

ORDINANCE NO.: 2009-046

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 19, Solid Waste Management, Article II, Collection and Disposal, Sec. 19-31 Definitions, Bulk container; Sec. 19-40 Frequency of collection; limitations on quantity of waste; Sec. 19-41 Restrictions on collection, (g) Bulk containers for multiple dwelling units and (h) Bulk containers for commercial and industrial users; and Sec. 19-43 Service fees to delete (3) Property exempt from ad valorem tax, and (5) Taxable nonresidential properties (b) Dumpster service, disposal fees/twice per week service

BE IT ORDAINED by the Mayor and Council this 24th day of June, 2009, that the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 19, Solid Waste Management, Article II, Collection and Disposal, Sec. 19-31 Definitions, Bulk container; Sec. 19-40 Frequency of collection; limitations on quantity of waste; Sec. 19-41 Restrictions on collection, (g) Bulk containers for multiple dwelling units and (h) Bulk containers for commercial and industrial users; and Sec. 19-43 Service fees to delete (3) Property exempt from ad valorem tax, and (5) Taxable nonresidential properties (b) Dumpster service, disposal fees/twice per week service,:

ARTICLE II. COLLECTION AND DISPOSAL

Sec. 19-31. 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 refuse resulting from the burning of wood, coal, coke and other combustible material which has no live embers.

Bulk container means a container of not less than two cubic yards or larger than eight cubic yards. The container is to be of tight construction in order to secure the waste materials to prevent littering.

Garbage means refuse of animal or vegetable foodstuffs resulting from the handling, preparation, cooking and consumption of food.

Hazardous refuse means materials such as poison, acids, caustics, infected materials and explosives.

Industrial waste means all waste generated from manufacturing plants, factories, lumber mills, wholesale stores, bottling works, printing establishments and garages.

Litter means any quantity of garbage or rubbish not properly containerized for disposal.

Multiple residential unit means any duplex, condominium, apartment or group of apartments used for dwelling places of more than one family which is taxed on an assessment equal to six percent of the fair market value of the property.

Recyclable materials include but are not limited to aluminum, newsprint, glass (clear, green and amber) and plastic (polyethylene terephthalate and high density polyethylene), and such other materials as the council may identify from time to time.

Recyclables container means a plastic receptacle carrying identification of the city and whose design, construction and capacity shall be designed by the city. Recyclables containers shall be furnished by the city. Their use shall be primarily for single-family and multifamily dwellings of six or fewer units. Recyclables containers remain the property of the city.

Retail and commercial mean any office, retail store, restaurant, hotel, religious, charitable or governmental offices, or private clubs.

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Roll cart means a plastic, wheeled refuse receptacle having a tightfitting attached lid carrying identification of the city and a designated serial number and whose design, construction and capacity shall be designed by the city. Roll carts shall be furnished by the city. Their use shall be primarily for single-family and multifamily dwellings of six or fewer units. Roll carts remain the property of the city.

Rubbish means all refuse other than garbage, ashes or dead animals incident to the ordinary conduct of the household or of retail business.

Single residential unit means any dwelling place occupied by one family.

Small dead animals means dead cats, dogs and other animals of similar size.

Sec. 19-32. Authority of director of public services.

The collection, removal and disposal of all waste from premises by the city shall be under the jurisdiction of the director of public services.

Sec. 19-33. Enforcement generally; penalty; citations.

It shall be the duty of the director of public services and chief sanitarian with the assistance of such other persons or code enforcement officials as the city manager may direct, to see that the provisions of this article are enforced except where otherwise specifically provided for by ordinance. Individuals violating the provisions of this article are guilty of a misdemeanor, punishable, upon conviction, in accordance with section 1-5. The director of public services and chief sanitarian and such other persons or code enforcement officials as the city manager may direct shall issue citations to individuals violating the provisions of this article.

Sec. 19-34. Materials to be removed by occupant.

(a) *Non-household waste.* Rubbish, ashes or building materials not resulting from normal household use must be removed from the premises by the occupant.

(b) *Packing materials.* Any owner or occupant of any establishment or institution where packing and unpacking and/or loading and unloading of materials at exterior locations take place shall provide suitable containers there for the disposal and storage of such materials and shall make appropriate arrangements for the collection and disposal thereof.

Furthermore, it shall be the duty of the owner or occupant to remove at the end of each working day any materials that have not been containerized at these locations.

Sec. 19-35. Receptacle requirements; placement of receptacles at curbside.

(a) *Receptacles generally.* Every person producing or having refuse collected by the city shall keep, on the premises or property occupied or used by him, refuse roll carts or bulk containers as specified in this article, in locations accessible using normal collection methods, to handle accumulations of refuse on the premises or property in the interval between collections by the city. In those areas designated by the city, every person producing or having recyclable materials to be collected by the city may, on a voluntary basis and upon request to the city, keep on the premises or property occupied or used by him recyclables containers as specified in this article, in locations accessible using normal collection methods, to handle accumulations of recyclable materials on the premises or property in the interval between collections by the city.

(b) *Placement at curb.* Roll carts and, in those areas designated by the city, recyclables containers are to be placed at curbside no later than 8:00 a.m. on the day of the collection and removed no later than 7:30 p.m. on the day of collection. Special exceptions to this requirement may be granted when the superintendent of solid waste determines that there is no person living in the house who is

physically capable of rolling the cart to and from the curb or carrying the recyclables containers to the curb.

(c) *Roll carts.* One roll cart shall be issued to each household in the city. The roll carts remain the property of the city for use of the households to which they are issued. Residents who damage roll carts issued to them must pay for repairing the carts or purchasing replacement carts from the city. Carts that are damaged through normal use as a result of being emptied by city forces will be repaired or replaced at city expense. Collection will be suspended at any location at which a roll cart is missing or at which a roll cart is damaged to such an extent as to interfere with normal collection methods.

(d) *Recyclables containers.* A recyclables container shall be issued to each requesting household in those areas designated by the city. The recyclables containers shall remain the property of the city for use of the household to which they are issued. Residents who damage or lose the recyclables container issued to them must pay for purchasing a replacement recyclables container from the city. Recyclables containers that are damaged through normal use as a result of being emptied by city forces will be replaced at city expense.

Sec. 19-36. Placement of waste in receptacles.

(a) Garbage and rubbish must be placed in refuse roll carts or bulk containers as specified in this article. In those areas designated by the city, recyclable materials, in order to be recycled, must be placed in recyclables containers. Glass and plastic shall have all lids removed prior to being placed in the recyclables container. Other material resulting from normal household use also should be placed in refuse roll carts, provided the total weight of the filled receptacle shall not exceed 200 pounds.

(b) As many as three 30-gallon trash bags and/or boxes will be collected biweekly with the roll cart. Solid waste in excess of the amounts described in this section will be removed by the street cleaning crew on the assigned day.

Sec. 19-37. Materials not to be placed in receptacles.

(a) *Excess waste.* Materials resulting from normal household use, other than garbage, in quantities too great to be placed in roll carts may be placed contiguous to the front of the household premises off of the paved portion of the street right-of-way, but not in median strips or in front of property of another without consent.

(b) *Bulky waste.* Appliances, furniture, bedding and other bulky items resulting from normal household use shall be subject to special collection upon call to the sanitation division. These items shall be placed at the street only on the day agreed to for pickup.

(c) *Tree trimmings and yard waste.* Shrubbery trimmings, tree trimmings, grass clippings, leaves and other outdoor vegetation shall be kept separate from all other garbage, rubbish or other household materials and be placed contiguous to the front of the premises off of the paved portion of the street right-of-way, but not in median strips or in front of property of another without consent. Tree limbs shall not exceed six feet in length or have diameters greater than eight inches.

Sec. 19-38. Bringing refuse into city.

It shall be unlawful for any person to bring any type of refuse that originates outside the city limits into the city for collection by city forces.

Sec. 19-39. Retail and commercial establishments.

- (a) Retail and commercial establishments not required to furnish bulk containers will utilize roll carts. Each establishment will be furnished one roll cart by the city. Businesses generating refuse in excess of the capacity of one roll cart must convert to bulk container service or purchase additional roll carts as specified by the director of public services.
- (b) Business and commercial establishments having no accessible rear entrance may place refuse roll carts or bulk containers at curbs in front of the business establishment between the hours of 6:00 p.m. and 10:00 p.m. All refuse roll carts or bulk containers placed on the sidewalk at the curb by such establishments must be removed by 9:00 a.m. following collection.
- (c) Disposal of used appliances, used furniture, used tires, shipping units, boxes, etc., by retail and commercial establishments shall be subject to a charge when these items exceed containerization for roll carts or bulk containers. The director of public services shall notify such establishments to dispose of such items that exceed containerization by weight, type, size or quantity. Upon such notification, establishments must dispose of described materials at an approved landfill.
- (d) Any establishment or institution which cannot meet any of the prescribed requirements of this section shall make appropriate arrangements for collection and disposal or transport to a state permitted landfill.

Sec. 19-40. Frequency of collection; limitations on quantity of waste.

Except in those areas designated by the city for the recycling of recyclable materials, not more than one garbage collection and one trash collection shall be provided per week for residential property. In those areas designated by the city for the recycling of recyclable materials, one garbage and recyclable materials collection and one trash collection shall be provided per week for residential property.

Sec. 19-41. Restrictions on collection.

- (a) *Receptacles on streets or sidewalks.* All receptacles for business or commercial establishments shall be made available to the collectors not later than 7:00 p.m. All receptacles placed on city streets or sidewalks shall be removed not later than 9:00 a.m. following collection, and no receptacles shall be placed on any sidewalk or street between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday or between the hours of 10:00 p.m. Saturday through 6:00 p.m. Sunday.
- (b) *Bulk containers.* All bulk containers shall have the words "No Parking--Towing Enforced" or words of similar import in letters of not less than four inches in height in contrasting color painted on the approach side of the container. Parking enforcement shall be the responsibility of the recipient of collection services.
- (c) *Hazardous refuse.* No hazardous materials shall be collected.
- (d) *Dead animals.* Small dead animals will be collected without charge between 8:00 a.m. and 4:00 p.m. upon notification to the solid waste division and provided the body is in a location accessible to the collector. Owners of large dead animals shall be responsible for their removal and disposal.
- (e) *Lot clearing.* No materials such as trees, shrubbery or underbrush resulting from land being cleared, either by order of the health department or otherwise, or from construction or demolition either resulting from order by the building official or otherwise, will be collected by the city without charge.
- (f) *Commercial cutting.* The city will not collect without charge materials such as trees, shrubbery, underbrush, chips or sawdust resulting from commercial cutting operations. Commercial cutters, such

as tree surgeons and landscapers, are required to dispose of waste produced by their operations promptly at no expense to the city.

(g) *Bulk containers for multiple dwelling units.* The owners of multiple residential units containing more than six units shall be required to furnish bulk containers for private collection service. Waste not placed in such bulk containers must be disposed of by the owners of the property or persons responsible for the waste. Each day of failure to comply with this section shall constitute a separate offense.

(h) *Bulk containers for commercial and industrial users.* Commercial and industrial users shall provide bulk containers as required by regulation for private collection service.

(i) *Waste injurious to collection equipment.* Any solid waste item that has demonstrated by experience that it has a high probability of inflicting damage to the collection equipment used by the city may be excluded from the collection process.

Sec. 19-42. Removing or damaging receptacles or contents; storage of waste; transport of waste.

(a) It shall be unlawful for any person to remove any roll cart or recyclables container from its designated premises or to damage maliciously any roll cart or recyclables container. It shall be unlawful:

(1) For any unauthorized person to remove, disarrange or interfere with refuse roll carts, recyclables containers, litter receptacles and/or bulk containers used for the collection of refuse or recyclable materials, or the contents of any such roll cart, recyclables container, litter receptacles and/or bulk container.

(2) For any person to break or damage any roll cart, recyclables container, litter receptacle and/or bulk container used for refuse or recyclable materials.

(3) To fail to keep all refuse receptacles, recyclables containers and/or bulk containers clean, sanitary, tightly covered and in good repair.

(b) It shall be unlawful:

(1) For any person to permit refuse to be scattered upon the streets of the city.

(2) To place hot ashes, etc., or any burning matter in any roll cart, recyclables container, litter receptacle, bulk container or waste paper bin.

(3) As set forth in this subsection (b), for the responsible party to fail to provide sufficient roll carts, recyclables containers, litter receptacles or bulk containers pursuant to the requirements of this article.

(4) To place in a roll cart, recyclables container, litter receptacle, bulk container or waste paper bin, or to leave loose, construction and demolition waste, industrial refuse, special refuse, and animal and agricultural waste for collection by the solid waste division.

(c) It shall be unlawful to transport materials without protecting against spillage or leakage.

Sec. 19-43. Service fees.

All persons producing or having refuse collected by the city shall pay a user service fee for such service as follows:

(1)	Residential service: Single-family or multifamily buildings subject to ad valorem tax containing not more than six dwelling units, collection and disposal	No charge
(2)	Tax-exempt residential property	\$175.00 per year

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(3)	Commercial refuse collection (per roll cart)		34.75 per year
(4)	Taxable nonresidential properties:		
	a.	Non-dumpster service, disposal:	
		1.	Basic service: Less than 1.0 cubic yard per week 34.95 per year
		2.	Low volume service: Less than 1.0 cubic yard per day 15.35 per month
		3.	Mean volume service: 1.0 to less than 3.0 cubic yards per day 30.70 per month
		4.	High volume service: 3.0 or more cubic yards per day 46.00 per month
(5)	Building material collection		
	a.	Disposal fees:	
			Minimum truck size 50.00
			1/4 truck load 75.00
			1/2 truck load 150.00
			3/4 truck load 200.00
			Full truck load 300.00
	b.	Residential and business customers producing more than one cubic yard of building material trash per week shall be subject to an additional collection and disposal charge.	

This ordinance is effective as of September 1, 2009.

Requested by:

Public Works Director


MAYOR

Approved by:

Interim City Manager

Approved as to form:

City Attorney

ATTEST:

City Clerk

Introduced: deferred 5/6/2009

First Reading: 5/27/2009

Final Reading: 6/24/2009