

**ORDINANCE #** 2024-018

**AN ORDINANCE TO ESTABLISH PROPER PLACEMENT AND DISPOSAL OF SOLID WASTE, BULKY ITEMS, TREE TRIMMINGS, AND OTHER DEBRIS AND TO ESTABLISH THE COST OF DISPOSING OF BULKY ITEMS AND OTHER DEBRIS.**

**WHEREAS**, the previous Ordinance No. 2017-04 did not adequately cover all circumstances involved, and therefore, it is hereby repealed.

**And WHEREBY**, this Ordinance is necessary to establish the proper placement and disposal of solid waste, bulky items, tree trimmings, and other debris and to establish the cost of disposing of bulky items and other debris.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE CITY COUNCIL OF TUCKERMAN.**

**SECTION 1.** ORDINANCE NO. 2017-04 is hereby repealed.

**SECTION 2. DEFINITIONS**

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

Approved container means any container for solid waste, such as plastic or metal cans with a top and two (2) handles or plastic garbage bags properly tied shut, which will hold solid waste, protect it from the elements, and keep it contained for hand dumping into collector trucks. Garbage bags, when full, should not exceed 50 pounds in weight. If left curbside, unapproved containers (such as large chemical, wood, metal, or other fabricated containers) will be confiscated and destroyed by the City of Tuckerman.

Bulky waste items include furniture, white goods (appliances such as stoves and appliances with a cooling element that might contain refrigerants) (such as refrigerators, window air conditioning units, automobile air conditioners, freezers, water coolers, ice makers, and dehumidifiers), must be tagged that the freon has been removed, water heaters, washing machines, dryers. Tree cuttings (must be no more than five feet long) and construction materials are limited to one cubic yard or less. Tree trimmings, large branches, wood, or limbs resulting from regular seasonal cleanup and pruning, and trees removed by tree service companies or individuals engaged in such service for hire are not defined as bulky waste. The removal of such items is the responsibility of the property's owner, occupant, tenant, or lessee.

Commercial/ industrial shall be defined as places of commerce or industry that generate solid waste streams, generally two cubic yards or more per week.

Extraordinary materials shall be defined as hazardous wastes, body wastes, dead animals, abandoned vehicles, vehicle parts, large equipment, and components thereof.

Garbage means the same as and is defined as solid waste.

Hazardous materials shall be defined as hazardous wastes because of their pathological, explosive, radiological, or toxic characteristics or because they are described as hazardous by any state or federal law or regulation.

Multiple residential units shall be defined as a structure containing (2) two or more dwelling units.

Rubbish or yard trash is defined the same way and shall be defined as solid waste.

Solid waste is all putrescible and non-putrescible waste in the solid or semisolid form including, but not limited to, garbage, rubbish, ashes or incinerator residue, or street refuse, but excluding extraordinary materials and hazardous materials, as defined herein, except large branches, trees or bulky or non-combustible materials not susceptible to normal loading and collection in load-packer (garbage truck) or other sanitation equipment used for regular collections from domestic households.

Special materials are bulky or other special wastes that are not stored in approved containers and cannot be picked up by hand.

Trash means the same as solid waste and shall be defined as such.

Units are places of residences or businesses within the city that generally and typically generate less than two cubic yards of solid waste per week. With respect to residences, a single unit is a

dwelling place in which a single family or group of individuals regularly live and share standard bath and kitchen facilities. With respect to businesses, a single unit is a single place of business owned and operated for the benefit of the business owner. Combined units of businesses, such as shopping centers, if the waste stream is separated for each unit, are considered as units hereunder unless the common owner of all such units elects to combine such waste stream into consolidated containers, thereby generating two cubic yards or more per week, in which case, these units shall not be serviced hereunder, but shall be serviced through the common owner by a commercial/ industrial contractor.

### **Section 2 – Collection Frequency.**

The City of Tuckerman shall furnish solid waste collection services to all residential and business establishments within the city that generate less than two cubic yards of solid waste weekly. The sanitation department of the City of Tuckerman has scheduled collection routes and days and will keep such information current at all times. If changes to routes or schedules will alter the day of pick-up, the city shall notify each customer affected by mail, news media, or the city's social media account not less than one week before changes are made.

### **Section 3 – Same – Conditions.**

Weekly collections are to be made under the following conditions:

1. Proper containers are required. Each residential or business establishment shall use approved containers as this chapter defines.
2. Yard and other trash. When residents find it necessary to dispose of yard or other waste, excluding garbage and empty containers, they shall place all such trash in disposable containers of not more than 50 pounds each and at the street curb by the residents on the pick-up date.
3. Location: all solid waste shall be placed in approved containers at a location prior to scheduled collection that is readily accessible to the sanitation department personnel.
  - A. **Residential:** Solid waste shall be placed at a single collection point within six feet of the curb.
  - B. **Business:** Solid waste shall be kept on the premises in approved containers and placed at a single collection point easily accessible to the collection vehicles near the street or alley.

#### Section 4 – Placement of Containers.

The City of Tuckerman establishes the curbside dates and collection points for trash collection, referred to in section 2, which shall give adequate notice thereof to each owner, occupant, tenant, or lessee. Curbside collection points are established for efficient and economical collection service.

1. It shall be unlawful for the owner, occupant, tenant, or lessee of any dwelling or place of business to allow solid waste to accumulate on his premises or to cause an unsightly or unsanitary condition.
2. It shall be unlawful for such owner, occupant, tenant, or lessee to place trash or garbage containers at the curbside or collection point more than 24 hours before or to allow them to remain more than 24 hours after the scheduled collection date, except for showing cause.
3. Except when placed at the curbside collection point, all trash or garbage containers shall be stored in a manner that is not visible from the front of the dwelling. They may be stored on the side of the dwelling, not projecting beyond the front roofline.
4. **Penalty for violations:** Any person violating any of the provisions of this article shall be subject to a fine as provided by **Section 5 of Ordinance # 2023-006.**

#### Section 5 – Removal of construction refuse and debris, old appliances, bulky waste, etc.

- (a) The authorized private solid waste contractor shall not in any way be required or obligated to collect or remove from private property refuse or debris resulting from the repair, razing, or construction of buildings, nor to collect or remove old stoves, refrigerators, wood, or limbs, etc. nor to render any other services unless specifically provided for in this chapter. The removal of such items will be the sole responsibility of the property owner, occupant, tenant, or lessee.
- (b) The City of Tuckerman's Sanitation and Public Works Department will collect bulky waste as defined in this ordinance for its businesses and residents on a case-by-case basis. Residents and businesses will be required to contact the public works department and will be required to fill out a (bulk item pick-up form). This service will cost \$50.00, fifty dollars even per pick-up, paid by cash or check. These forms and receipts will be kept on file in the office of the City Clerk. The property owner, occupant, tenant, or lessee must sign the bulk item pick-up forms to remove bulky waste. Before placing bulky waste items at the curbside, residents must call the Tuckerman Public Works Department to schedule a pick-up. Multiple residential households shall not combine bulky waste items for pick-up at one household.
- (c) Tree trimmings and landscaping debris accumulated during regular yard maintenance will be exceptions to this section.

**Section 6 – Handling of Funds Generated from Bulk Item Pick-up.**

1. The money collected and generated from bulk item pick-up shall be the sole responsibility of The City of Tuckerman. It should be deposited into The City of Tuckerman's Street fund account.

**Section 7 – Containment of Construction Refuse and Debris**

The general contractor of any construction site shall provide adequate trash containment facilities for the construction site. All such trash containment facilities must be able to hold a minimum of five cubic yards of refuse. The trash containment facility must be in place no later than at the time of the site's first inspection by the City Inspector or Mayor or their authorized representative. The trash containment facility shall be emptied on a timely and regular basis so that trash refuse is contained within the containment facility at all times. If the city receives a complaint regarding a trash containment facility at a construction site, the city inspector, mayor, or authorized representative shall request that the general contractor make efforts to remedy the situation. If subsequent complaints are received by the city pertaining to the same construction site, the city inspector, mayor, or their authorized representative shall provide the general contractor with written notice that the general contractor has (3) working days to remedy the situation. If the general contractor does not remedy the situation within that time, it shall be considered a violation of **Ordinance 2023-006 and punishable under this code**. In addition, the City Inspector or his authorized representative shall cease all inspections until the construction site complies with this section.

PASSED AND ACCEPTED this 11<sup>th</sup> day of March, 2024

ATTEST Vickie Adams  
CITY CLERK

[Signature]  
MAYOR ZACK GRAHAM

