

ORDINANCE NO. 423

**AN ORDINANCE AMENDING THE CODE
OF THE CITY OF JACKSONVILLE
REGARDING TRASH COLLECTION**

BE IT ORDAINED by the City Council of the City of Jacksonville, Alabama, as follows:

Section 1. Definitions.

The following definitions are applicable only to the provisions of this ordinance:

A. "Garbage" shall mean all solid or semi-solid refuse subject to decay or putrefaction, all waste of animal or vegetable matter resulting from the handling, preparation, cooking or consumption of food, and any and all cans, bottles, boxes, paper, or other containers used in the shipping, storage, or preparation of such food or waste.

B. "Collectable Trash" shall mean all grass clippings, leaves, tree limbs, old furniture, mattresses, bed springs, small debris, non-putrescible solid waste, metal cans and containers, cloth, paper, cardboard, cardboard boxes, and other similar materials, except such items as are defined hereunder as "Uncollectable Trash", "Production Refuse", or "Appliance".

C. "Uncollectable Trash" shall mean:

1. Any item of garbage as herein defined.
2. Any item weighing over 500 pounds, having a length of over eight (8) feet, or being in excess of 10 inches in diameter.
3. All dirt, gravel, sand, rocks, concrete, bricks, concrete blocks, wheel-mounted tires, paint containers (unless lids have been removed and paint drained), pesticides, or other hazardous materials.
4. Waste or refuse which is defined, characterized or designated as hazardous by the United States Environmental protection Agency or appropriate state agency by or pursuant to Federal or state law, or which cannot be lawfully disposed of at a sanitary landfill without special treatment or handling.

5. Any refrigerator, freezer, air-conditioner and every other type of appliance in which chlorofluorocarbons (CFCs or Freon) were used **and the CFCs have not been removed in accordance with EPA regulations and/or no documentation of the removal of the CRCs can be provided.**

6. Any "Production Refuse" as defined herein.

C. "Appliance" shall mean stoves, refrigerators, freezers, water heaters, air conditioners, and other similar devices, other than those such items described in Paragraph B. 5. above.

D. "Non-multi-family Residence" shall mean an occupied, single-family, two-family, or townhouse dwelling within the City.

E. "Multi-family Residence" means a dwelling which is a part of an apartment building, boarding home, or a mobile home park.

F. "Commercial Property" shall mean any building or property other than a "Non-multi-family Residence" or a "Multi-family residence" and shall include all businesses, cemeteries, hotels, motels, nursing homes, hospitals, and similar establishments.

G. "Load" shall mean a maximum volume of 3 ½ cubic yards, approximately 4 feet by 8 feet by 3 feet.

H. "Production Refuse" shall mean items generated or accumulated in the normal course of a business operation.

SECTION 2. Trash Collection Limits and Schedule.

A. Collection of Collectable Trash per dwelling or business establishment shall be limited to one load per regularly scheduled collection day.

B. The frequency and schedule of the collection days shall be as from time to time established by resolution of the City Council.

SECTION 3. Preparation, Placement, Limits, and Schedule of Collection of Collectable Trash.

A. All Collectable Trash shall be placed for collection **only** on or at the curbside along the property from which it was generated and/or removed.

B. Limbs, logs, and large brush shall be place at one location near the street but not within the traveled portion, the gutter, or any drainage facility, at least 3 feet from

any obstacles such as mailboxes, poles, and automobiles, and at least 3 feet from any other items to be collected such as leaves, grass clippings, and Appliances. Also said items must be placed where no overhead obstacles such as wires, tree limbs, and building eaves will prevent safe removal by mechanical grapples and lifting apparatus.

C. Small brush and trimmings may be piled loose or bagged in plastic bags weighing no more than 75 pounds each and shall be placed at one location near the street but not within the traveled portion, the gutter, or any drainage facility and at least 3 feet from any obstacles such as mailboxes, poles, and automobiles, and at least 3 feet from any other items to be collected such as limbs, large brush, logs, and Appliances.

D. Leaves and grass clippings may be piled loose or bagged in plastic bags weighing no more than 75 pounds each and shall be placed at one location near the street but not within the traveled portion, the gutter, or any drainage facility and at least 3 feet from any obstacles such as mailboxes, poles, and automobiles, and at least 3 feet from any other items to be collected such as limbs, large brush, logs, and bulky items.

E. Bulky items shall be placed at one location near the street but not within the traveled portion, the gutter, or any drainage facility and at least 3 feet from any obstacles such as mailboxes, poles, and automobiles, and at least 3 feet from any other items to be collected. All tables, swing sets, and similar items must be dismantled. Carpeting and padding are to be separately rolled and tied in 4 foot sections. No such item shall be in excess of 10 feet in length.

F. ALL ITEMS TO BE COLLECTED MUST BE PLACED WHERE NO OVERHEAD OBSTACLES SUCH AS WIRES, TREE LIMBS, AND BUILDING EAVES WILL PREVENT SAFE REMOVAL BY MECHANICAL GRAPPLER AND LIFTING APPARATUS. The City of Jacksonville reserves the right to refuse pick-up of items that are not located in an area where the equipment used by the Street and Sanitation Department can load items without risk of damage to fences, utility lines/poles, landscaping, etc. Owner/occupant of the premises will be required to relocate items to be picked up.

G. In the case of Multi-family Residence property, in order to avoid the placing of large quantities of Collectable Trash at curbside, said items may, upon approval of the City, be placed at (separated as provided above and not in excess of the quantity per dwelling allowed herein) and collected from another location on the owner's property designated pursuant to a written license agreement between the City and the owner.

SECTION 4. Preparation, Placement, Limits, and Schedule of Collection of Leaves and Grass Clippings.

A. All leaves and grass cuttings shall be placed for collection only on the property from which it was generated and/or removed.

B. The frequency and schedule of the collection days shall be as from time to time established by resolution of the City Council.

C. Leaves will be picked up on a regular schedule with vacuum machines, if available, from October 1st until March 31st. If leaves are mixed with limbs or other debris, they will not be picked up until separated. At other times, loose leaves will be picked up only as manpower resources permit. Bagged leaves will be picked up on a regular schedule if placed along the edge of street separate from other items.

D. Leaves and grass clippings, whether loose or bagged, shall be placed at one location near the street but not within the traveled portion, the gutter, or any drainage facility and at least 3 feet from any obstacles such as mailboxes, poles, and automobiles, and at least 3 feet from any other items to be collected such as limbs, large brush, logs, and bulky items.

SECTION 5. Contractors.

A. Notwithstanding any other provision hereof, it shall be the responsibility of all fence companies, roofers, landscape contractors, building contractors, lawn services, tree services or any individual acting as a contractor or company that is paid to do work by the resident or property owner on private property to remove from the premises all residue, debris or rubbish (except leaves, grass clippings, and small brush and trimmings) resulting from such work. Failure of the contractor to remove said material shall obligate the owner and/or the occupier of the premises to remove same. All construction debris must be removed before final inspection by the building department. No limbs, logs, or large brush shall be picked up from vacant lots.

B. Contractors engaged in the care and maintenance of lawns for commercial or residential properties must keep trash, grass and leaf debris from being left in the streets. Any debris that has been discarded into the streets must be cleaned up. If it is necessary for the City to sweep and/or clean the street(s) as the result of contractors discarding the debris into the streets, the City will charge the contractors for the work.

SECTION 6. Tires and wheels.

Collection of tires shall be limited to four (4) from each residence within any six month period. No tires shall be collected from any Commercial Property. Tires

shall be removed from the wheels or rims and shall not be commingled with any other type of trash.

SECTION 7. Appliance Removal.

A. Refrigerators, freezers, air-conditioners and every other type of appliance in which chlorofluorocarbons (CFCs or Freon) were used will be pickup up by the City **only if the CFCs have been removed in accordance with EPA regulations and documentation of that removal is provided to the City in advance of the appliance being placed at the curb side for collection.**

B. All appliances to be picked up shall be placed at one location near the street but not within the traveled portion, the gutter, or any drainage facility and at least 3 feet from any obstacles such as mailboxes, poles, and automobiles, and at least 3 feet from any other items to be collected.

C. All doors on refrigerators, freezers, and similar appliances shall be removed prior to said appliances being placed at curb side for collection.

SECTION 8. Responsibility for Production Refuse.

The City shall not provide collection services for Production Refuse. These items must be removed and properly disposed of by the owner/occupant or placed in a dumpster provided by private contractor.

SECTION 9. Violations and Penalties.

A. It is a violation of this ordinance for any person or other legal entity to have or attempt to have any Garbage or Uncollectable Trash collected or placed for collection by the City under the provisions hereof.

B. It is a violation of this ordinance for any person or other legal entity to place for collection any volume of Collectable Trash in excess of 3.5 cubic yards per dwelling per scheduled collection day.

C. It is a violation of this ordinance to place for collection, or otherwise, any Garbage, Collectable or Uncollectable Trash, leaves, grass clippings, or Appliances on or along the curb next to property other than from which it was generated and/or removed.

D. It is a violation of this ordinance to have or attempt to have any items collected or placed for collection by the City where the removal of said items are the responsibility of the contractor, occupant, or owner pursuant to Section 5 or Section 8 of this ordinance.

E. Any violation of the above or of any other provision of this ordinance shall be punishable, upon conviction, by a fine not less than \$100.00 or more than \$500.00 for each offense. Each day a violation is allowed to occur or continue shall constitute a separate offence.

SECTION 10. Effect Upon Existing Law.

All other ordinances/resolutions or parts of ordinances/resolutions, including parts of the Code of the City of Jacksonville, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 11. Effective Date.

This ordinance shall become effective upon its adoption and publication as required by law.

ADOPTED AND APPROVED this the 11th day of February, 2002

ATTEST:

Jeanne E. Jordan
City Clerk

Jerry L. Smith
Mayor

CEH
Council Member

Home Bank
Council Member

Jerry Parks
Council Member

Judith Sudduth
Council Member

Johnny L. Smith
Council Member