

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 18-O-19

Date Introduced: June 4, 2018

Sponsored By: Councilman Steven E. Goodin and Councilwoman Sandra J. Landbeck

Amendments Adopted:

Public Hearing: June 25, 2018

Date Adopted: July 9, 2018

Date Effective: July 30, 2018

AN ORDINANCE concerning

TRASH AND RECYCLING

FOR the purpose of making certain revisions to the City of Aberdeen laws and fees relating to the collection of trash and recycling in the City.

BY repealing and reenacting, with amendments
Chapter 250. ENVIRONMENTAL CONTROL
Article II Storage and Accumulation of Refuse
Sections 250-3, 250-4, 250-5, and 250-22
Code of the City of Aberdeen (2010 Edition as amended)

BY adding
Chapter 250. ENVIRONMENTAL CONTROL
Article II Storage and Accumulation of Refuse
Section 250-2A
Code of the City of Aberdeen (2010 Edition as amended)

BY repealing
Chapter 250. ENVIRONMENTAL CONTROL
Article VII Collection and Transportation of Solid Waste
Section 250-22
Code of the City of Aberdeen (2010 Edition as amended)

BY adding
Chapter A550. FEES
Section A-550.L
Code of the City of Aberdeen (2010 Edition as amended)

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

* * * indicates existing unmodified text omitted from Ordinance

1 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF**
2 **ABERDEEN**, that Sections 250-3, 250-4 and 250-5 of the Code of the City of Aberdeen (2010
3 Edition as amended), Chapter 250, ENVIRONMENTAL CONTROL, Article II Storage and
4 Accumulation of Refuse, are repealed and reenacted, with amendments, to read as follows:

5
6 **Chapter 250. ENVIRONMENTAL CONTROL**
7

8 **§ 250-3. Containers.**

9 A. RESIDENTS SHALL USE CITY-PROVIDED CONTAINERS DESIGNATED FOR THE
10 DEPOSIT OF TRASH, INCLUDING GARBAGE. CONTAINERS MAY NOT EXCEED
11 60 POUNDS WHEN FILLED. All NON-RESIDENTIAL garbage and trash shall be
12 stored in ((commercially available type)) COMMERCIAL containers with tight-fitting
13 covers. RAW WASTE AND GARBAGE SHALL BE PLACED AND SECURED
14 WITHIN PLASTIC BAGS PRIOR TO PLACEMENT IN TRASH CONTAINERS ((
15 Individuals using plastic bags for the disposal of trash and garbage shall be responsible for
16 taking the necessary safeguards)) to ensure that this method of disposal does not create a
17 potential health hazard for the community. ((For residences, container size shall be not more
18 than 32 gallons, and no single container shall exceed 60 pounds when filled, except as may
19 be provided by the trash haulers with the approval of the Director of Public Works.
20 Cardboard boxes, baskets and oil or chemical drums are not acceptable as containers for
21 regular collection.))

22 B. RESIDENTIAL TRASH AND GARBAGE EXCEEDING THE CAPACITY OF THE
23 CITY'S PROVIDED CONTAINER MORE THAN TWO (2) TIMES A MONTH WILL
24 INCUR AN ADDITIONAL FEE PER THE DIRECTION OF THE DIRECTOR OF
25 PUBLIC WORKS OR DESIGNATED REPRESENTATIVE.

26 C. RESIDENTS SHALL RECYCLE TO THE MAXIMUM EXTENT PRACTICABLE.
27 THE DEPARTMENT OF PUBLIC WORKS SHALL PROVIDE A LIST OF
28 RECYCLING PRODUCTS THE CITY WILL COLLECT. RESIDENTS SHALL PLACE
29 ALL RECYCLING IN CITY-PROVIDED CONTAINERS. PRODUCTS THAT
30 EXCEED THE CAPACITY OF THE CITY-PROVIDED CONTAINER SHALL BE
31 BROKEN DOWN, SECURELY TIED AND BUNDLED, AND PLACED NEXT TO THE
32 CONTAINER. RESIDENTS MAY REQUEST ONE (1) ADDITIONAL CITY-
33 PROVIDED RECYCLING CONTAINER WITHOUT ADDITIONAL FEES BASED ON

1 AVAILABILITY. RESIDENTS MAY PROCURE AT THEIR EXPENSE A
2 COMMERCIALLY AVAILABLE RECYCLING CONTAINER SUBJECT TO THE
3 APPROVAL OF THE DIRECTOR OF PUBLIC WORKS OR DESIGNATED
4 REPRESENTATIVE.

5 D. TRASH AND RECYCLING CONTAINERS PROVIDED BY THE CITY ARE THE
6 PROPERTY OF THE CITY. A PERSON WHO MISAPPROPRIATES, DESTROYS,
7 DAMAGES, VANDALIZES OR LOSES A CITY-OWNED CONTAINER IS LIABLE
8 TO THE CITY FOR THE COST OF THE CONTAINER.

9 E. A RESIDENT WHO OPERATES A BUSINESS IN THE RESIDENCE THAT
10 GENERATES TRASH, GARBAGE OR RECYCLING PRODUCTS EXCEEDING THE
11 CAPACITY OF THE CITY-PROVIDED CONTAINERS SHALL USE A
12 COMMERCIAL WASTE HAULER TO REMOVE THE TRASH, GARBAGE OR
13 RECYCLING PRODUCTS. THE DIRECTOR OF PUBLIC WORKS OR DESIGNATED
14 REPRESENTATIVE SHALL REASONABLY DETERMINE WHETHER THE
15 RESIDENT MUST USE A COMMERCIAL TRASH HAULER AND SHALL NOTIFY
16 THE RESIDENT, IN WRITING, OF THE DETERMINATION. AFTER RECEIVING A
17 DETERMINATION THAT THE RESIDENT MUST USE A COMMERCIAL TRASH
18 HAULER, THE RESIDENT SHALL IMMEDIATELY COMMENCE USING
19 COMMERCIAL WASTE HAULING SERVICES AND SHALL PROVIDE THE
20 DIRECTOR OR THE DIRECTOR'S REPRESENTATIVE WITH THE RESIDENT'S
21 INITIAL AND EVERY SUBSEQUENT CONTACT FOR SERVICE WITH THE
22 COMMERCIAL TRASH HAULER FOR THE PICKUP OF COMMERCIAL TRASH,
23 GARBAGE AND RECYCLING PRODUCTS FROM THE RESIDENCE. UPON
24 REQUEST OF THE RESIDENT, OR UPON THE DIRECTOR'S OWN INITIATIVE,
25 THE DIRECTOR OR DESIGNATED REPRESENTATIVE MAY RESCIND OR
26 MODIFY THE DETERMINATION THAT THE RESIDENT MUST USE A
27 COMMERCIAL TRASH HAULER AND SHALL PROVIDE THE RESIDENT WITH
28 WRITTEN NOTICE OF THE RESCISSION OR MODIFICATION.
29

30 **§ 250-4. Bundling.**

31 A. ((All articles,)) IN ADDITION TO BUNDLING PROVIDED FOR IN SECTION 250-
32 3(C), ARTICLES such as boxes, crates, ((magazines,)) tree trimmings, hedge cuttings, etc.,
33 ((will)) THAT DO NOT FIT IN CITY-PROVIDED CONTAINERS SHALL be broken
34 down and tied in compact bundles, not heavier than 60 pounds ((nor)) AND NOT more
35 than four feet in length, to permit safe and rapid handling by one ((man)) WORKER.
36 ((Flowers, grass cuttings, weeds, small garden debris and leaves may be placed in regular
37 containers or heavy-duty plastic bags. No more than 10 plastic bags of leaves shall be
38 placed for collection on each collection day.)) YARD WASTE SHALL BE PLACED IN
39 PAPER BAGS, BUNDLED, TIED OR BOXED. THE DEPARTMENT OF PUBLIC WORKS
40 SHALL DISSEMINATE TO THE PUBLIC A LIST OF ACCEPTABLE YARD WASTE
41 ITEMS.

42 B. ((Refuse that will not fit into regulation containers must be prepared in a neat and compact

bundle as specified in this section or placed in a disposable container.)) RESIDENTS SHALL DISPOSE OF BAMBOO ONLY WITH RESIDENTIAL TRASH. BAMBOO THAT IS LEFT FOR DISPOSAL WITH RESIDENTIAL TRASH SHALL BE CUT AND BUNDLED IN 4-FOOT LENGTHS, AND PLACED EITHER IN OR ALONGSIDE A CITY-PROVIDED TRASH CONTAINER.

C. BUNDLED MATERIALS INCLUDED ON THE CITY'S RECYCLING PRODUCT LIST SHALL BE DEPOSITED FOR COLLECTION WITH OTHER RECYCLED PRODUCTS.

§ 250-5. Bulky waste.

((Bulky items may be disposed of by the Department of Public Works. These items include any large or bulky material which the contract collectors cannot collect with their equipment. The Director of Public Works shall have the right to establish reasonable collection fees for such service.)) BULK WASTE ARE WASTE ITEMS THAT ARE TOO LARGE TO BE ACCEPTED DURING NORMAL OPERATIONS AND MAY REQUIRE SPECIAL HANDLING TO LIFT OR DISPOSE OF. EACH RESIDENTIAL UNIT IS ALLOTTED ONE (1) BULK PICKUP PER FISCAL YEAR WITHOUT AN ADDITIONAL FEE. FOR EACH ADDITIONAL PICKUP BEYOND ONE (1) PICKUP PER FISCAL YEAR, RESIDENTS SHALL PAY A FEE IN ACCORDANCE WITH THE CITY'S FEE SCHEDULE PRIOR TO PICKUP.

SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that new Section 250-2A is added to the Code of the City of Aberdeen (2010 Edition as amended), Chapter 250, ENVIRONMENTAL CONTROL, Article II Storage and Accumulation of Refuse, to follow immediately after Section 250-2, and to read as follows:

Chapter 250. ENVIRONMENTAL CONTROL

§ 250-2A. RESIDENTIAL SERVICE OUTSIDE CITY LIMITS.

RESIDENTIAL UNITS THAT LIE WITHIN ONE QUARTER ($\frac{1}{4}$) MILE OF THE LIMITS OF THE CITY OF ABERDEEN MAY PETITION THE DIRECTOR OF PUBLIC WORKS OR DESIGNATED REPRESENTATIVE FOR CITY TRASH AND RECYCLING SERVICES UNDER THE TERMS OF THIS SECTION.

(1) RESIDENTS WHO LIVE OUTSIDE THE CITY LIMITS MUST SHOW CAUSE THAT ALL COMMERCIAL TRASH AND RECYCLING SERVICES HAVE BEEN EXHAUSTED AND THAT THERE IS CLEAR BENEFIT FOR THE CITY TO PROVIDE THIS ADDITIONAL SERVICE FOR RESIDENTS THAT DO NOT PAY CITY TAXES.

(2) RESIDENTS SEEKING CITY TRASH AND RECYCLING SERVICES SHALL SUBMIT A LETTER IN WRITING REQUESTING THIS SERVICE. IF APPROVED, THE DEPARTMENT OF PUBLIC WORKS WILL ESTABLISH A TRASH AND

1 RECYCLING COLLECTION FEE AS PROVIDED IN THE CITY'S FEE SCHEDULE,
2 TO BE BILLED ON A QUARTERLY BASIS.

- 3
4 (3) RESIDENTS OUTSIDE CITY LIMITS MUST PURCHASE TRASH AND
5 RECYCLING CONTAINERS DURING THEIR FIRST YEAR OF COLLECTION,
6 PAY COLLECTION FEES AS BILLED QUARTERLY, AND INCUR ANY
7 ADDITIONAL FEES ASSOCIATED WITH COLLECTION OF TRASH AND
8 RECYCLING THAT A RESIDENT OF THE CITY IS REQUIRED TO PAY.
9

10 **SECTION 3. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY**
11 **OF ABERDEEN**, that Section 250-22 of the Code of the City of Aberdeen (2010 Edition as
12 amended), Chapter 250, ENVIRONMENTAL CONTROL, Article VII Collection and
13 Transportation of Solid Waste, is repealed.
14

15 **SECTION 4. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY**
16 **OF ABERDEEN**, that new Section A550-1.L. is added to the Code of the City of Aberdeen
17 (2010 Edition as amended), Chapter A550, FEES, to follow immediately after Section A550-
18 1.K, and to read as follows:
19

20 **Chapter A550. FEES**
21

22 **§ 550-1. Schedule of rates and charges.**
23

24 The following fees, rates and charges shall apply in the City:
25

26 L. TRASH AND RECYCLING SERVICES FEES. ALL OWNERS AND TENANTS OF
27 STRUCTURES CONTAINING NOT MORE THAN THREE RESIDENTIAL DWELLING
28 UNITS WITHIN THE CITY SHALL BE REQUIRED TO COMPLY WITH THE FEES
29 UNDER THIS PARAGRAPH.
30

- 31 (1) REPLACEMENT TRASH OR RECYCLING CONTAINER: \$50 PER CONTAINER.
32

- 33 (2) ADDITIONAL TRASH COLLECTION FEE PER CONTAINER: \$60 ANNUALLY
34 PER CONTAINER.
35

- 36 (3) RESIDENTIAL UNITS THAT EXCEED THE CAPACITY OF THE CITY-PROVIDED
37 CONTAINER GREATER THAN TWO (2) TIMES PER MONTH: \$75 PER
38 OCCURRENCE.
39

- 40 (4) RESIDENTIAL BULK PICK-UP BEYOND ONE PICK-UP PER FISCAL YEAR
41 SHALL BE SUBJECTED TO THE FOLLOWING FEES:
42

- 43 A. LARGE APPLIANCE (I.E., MATTRESSES, COUCHES, DRESSERS, SOFAS,
44 STOVES, REFRIGERATORS, ETC.) UP TO THREE (3) ITEMS PER PICKUP:
45 \$20 PER ITEM
46

1 B. SMALL APPLIANCES THAT ONE PERSON CAN EASILY PICK UP AND
2 LOAD ONTO A TRUCK AND ARE LESS THAN 50 LBS EACH (CHAIRS,
3 TABLES, DESKS), APPROXIMATELY THREE (3) TO FIVE (5) ITEMS PER
4 PICKUP: \$10 PER PICKUP.
5

6 THE DEPARTMENT OF PUBLIC WORKS SHALL ASSESS CONTENTS WITHIN
7 THESE CATEGORIES TO DETERMINE THE FEE FOR BULK ITEMS FOR
8 DISPOSAL.
9

10 (5) RESIDENTIAL TRASH AND RECYCLING PICKUP OUTSIDE THE CITY LIMITS:
11

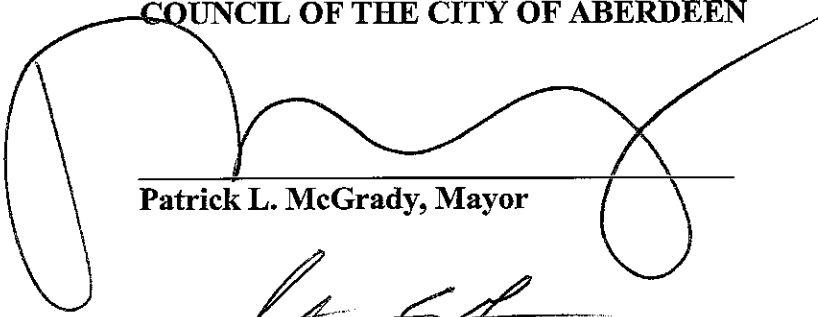
12 A. TRASH AND RECYCLING COLLECTION PICK-UP: \$216 PER YEAR PLUS
13 FIFTEEN (15) PERCENT ADMINISTRATIVE FEE.
14

15 B. TRASH AND RECYCLING CONTAINER: INITIAL ISSUE \$60 PER
16 CONTAINER.
17

18 C. RESIDENTIAL UNITS IN THIS CATEGORY WILL ALSO BE SUBJECT TO
19 OTHER FEES DESCRIBED IN THIS SECTION.
20

21 **SECTION 5. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY**
22 **OF ABERDEEN,** that this Ordinance shall become effective at the expiration of twenty (20)
23 calendar days following adoption.

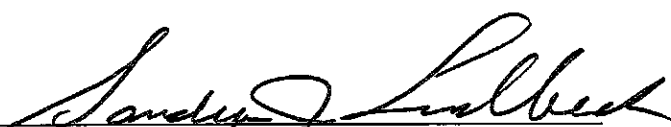
COUNCIL OF THE CITY OF ABERDEEN



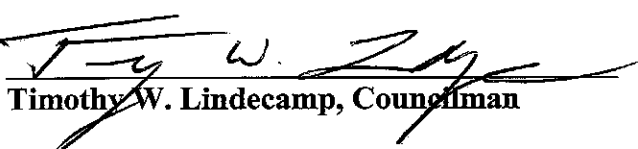
Patrick L. McGrady, Mayor



Steven E. Goodin, Councilman



Sandra J. Landbeck, Councilwoman



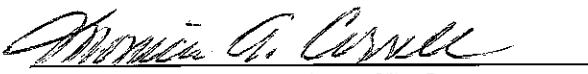
Timothy W. Lindecamp, Councilman



Melvin T. Taylor, Councilman

ATTEST:

SEAL:



Monica A. Correll, City Clerk

Date

July 9, 2018