

AN ORDINANCE REGULATING SOLID WASTE MANAGEMENT

(Storage, Collection, Transportation, Processing and Disposal)

ORDINANCE NO. 101

AN ORDINANCE: PERTAINING TO PUBLIC HEALTH, SAFETY AND WELFARE: REGULATING STORAGE, COLLECTION, TRANSPORTATION, PROCESSING AND DISPOSAL OF SOLID WASTE: PROVIDING FOR COLLECITON AND DISPOSAL OF SOLID WASTE: PROVIDING A PENALTY FOR VIOLATION OF THE PROVISIONS OF THIS ORDINANCE AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Board of Trustees of the Village of Saint Elizabeth, as follows:

SECTION 1. DEFINITIONS

For the purpose of this ordinance the following terms shall be deemed to have the meaning indicated below:

APPROVED INCINERATOR - an incinerator which complies with all current regulations of the Missouri Air Conservation Commission.

BULKY RUBBISH - non-putrescible solid wastes consisting of combustible and non-combustible waste materials from dwelling units, commercial, industrial, institutional, or agricultural establishments which are either too large or too heavy to be safely and conveniently loaded in solid waste collection vehicles by solid waste collectors, with the equipment available therefor.

CITY - the Village of Saint Elizabeth, Missouri.

COLLECTION - removal and transportation of solid waste from its place of storage to its place of processing or disposal.

DEMOLITION AND CONSTRUCTION WASTE - waste materials from the construction or destruction of residential, industrial or commercial structures.

DIRECTOR - the Chairman and Board of Trustees, or their authorized representative.

DISPOSABLE SOLID WASTE CONTAINER - disposable plastic or paper sacks with a capacity of 20 to 35 gallons specifically designed for storage of solid waste.

DWELLING UNIT - any room or group of rooms located within a structure, and forming a single habitable unit with facilities which are used, or are intended to be used,

SECTION 2.2 - The occupant of every dwelling unit and of every institutional, commercial, industrial, agricultural or business establishment shall place all solid waste to be collected in proper solid waste containers, except as otherwise provided herein, and shall maintain such solid waste containers and the area surrounding them in a clean, neat and sanitary condition at all times.

SECTION 2.3 - Residential solid waste shall be stored in containers of not more than 35 gallons nor less than 20 gallons in nominal capacity. Containers shall be leakproof, waterproof, and fitted with a fly-tight lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The container shall have handles, bails or other suitable lifting devices or features. Containers shall be of a type originally manufactured for residential solid waste, with tapered sides for easy emptying. They shall be of light weight and sturdy construction. The weight of any individual container and contents shall not exceed 75 pounds. Galvanized metal containers, rubber or fiberglass containers, and plastic containers which do not become brittle in cold weather, may be used. Disposable solid waste containers with suitable frames or containers as approved by the Director may also be used for storage of residential solid waste.

SECTION 2.4 - Commercial solid waste shall be stored in solid waste containers as approved by the Director. The containers shall be waterproof, leakproof and shall be covered at all times except when depositing waste therein or removing the contents thereof. All solid waste container containing commercial solid waste which are to be manually lifted shall meet the same requirements as set forth in Section 2.3 for residential solid waste containers.

SECTION 2.5 - Tree limbs less than 4" in diameter and brush shall be securely tied in bundles not larger than 48" long and 18" in diameter when not placed in storage containers. The weight of any individual bundle shall not exceed 75 pounds.

SECTION 2.6 - Yard wastes shall be stored in containers so constructed and maintained as to prevent the dispersal of wastes placed therein upon the premises served, upon adjacent premises, or upon adjacent public rights of way. The weight of any individual container and contents shall not exceed 75 pounds.

SECTION 2.7 - Solid waste containers which are not approved will be "tagged" by the solid waste collection agency. The tag shall indicate to the occupant the reason or reasons why the container is not approved. The City shall be informed of each such action.

SECTION 3. COLLECTION OF SOLID WASTE

SECTION 3.3 - Tree limbs and yard wastes, as described in Sections 2.5 and 2.6 respectively, shall be placed at the curb for collection. Solid waste containers as required by this ordinance for the storage of other residential solid waste shall also be placed at the curb for collection. Any solid waste containers, tree limbs, yard wastes, or other solid waste permitted by this ordinance to be placed at the curb or alley for collection shall not be so placed until the regularly scheduled collection day.

SECTION 3.4 - Bulky rubbish will be collected at any time by the collection agency for a special charge.

SECTION 3.5 - Solid waste collectors, employed by the City or a solid waste collection agency operating under contract with the City, are hereby authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Ordinance. Solid waste collectors shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste.

SECTION 3.6 - The following collection frequencies shall apply to collections of solid waste within the City:

All residential solid waste, other than bulky rubbish, shall be collected once weekly. All commercial solid waste shall be collected once weekly.

SECTION 3.7 - Residential solid waste containers shall be stored upon the residential premises. Commercial solid waste containers shall be stored upon private property, unless the owner shall have been granted written permission from the City to use public property for such purposes. The storage site shall be well drained; fully accessible to collection equipment, public health personnel and fire inspection personnel.

SECTION 3.8 - All collection vehicles shall be maintained in a safe, clean and sanitary condition, and shall be so constructed, maintained and operated as to prevent spillage of solid waste therefrom. All vehicles to be used for collection of solid waste shall be constructed with water-tight bodies with covers which shall be an integral part of the vehicle or shall be a separate cover of suitable material with fasteners designed to secure all sides of the cover to the vehicle and shall be secured whenever the vehicle is transporting solid waste, or, as an alternate, the entire bodies thereof shall be enclosed, with or, as an alternate, the entire bodies thereof shall be enclosed, with only loading hoppers, exposed. No solid waste shall be transported in the loading hoppers.

lawful performance of their duties as such, whether such equipment or collection shall be those of the City, or those of a solid waste collection agency operating under contract with the City; (3) burn solid waste unless an approved incinerator is provided or unless a variance has been obtained from the appropriate air pollution control agency; (4) dispose of solid waste at any facility or location which is not approved by the City and the Missouri Department of Natural Resources (5) engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the City without a contract from the City.

SECTION 6. SERVICE CHARGES

Service charges for residential and commercial service shall be levied and collected by the solid waste collection agency contracting with the City.

SECTION 7. PENALTIES

Any person violating any of the provisions of this ordinance, or any lawful rules or regulations promulgated pursuant thereto, upon conviction, shall be punished by a fine of not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00); provided, that each day's violation thereof shall be a separate offense for the purpose hereof.

SECTION 8. INSURANCES

Solid waste collection agencies operating under contract with the City shall maintain in force insurances in the types and amounts acceptable to the City. Such types and amounts shall be specified in the contracts.

SECTION 9. SEVERABILITY CLAUSE

The provisions of this ordinance are severable and if any provisions or part there of shall be held invalid or unconstitutional or inapplicable to any person or circumstance, such invalidity, unconstitutionality or inapplicability shall not affect or impair the remaining provisions of this ordinance.

This ordinance shall become effective upon May, 1978.

PASSED AND APPROVED THIS 30th DAY OF May, 1978.

Alfred Dickmire
Chairman