two dwelling units may have refuse collected through the use of a commercial container or through the use of a roll-a-waste container. If method chosen is commercial container, the service charges shall be borne by the owner of the housing facility.  
(Code 1989, § 10.302.5)

**Sec. 24-64. Garbage fees to be collected with water and sewer bills.**

Garbage fees shall be collected with the water and sewer bills sent to each residential and commercial customer.  
(Ord. No. 2008-6, § 3, 9-15-2008)