

**ORDINANCE TO AMEND TITLE V, CHAPTER 55: SOLID WASTE
OF CITY OF MONROE CODE OF ORDINANCES
O-2012-23**

Preamble

Pursuant to authority conferred by Chapter 160A-381 of the North Carolina General Statutes, as amended and for the purpose of promoting the health, safety, morals, or general welfare of the inhabitants of the City by lessening congestion in and around the streets; securing safety; preventing the overcrowding of land; avoiding undue congestion; and facilitating the adequate provision of transportation,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONROE THAT TITLE V, CHAPTER 55 SOLID WASTE OF THE CITY OF MONROE CODE OF ORDINANCES BE AMENDED AS FOLLOWS:

TEXT AMENDMENT

Section 1. Amend Section §55.01 “DEFINITIONS” established as follows:

For the purposes of this chapter the following definitions shall apply unless the context clearly indicates a different meaning.

BUILDING MATERIAL (ALSO CALLED CONSTRUCTION AND DEMOLITION MATERIAL). Brick, stone, carpet, plumbing materials, plaster, concrete, asphalt, roofing, floor coverings, gutters or other material or substances accumulated as a result of construction, repairs, or additions to existing structures or accessory structures or demolition of such.

BULK CONTAINER (ALSO CALLED “DUMPSTER”). A metal container of not less than two cubic yards nor larger than eight cubic yards, made of water-tight construction with doors opening on two sides and the top and constructed so that it can be emptied mechanically by specialty equipped trucks.

BUSINESS TRASH. Any accumulation of incidental waste products and garbage, other than household trash, which is associated with the operation of stores, offices, and commercial establishments.

CITY. The City of Monroe, North Carolina, or its agents or contractors.

CITY MANAGER. Means the person or persons designated by the city council to perform duties and responsibilities as chief executive officer for the City of Monroe.

COLLECTION. Means the act of removing solid waste from a point of generation to an approved disposal site.

CONTAINER. Any bulk container, detachable container, recyclables container or rollout container as defined here.

DETACHABLE CONTAINER (ALSO CALLED ROLL-OFF CONTAINER).

A metal unit varying in capacity between 15 cubic yards and 40 cubic yards made of water-tight construction which is used for collecting, storing and transporting solid waste, building materials, business trash, and industrial waste. The unit may or may not use an auxiliary stationary packing mechanism for compaction of materials into the container and may be open or enclosed. The distinguishing feature of the detachable container is that it is picked up by a specially equipped truck for transporting the waste materials to the disposal site.

FOUL ODORS. Any offensive odor emanating from, but not limited to, garbage, trash or waste.

GARBAGE. A by-product of animal or vegetable foodstuffs result from the handling, preparation, cooking, and consumption of food or other matter which is subject to decomposition, decay, and/or the generation of noxious or offensive gases or odors, or which during and/or after decay may serve as breeding or feeding material for flies, insects, and/or animals.

HAZARDOUS WASTE. Potentially dangerous by-products which cannot be handled, treated, or disposed of without special precautions. Hazardous waste includes ignitable, corrosive, reactive, and toxic wastes such as acetone, gasoline, industrial metal, alkaline cleaners, acids, batteries, cyanide, chlorine, arsenic, pesticide wastes, paint, caustics, infected materials, offal, fecal matter (human and animal), and explosives.

HOUSEHOLD TRASH. Accumulation of sweepings, rags, or other material of any kind, other than garbage and recyclables, which is usually attendant to housekeeping.

INDUSTRIAL WASTE. All waste (except hazardous waste), including solids, semi-solids, sludges, and liquids created by factories, processing plants or other manufacturing enterprises. (sometimes referred to as special waste, as it requires special handling).

JUNK/BULKY ITEMS. Any item creating a littered condition, including but not limited to household or office furnishings, household appliances, mattresses, box springs, lawn equipment or other similar items which are either in a wholly or partially rusted, wrecked, junked, dismantled, or inoperative condition.

PORTABLE PACKING UNITS (ALSO CALLED COMPACTORS). A metal container not exceeding 4,500 pounds gross weight with a four-to-eight cubic yard capacity that contains a packing mechanism and an internal or external power unit.

RECYCLABLES. Newspapers and accompanying inserts, magazines, junk mail, cardboard, glass, food and beverage containers, plastic soft drink and liquor bottles, spiral paper cans, aluminum, bimetal cans, steel and tin cans, yard waste and other items determined by the Environmental Services Coordinator to be recyclable.

RECYCLABLES CONTAINER. A container designed and authorized by the City solely for the purpose of collecting recyclables. It shall be subject to the collection regulations pertaining to recyclables.

ROLLOUT CONTAINER (ALSO CALLED ROLLOUT CART). The authorized wheeled garbage disposal container approved by the City for use by garbage collection services.

SOLID WASTE. Solid waste is defined as accumulations consisting of any combination of business trash, garbage, household trash, bulky items, yard waste, industrial waste, recyclables and junk.

SOLID WASTE COORDINATOR. An employee appointed by the City Manager who is responsible for managing, monitoring, and enforcing the City's solid waste program, including the provisions of this chapter.

YARD WASTE. Grass, weeds, leaves, tree trimmings, plants, shrubbery pruning, and such other similar materials which are generated in the maintenance of yards and gardens, which are separate from other solid waste materials and placed in a designated recycling collection area. Yard waste shall not include trees, tree limbs, brush and other material resulting from commercial tree trimmers and/or commercial lawn care services.

Section 2. Amend Section §55.02 "GENERAL REGULATIONS" as follows:

The city manager may promulgate such rules and regulations not inconsistent with this chapter as he/she deems advisable to safeguard the health and welfare of the citizens of the city in the disposal of garbage, ashes, and other refuse. The collection, removal and disposition of all solid waste from within the city shall be under the jurisdiction and enforcement of the solid waste coordinator and his/her authorized agents, except otherwise provided by the ordinances of the city.

(A) It shall be unlawful for any person to endanger the public health, safety and welfare through the neglect of property by causing or allowing unsightly garbage, weeds and grass, yard waste, foul odor, dead animals,

junk, unsecured appliances or potentially dangerous devices to remain on or emanate from property, or to discard or abandon or cause such on public property, private property, vacant lots or any pond, stream or body of water or banks thereof within the City limits.

- (B) It shall be unlawful for any person to violate any provision of this ordinance.
- (C) It shall be unlawful to dispose of or discard any solid waste on private or public property, unless such disposal occurs with the owner's permission and conforms to all applicable local, state, and federal regulations.
- (D) It shall be unlawful for any person to put, place or throw any garbage, trash, yard waste, or bulky items on any sidewalk or in a public street, public alley or other public place in the City. Such materials shall be disposed of legally as specified in this chapter.
- (E) No person shall interfere with the contents of any receptacle or container set out for removal by the City and/or its contractor unless by express written permission of the City.
- (F) It shall be unlawful to interfere with or hinder City collection personnel and/or the City's authorized contractor in the performance of collection duties.
- (G) It shall be unlawful for any person, firm or corporation, not authorized by the City, to collect, pick up or cause to be collected or picked up, any garbage, trash, yard waste, bulky items, solid waste or recyclables from any residential dwelling unit or small business located within the solid waste boundary for Downtown Monroe.
- (H) It shall be unlawful for any construction and/or demolition contractor or property owner to fail to provide onsite containers for loose debris, material waste, scrap, building materials, and other trash produced by those working on the site.
- (I) The City shall have the authority to require additional containers if necessary to provide property containerization of solid waste.
- (J) Dirt, mud, construction materials, or other debris deposited on any public or private property as a result of the construction or demolition shall be immediately removed by the contractor. Construction sites shall be kept clean and orderly at all times.
- (K) Ninety-five (95) gallon containers furnished by the City and/or its contractor shall be used solely for the storage of garbage and recycling

only. No container other than the ninety-five (95) gallon containers furnished by the City shall be used for the storage of garbage and recycling.

- (L) It shall be a violation of this ordinance to commercially collect, handle, haul, or transport on any of the streets, public ways (alleys) or places of the city, any solid waste or refuse without obtaining the necessary privilege license to do work in the city.

Section 3. Amend Section §55.03 “CHARGE FOR CITY COLLECTION” as follows:

- (A) Agreements and contracts for solid waste services, including rate schedules, replacement cost and service regulations set forth by the City Council are recorded in the City Schedule of Fees and Charges on file in the City Clerk’s office.

Section 4. Amend Section §55.04 “RESIDENTIAL COLLECTION REQUIRED” as follows:

- (A) All residences of the City shall be provided solid waste collection services as set forth in this chapter and shall be subject to solid waste collection fees as adopted by City Council regardless of whether such services are accepted by the owner or occupant of said residence. For the purpose of billing, the owner of the residence shall be the responsibility party unless (for solid waste collection fees) a non-owner occupant has applied to the City for and has been approved for such services.
- (B) Garbage, trash, bulky and recycling set out for collection as provided in this chapter shall be collected by the City and/or its designated agent.

Section 5. Amend Section §55.05 “REGULATIONS FOR CITY CUSTOMERS” as follows:

- (A) *General.*
 - (1) All residential customers shall be provided receptacles for garbage, trash, and recyclables for collection by the City and/or its agent. Commercial customers requesting rollout carts shall be provided such rollout carts for garbage and recycling collection by the City.
 - (2) Carts and their surrounding areas shall be kept in a sanitary condition by the resident, tenant, or corporation.
 - (3) The city shall retain ownership of rollout carts/containers which are initially provided for solid waste and recycling collection service. Said container shall not be removed from the original premises. Repair or replacement of containers for any reason,

excluding normal wear and tear, shall be the responsibility of the customer unless the damage necessitating such repair or replacement is determined to be a direct result of the negligence by the City and/or its contractor. The City and/or its designated contractor shall be notified by the property owner of the need to replace a receptacle. Containers which require replacement as a result of user abuse and/or negligence will result in the user being charged a replacement fee as set forth in the solid waste fee schedule. The property owner shall be notified of the cost of the receptacle and the requirement for payment before service shall be rendered.

- (4) Bulk container (dumpster) service shall be required for all multi-family complexes containing four (4) or more units. Refer to Section 55.06 for further details.

(B) *Collection schedule.*

- (1) The City provides for one garage pickup per week, one recyclable and bulky pickup every other week, and one yard waste pickup per week.
- (2) Collection schedules shall be established by the City and shall be subject to variations required by weather, legal holidays, or other special causes.
- (3) The City shall reserve the right to discontinue or deny garbage, recycling or bulky collection service to any resident of the City who violates any provision of this ordinance.

(C) *Placement of receptacles.*

- (1) It shall be the responsibility of each resident or proprietor of a business to see that all garbage and recycling carts are set out at curbside by 7:00 a.m. on the fixed collection date and removed after collection by 7:00 p.m. on the same day. Carts may not be placed on the curb before 5:00 p.m. on the day prior to the pickup day. Carts must be returned to the principal structure or moved at least fifty (50) feet from the curb or street right-of-way. Garbage or trash placed at the curb which is not inside an approved receptacle when the City and/or contractor crew arrive for collection, will not be collected and shall be in violation of this section. If a business' designated pickup day is Monday and the business does not open at 7:00 a.m., arrangements should be made for later pickup so as not to leave carts out over the weekend.

- (2) All garbage and recycling carts' wheels must be facing the house and placed within three (3) feet of curb to provide safe and easy access for collection.
- (3) The garbage and recycling cart requires a two (2) foot space between each cart and between obstructions like mailboxes, parked cars, utility poles, etc.
- (4) Carts shall not be placed on public sidewalks or streets or in such a manner as to obstruct the vision of motorists or the free flow of traffic or drainage along any public street.
- (5) Carts are not to be removed from the premises to which it is assigned except by the City and/or or its contractor.

(D) *Number of carts.*

- (1) If one cart is not sufficient to hold the quantity of garbage accumulated between collections, one additional cart may be obtained by the customer from the City and an additional collection charge will be applied to the customer's billing for such additional services.
- (2) If more than two carts are needed, the customer may be required to use bulk containers and be serviced with self-loading garbage equipment.

(E) *Contents.*

- (1) All garbage must be bagged and fit inside the cart with the lid fully closed.
- (2) Garbage shall be drained of all free liquids.
- (3) It shall be unlawful to place yard waste, rocks, dirt, heavy metals, automobile parts, tires, concrete, construction waste, hazardous waste, or medical waste in the containers for collection by the City and/or contractor. Yard waste and bulky items shall be placed at the curb for collection as specified in other sections of this subchapter.

- (F) *Exception for backyard collection.* The City may provide solid waste and recycling backyard services to persons with disabilities provided no one in the residence or employed by the household is physically capable of moving the container from the backyard to curbside. A doctor's statement of disability will be required to substantiate existence of disability.

Backyard garbage service will consist of only one pickup per week as established by the City. The City shall reserve the right to verify the need for extending special services and to periodically reassess the need for such services.

Section 6. Amend Section §55.06 “REGULATIONS FOR NON-CITY CONTRACTED BULK CONTAINER SERVICES” as follows:

(A) Conditions for commercial collection for multi-family residential units (attached and detached).

(1) The developers and/or owners of a multi-family residential units or a group of multi-family residential units, where more than four (4) living units are in unified ownership shall maintain a bulk container (dumpster) except as otherwise provided; however, this requirement may be waived or modified by the solid waste coordinator upon a showing that the effected party would suffer undue hardship directly resulting from a strict enforcement thereof. Some of the factors which shall be considered by the solid waste coordinator in providing relief pursuant to this subsection are as follows:

- (a) Whether complexes built before the enactment of this section have sufficient space to locate the number of bulk containers required to afford adequate service.
- (b) Whether the spaces available are so situated as to afford safe ingress and egress by the servicing vehicles.
- (c) Other factors deemed applicable to the request.
- (d) Bulk containers must be of such size and quantity to accommodate the needs of the establishment.

(2) In case of multi-family exemptions, one rollout cart for garbage and recycling shall be required for every unit in the complex. The carts must be corralled or stored. Storage areas must be approved before allowing the exemption. In addition, rollout carts must be maintained in perpetuity regardless of whether a unit is vacant. It is the owner’s responsibility to provide solid waste services for each unit. If an exemption is granted, the owner will be billed for rollout cart service. The solid waste coordinator will be the determining authority and is not limited to the general criteria listed above.

- (3) All new construction, alterations or conversions of multi-family residential units and/or groups of the same for which any building permit shall be issued where the multi-family residential unit or group or complex of same will contain more than four (4) living units. No building permit shall be issued for construction, alteration or conversion of a building or group or complex of buildings falling within the application of this section until a plan approved in writing by the director of the planning department or his/her designee showing adequate provision for containerization of refuse as required by this section shall be furnished by the owner or developer; and no such multi-family residential unit or group or complex of the same to which this section applies shall be constructed, altered or converted without providing for the use and maintenance of bulk container (dumpster).
 - (4) Owners or developers of mobile home parks with more than four (4) units must provide a bulk container (dumpster) as prescribed above.
 - (5) Developers and/or owners of multi-family units and/or complexes, who have been instructed to provide bulk containers (dumpster) may appeal such requirements to the city manager for review and determination by filing a written notice of appeal with the city manager within fifteen (15) days of receipt of the solid waste coordinator's determination, setting forth in said notice of appeal any special conditions or hardships which he/she feels may be relevant. If not resolved, an appeal may be taken to the Environment and Water Resource Committee. The decision of the Environment and Water Resources Committee shall be conclusive; provided, however, either party may petition the council for a rehearing based on changed conditions.
- (B) Conditions for bulky container (dumpster) collection for nonresidential use.
- (1) Where an attached business unit or group of attached business units in the same complex comprises of more than four (4) business units a bulk container (dumpster) shall be provided by the owner or owners at such complex.
 - (2) Where refuse accumulates at any business unit, place or location in quantities of more than two (2) 100-gallon automated refuse containers (two hundred (200) gallons) between collections, the owner or owners in charge shall be required to provide bulk containers (dumpsters).

- (C) The agreement and contract for garbage service will be between the commercial business owner and/or homeowner's association or their contractors.
- (D) Bulk containers must be of such size and quantity to accommodate the needs of the establishment.
- (E) Doors of bulk containers must be kept closed and the container kept in good condition by the users. Bulk containers shall at all times be kept clean, neat, painted, in good state of repair and shall be easily accessible to collection personnel. The container site must be kept free of litter by the users and washed down periodically to eliminate odor. Cleaning up spilled material shall be the responsibility of the property owner or occupant.

Section 7. Amend Section §55.07 "COLLECTION OF BULKY ITEMS, APPLIANCES AND WHITE GOODS" as follows:

§55.07 COLLECTION OF RECYCLABLES

The City has a goal to reduce the amount of waste going into the landfill by recycling as many items as possible.

- (A) The city provides recycling collection to residents and small business owners every other week in a ninety-five (95) gallon rollout cart.
- (B) Recyclables can be comingled into the cart.
- (C) All food, drink and other residues shall be rinsed from the recyclable items.
- (D) Recycling items include the following:
 - (1) Empty Aerosol Cans (no paint cans);
 - (2) All Plastics 1-7 (no styrofoam, bags, or wrap);
 - (3) Wide-Mouth plastic containers and lids and rigid plastic containers and small hard plastic toys;
 - (4) Milk and juice cartons and boxes;
 - (5) Shredded paper (placed in clear plastic bags);
 - (6) Aluminum and metal food cans and lids;

- (7) Glass bottles and jars;
- (8) Cereal and food boxes and cardboard boxes flattened;
- (9) Mixed paper, newspapers with inserts, and junk mail;
- (10) Paperback books;
- (11) Magazines and phonebooks; and,
- (12) Spiral paper cans (with plastic lids detached).

(E) Items that cannot be recycled include the following:

- (1) Pizza boxes;
- (2) Paint cans;
- (3) Styrofoam; and,
- (4) Plastic bags.

(F) The City of Monroe now provides electronic waste (e-waste) recycling that will be picked up curbside by appointment only. Electronic waste includes computers, cell phones, radios, televisions, etc).

Section 8. Amend Section §55.08 "COLLECTION OF YARD WASTE" as follows:

§55.08 COLLECTION BULKY ITEMS, APPLIANCES, AND WHITE GOODS

It shall be unlawful for any person to place or leave any bulky item, appliance or white good at curbside for collection by the City except as follows:

- (A) Residents may place discarded furniture, junk, appliances, and similar items on the front corner of their premises nearest to the public street or alley for collection. This service is provided to the resident of Monroe, who is paying for garbage services at the location, with the following limits. The City of Monroe offers every other week bulky curbside collection that will occur on your normal service day of that week.
- (B) Commercial businesses are required to make private arrangements to dispose of their bulky items. There will be no collection of such items by the City or its contractor. Commercial business bulky items are prohibited from staying on the curb more than five (5) days.
- (C) Bulky items must not be co-mingled with solid waste or yard waste.

- (D) The City will not be responsible for the removal of automobile parts, including but not limited to tires and batteries. The proper disposal of these items will be the responsibility of the property owner.
- (E) No materials such as trees, shrubbery or underbrush resulting from land clearing will be picked up by the City or its contractor.
- (F) Commercial businesses are required to make private arrangements to dispose of their yard waste. There will be no collection of yard waste by the City or its contractor. Commercial yard waste is prohibited from staying on the curb more than five (5) days.

Section 9.

Amend Section §55.09 "REMOVAL OF DEBRIS RESULTING FROM CONSTRUCTION, DEMOLITION OR REPAIR OF BUILDINGS" as follows:

§55.09 COLLECTION OF YARD WASTE

It is unlawful for any person to place yard waste at curbside for collection by the City except as follows:

- (A) Leaves shall be raked to the edge of the street for collection by City crews during the months of October to February. Accumulation during the remaining months shall be placed in clear, plastic bags or open opaque bags which shall be left open so that its contents are identifiable.
- (B) Yard waste such as tree limbs, cuttings, and shrubbery will be removed provided that such items are cut in lengths no greater than four (4) feet and no greater than six (6) inches in diameter. Yard waste not meeting these requirements shall be the responsibility of the property owner. Trimmings and grass cuttings must be bagged.
- (C) Commercial businesses are required to make private arrangements to dispose of yard waste. There will be no collection of such items by the City or its contractor. Commercial business yard waste is prohibited from staying on the curb more than five (5) days.
- (D) Yard waste shall not include trees, tree limbs, brush and other material resulting from commercial tree trimmers and/or commercial lawn care services.

Section 10.

Amend Section §55.10 "REMOVAL OF DEAD ANIMALS, ASHES, CONTAGIOUS DISEASE MATERIAL, HYPODERMIC INSTRUMENTS AND HAZARDOUS WASTE" as follows:

§55.10 COLLECTION OF SOLID WASTE AND RECYCLING IN DOWNTOWN MONROE SOLID WASTE BOUNDARY.

The City of Monroe has a goal to beautify Downtown Monroe and improve usability and accessibility for solid waste and recycling collection within the downtown area.

- (A) Rollout carts shall be prohibited within the Solid Waste Downtown Boundary (Appendix A).
- (B) There have been five (5) common dumpster locations identified within the solid waste downtown boundary that will provide businesses with solid waste and recycling collection.
- (C) Each of the common dumpster locations will consists of an eight (8) yard dumpster for garbage and an eight (8) yard dumpster for recycling collection. The dumpsters will be located at the following locations:
 - (1) Parking lot #1: Shute Parking lot located at 200 N. Main Street (Parcel ID #09-232-069) between Main Street and Hayne Street;
 - (2) Parking lot #2: Belk Parking lot located at 109 N. Main Street (Parcel ID #09-232-091) between Main Street and Stewart Street;
 - (3) Parking lot #3: Joffre Hotel lot located at 309 and 311 N. Main Street (Parcel ID #'s 09-232-097 & 09-232-098) at the intersection of Main Street and Franklin Street;
 - (4) Parking lot #4: Monroe Hardware lot located at 102 E. Morgan Street (Parcel ID #09-232-026) at the intersection of Hayne Street and Windsor Street; and,
 - (5) Parking lot #5: Church Street lot located at 302 E. Franklin Street (Parcel ID #09-231-223) at the intersection of Church Street and Franklin Street.
- (D) Businesses located within the solid waste downtown boundary have the option of using their own private dumpster collection:
 - (1) Businesses that chose to use their own private dumpster collection shall adhere to the dumpster enclosure requirements in §Section 55.11.

Section 11. Amend Section §55.11 “REPORTING REQUIREMENTS” as follows:

§55.11 DUMPSTER ENCLOSURE REQUIREMENTS.

(A) Applicability.

The provisions of this section shall apply to all:

- (1) Non-residential development, multi-family residential developments and/or single-family attached residential developments, which do not use roll-out containers for curbside solid waste pickup.
- (2) Businesses located within the solid waste downtown boundary that utilizes private dumpster collection.

(B) Location and Placement.

- (1) All dumpster enclosures shall be located to facilitate collection and minimize negative impact on persons occupying the development site or business, neighboring properties, or public right-of-ways.
- (2) All garbage and recycling collection trucks must be able to easily access dumpsters.
- (3) All service vehicles must be able to enter, service a dumpster, back up and depart without having to make unnecessary maneuvers.
- (4) The path for service trucks should not be obstructed by parked vehicles, medians, curbs, buildings or other obstructions.
- (5) Service trucks must be able to lift dumpsters to empty them without obstruction from overhead wires or tree limbs. There should be a minimum of twenty-four (24) feet overhead clearance for the centralized dumpsters at all times.
- (6) Dumpsters shall be located in the rear or side yard and may not be placed on public streets, allies, sidewalks or public property.
- (7) The vehicle approach will require a forty-five (45) feet straightaway approach and container must be on the same grade in order to be serviceable.

(C) Dumpster Facility Requirements.

- (1) Enclosures.
 - (a) All dumpster enclosures shall be fully enclosed with a wall to a minimum of height of eight (8) feet to block 100 percent of the view in the enclosed area.

- (b) The dumpster enclosure shall match the primary color and material of the building when viewed from the public or private right-of-way.
 - (c) Two fixed barrier guard posts must be placed behind each dumpster.
 - (d) The enclosure entrance must be at least twelve (12) feet wide to allow for adequate access for collection trucks. Enclosures with more than one container should add twelve (12) feet of width per additional dumpster. For example, if your enclosure has two containers, the opening should be at least twenty-two (22) feet wide not to include the two (2) feet if center posts are provided.
 - (e) The enclosures shall include an opaque gate(s) constructed of either painted (earth tones only) corrugated metal affixed to a metal frame or plank affixed to a galvanized metal frame with metal hinges and latch. The metal frame shall be mounted on six (6) inch steel pipe bollards filled with concrete. The pipe bollards shall be painted earth tone colors to match the gates and provide a column cap to match.
 - (f) The gate latching shall be provided that consists of cane poles anchored to gate with bent straps. The bent straps shall allow for free vertical and rotational movements. The latching system shall be designed to keep gates open during service.
 - (g) The depth of the dumpster enclosure shall consist of twelve (12) feet.
- (2) Dumpster Pad.
- (a) Every dumpster must be placed on a concrete pad large enough to support the container and front wheels of the collection truck. The pad must be eighteen (18) feet long and ten (10) feet wide to accommodate one container.
 - (b) The twelve (12) feet long concrete pad located under the containers shall be a minimum of six (6) inches thick. The remaining six (6) feet long concrete pad located in front of the dumpsters shall be a minimum of twelve (12) inches thick.

Section 12. ADD Section §55.12 “REMOVAL OF DEBRIS RESULTING FROM CONSTRUCTION, DEMOLITION OR REPAIR OF BUILDINGS” as follows:

It shall be the duty of the property owner to dispose of debris resulting from the construction, demolition, or repair of buildings. These items include but are not limited to, brick, stone, plumbing materials, plaster, concrete, asphalt, roofing, floor coverings, gutters and shingles.

Section 13. ADD Section §55.13 “REMOVAL OF DEAD ANIMALS, ASHES, CONTAGIOUS DISEASE MATERIAL, HYPODERMIC INSTRUMENTS AND HAZARDOUS WASTE” as follows:

- (A) *Dead Animals.* The City will collect small dead animals and wildlife from the City rights-of-way. Owners of poultry and livestock will be responsible for their removal and disposal.
- (B) *Ashes.* It shall be unlawful to place live coals in any containers. Ashes and coals may be collected after they have been wetted, are cool to the touch, and have been enclosed in plastic bags and are securely tied.
- (C) *Contagious disease material.* It shall be unlawful to remove or discard clothing, bedding, mattresses, springs, or other solid waste from homes or other places where highly infectious diseases have occurred unless performed under the supervision and direction of the Environmental Health Department. Such solid waste shall not be placed in rollout containers or at curbside for collection and disposal by the City and/or its contractor.
- (D) *Hypodermic instruments.* It shall be unlawful for any person to dispose of or discard any hypodermic syringe, hypodermic needle or any instrument or device for making hypodermic injections before first breaking, disassembling, destroying or otherwise rendering inoperable and incapable of reuse without safeguarding the disposal thereof by placing in a secure container so as to avoid the possibility of causing injury to the collection personnel.
- (E) *Hazardous waste.* It shall be unlawful to place hazardous waste in any container for disposal except as follows:
 - (1) Paint cans shall have lids removed and contain no wet paint. Kitty litter or sand may be added to solidify material for collection.

- (2) Soiled kitty litter shall be enclosed in double plastic bags and securely tied prior to placing the bag in rollout cart at curbside for disposal.

Section 14. ADD Section §55.14 “REPORTING REQUIREMENTS” as follows:

All waste haulers doing business in the City limits of Monroe shall furnish the City with quarterly reports which include the following information:

- (A) *Commercial solid waste.* Accumulations consisting of combinations of business trash, garbage, household trash, bulky items, yard waste, recyclables and junk that have been collected in the City limits of Monroe. Quantities must be reported in tons and broken down by commercial and industrial waste. The major materials being disposed of and disposal facilities being used must be reported.
- (B) *Recyclables.* Quantities must be reported in tons and broken down by commodities. The major materials being disposed of and disposal facility being used also must be reported.
- (C) *Building materials.* Quantities must be reported in tons. The disposal facility being used also must be reported.
- (D) *Land clearing and inert debris.* Quantities must be reported in tons. The disposal facility being used must also be reported.

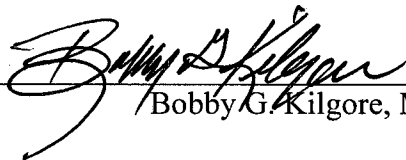
Section 15. ADD Section §55.15 “ENFORCEMENTS AND CIVIL PENALTIES” as follows:

- (A) When the Solid Waste Coordinator or his/her designee finds or receives a complaint of a violation of any provision(s) of this chapter, he/she shall notify the owner or occupant of the premises of the violation by sending a written notice to such person, indicating the nature of the violation and ordering the action necessary to correct it. Additional notices may be sent at the discretion of the Planning Director or his/her designee.
- (B) Violations of this chapter will be handled in pursuant of §10.19 and §10.99 of the City of Monroe Code of Ordinances.

Section 16. This Ordinance shall become effective upon adoption.

Adopted this 2nd day of October, 2012.

Attest:


Bobby G. Kilgore, Mayor

Bridgette H. Robinson
Bridgette H. Robinson, City Clerk

