

THE CITY OF BLUFFDALE, UTAH

A Utah municipal corporation

ORDINANCE No. 2008-07

**AN ORDINANCE ADOPTING NEW PROVISIONS
RELATED TO THE COLLECTION AND DISPOSAL OF
RESIDENTIAL SOLID-WASTE WITHIN THE CITY**

Whereas, the City Council finds and determines the desirability and necessity of timely, regular collection and proper disposal of residential and other solid waste generated within the community, so as to prevent the spread of disease, avoid the accumulation of flammable and harmful materials in excessive quantities, avoid potential fire dangers and the resultant risk to life and property, avoid the creation of harborage and food sources for rodents and other vermin, protect the groundwater resources and sources of the public water supply, encourage good conservation and recycling practices, avoid potential criminal liabilities and penalties for the City and its service provider for unintentional environmental contaminations, prudently utilize the sanitary landfill capacity, avoid unnecessary air pollution from outdoor combustion, avoid the accumulation of waste and the unsightly storage thereof, encourage orderliness and good sanitation practices, prevent and mitigate the potential for litter in the streets and other public and private places, promote the public health and general welfare within the community, and to provide a requested and needed public service for the community and its citizens; and

Whereas, the City has retained a commercial provider for the weekly pick-up and disposal of solid waste, "green waste" and/or recyclable waste generated by single-family residences within the community; and

Whereas, the City Council finds and determines the desirability and need to specify, by ordinance, the terms and conditions of the residential solid waste collection and disposal service, including the identification of prohibited items and practices; and

Whereas, the City Council finds and determines the desirability and necessity of adopting new provisions, to be incorporated into the Bluffdale Municipal Code, related to the collection and disposal of solid waste,


Now, therefore, the Bluffdale City Council ordains:

Section 1. The attached provisions, entitled "Chapter 3 SOLID WASTE COLLECTION AND DISPOSAL" and consisting of five Sections and

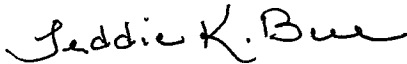
described as Sections 7-3-101 through 7-3-105, inclusively, are hereby adopted as new provisions and shall be included within the Bluffdale Municipal Code as Sections 7-3-101 through 7-3-105, inclusively, as though set forth in their entirety.

Section 2. This Ordinance shall take effect upon publication or upon posting, whichever is earlier.

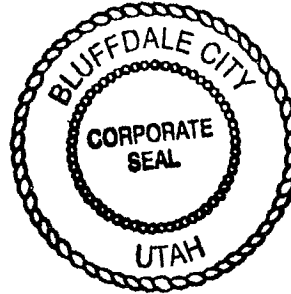
Passed by the Bluffdale City Council this 8th day of April, 2008.


CLAUDIA ANDERSON
Mayor

ATTEST:



TEDDIE K BELL
City Recorder



Voting by City Council	AYE	NAY
Councilmember Chisholm	<u> </u>	<u> X </u>
Councilmember Flanigan	<u> X </u>	<u> </u>
Councilmember Kartchner	<u> X </u>	<u> </u>
Councilmember Lord	<u> X </u>	<u> </u>
Councilmember Maxwell	<u> X </u>	<u> </u>

CHAPTER 3

SOLID WASTE COLLECTION AND DISPOSAL

- 7-3-101 GENERAL PROVISIONS
- 7-3-102 DEFINITIONS
- 7-3-103 CONDITIONS FOR SOLID WASTE COLLECTION
- 7-3-104 PROHIBITED ITEMS AND PRACTICES
- 7-3-105 CITY-PROVIDED COLLECTION CONTAINERS
- 7-3-106 MONTHLY SERVICE FEE

7-3-101 GENERAL PROVISIONS

This Chapter shall govern and control the collection and disposal of solid waste from single-family and duplex residential dwellings located in the City.

7-3-102 DEFINITIONS

As used in this Chapter, the following words, terms and phrases shall have the meanings ascribed to them within this Section, except where the context thereof clearly indicates a different meaning is intended:

"Green waste" means compostable trees and plant trimmings, grass cuttings, dead plants and plant material, weeds, chips, shavings and sawdust, from which excessive amounts of soil, topsoil and/or other non-vegetative material has been removed.

"Residential solid waste" means those items and materials, generally created by regular residential practices within a single-family or duplex residential setting, including but not necessarily limited to dead animals of less than ten pounds in weight except those slaughtered for human consumption, every accumulation of waste (animal, vegetable and other matter) resulting from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or containers, and all putrescible or easily decomposable waste animal or vegetable matter which is likely to attract flies or rodents; waste wood, wood products, tree trimmings, grass cuttings, dead plants, weeds, leaves, dead trees or their branches, chips, shavings, sawdust, printed matter, paper, pasteboard, rags, straw, used and discarded clothing,

used and discarded shoes, boots, combustible waste pulp and other products such as are used for packaging or wrapping, crockery and glass, ashes, cinders, floor sweepings, glass, mineral or metallic substances, and all other waste materials commonly produced by normal residential living, but specifically excluding those items designated as bulky waste, construction debris, dead animals, garbage, hazardous waste and other materials prohibited by Subsection 7-3-104(a).

7-3-103 CONDITIONS FOR SOLID WASTE COLLECTION

(a) All solid waste materials for collection and disposal shall be placed entirely within the approved containers provided by the City and/or its service provider. The container shall be placed in the gutter with the wheels of the container facing away from the street. The lid of the container must be completely closed. The container must be placed at curbside by 7:00 a.m. on the designated day of collection. In cases of construction in the curbside area or in cases of other obstructions, the container shall be placed for collection in the nearest accessible point of access to the regular point of collection. The point of collection must be clear of trees, overhead wires, poles, mailboxes, cars and any other overhead obstruction or at grade obstruction (mailboxes and fences) which would prevent or interfere with the mechanical lifting mechanism from grasping, raising and emptying the container without the driver having to reposition the collection vehicle and allowing the driver to pull directly away to the next stop without backing the vehicle. The collector (service provider) may refuse to collect any residential refuse which is not contained within the garbage container. For the collection and disposal of such solid waste the City Manager may make such arrangements for the collection and disposal of such solid waste and the charges as the City Manager deems appropriate, provided that the daily service fee for such collection and disposal shall not exceed that charged for a single-family residence as provided in this Chapter.

(b) When the container of solid waste is placed at curbside, title to the contents of the container shall pass to the City or its designee. Any expectation of privacy in the contents of the container so placed at curbside is declared to be unreasonable.

(c) When practical, the container shall be placed on the edge of the public street next to the driveway approach opposite of the mailbox. The container will not be placed closer than three feet to any obstruction. When snow or street construction prevents the placing of the container against the curb or upon the shoulder area of the public roadway, the container shall be placed not over two feet from the edge of the snow or construct and in a manner which will not obstruct vehicular traffic or unduly impede snow plowing

activities. In areas where there is no curb or gutter, containers shall be placed off the traveled portion of the public roadway, but close enough to the roadway that the container can be picked up without undue difficulty. The container shall not be placed in a location which will block the driveway or traffic on the roadway.

(d) The collection container may not be set out on the street for collection prior to 6:00 p.m. on the evening before the day of collection. All empty containers must be removed from the street as soon as practical after being emptied and in every situation must be removed from curbside the same day they are emptied.

(e) Mandatory collection required. To abate and avoid the spread of disease and the creation of the numerous nuisance and deleterious situations identified in the ordinance initially adopting these provisions and consistent with Salt Lake Valley Health Department regulations relating to sanitation, participation in the solid waste collection and disposal program is mandatory for each single-family and two-family residence located in the City. The City Manager shall cause each residence to be billed monthly for the service to be provided and may bring an action to enforce collection for the collection and disposal service made available to the resident.

7-3-104 PROHIBITED ITEMS AND PRACTICES

(a) It is unlawful and prohibited for any person to put into the residential solid waste collection container any of the following items:

(1) Bulky waste. Stoves, refrigerators, water tanks, washing machines, furniture and similar waste materials with weights, size or volume greater than those allowed for the container with the lid thereof fully closed.

(2) Dead animals. Animals or portions thereof having equal to or greater weight, in the aggregate, of ten pounds.

(3) Hazardous waste. Any chemical, compound, mixture, substance or article which is designated by the United States Environmental Protection Agency or appropriate agency of the State to be "hazardous waste" as that term is defined by or pursuant to federal or state law.

(4) Household contaminants. Lead-acid (automobile) batteries, liquid paints, liquid petroleum and petroleum-based products and distillates, flammable products and materials, paint thinners and similar chemicals, fluorescent lighting tubes, any liquid in any

quantity which could contaminate the watertable or public water supply or resource, and automobile tires.

(5) Other contaminants. Any material for which deposit into the regular landfill is prohibited by landfill policies and regulations, or by Salt Lake County, state or federal ordinance, statute or regulations pertaining to the landfill and the items to be received therein.

(6) Construction debris. Waste building materials resulting from construction, remodeling, repair or demolition operations, if such materials are not fully enclosed within the collection container or if such materials cause the weight of the container to exceed the 250 pound weight limitation.

(7) Hot ashes. Ashes and/or materials from combustion which are warm to the touch.

(8) Maximum weight. Any item or combination of items within the container which causes the total weight of the container and contents to exceed 250 pounds.

(b) Residents are encouraged to participate in "recycling" and other environmental-conscious programs, so as to extend the lifetime of the sanitary landfill. Where collection containers are provided for "recycling" or for "green waste only", it is unlawful for any person to place into the container and locate the container for curbside collection any item or material which is outside of the class of "recyclable" or "green waste" materials intended for the special container, as indicated on the exterior of the container by wording or descriptive depiction.

7-3-105 CITY-PROVIDED COLLECTION CONTAINERS

(a) All solid waste to be collected and disposed by the City from residential users must be placed only in approved containers provided by the City or its service provider. The use of any container issued to another person is prohibited. Ownership of the container is retained by the City or its service provider.

(b) Citizens using the container shall keep the container free from destructive or decorative markings, shall maintain the original color, and shall keep the inside of the container clean and free from buildup of fungus, bacteria or any other type of contamination which causes odors or facilitates the deterioration of the container. The resident to whom the container is assigned is responsible for the container. The resident shall report to the City Manager or designee any damage to the container or malfunctioning thereof. The container is issued to a specific

service address and is nontransferrable to another person or location. Upon discontinuance of use by a resident or upon the resident's relocation from the community, the resident shall return the container to the City or the service provider.

(c) Should a resident desire additional containers, the resident may request additional solid waste containers and the disposal service therefor, upon payment of the additional fee, for six-month period of time and subject to automatic renewal unless the resident surrenders the garbage container to the City or the service provider prior to the ending of the six-month period.

(d) It is unlawful to remove the City-provided container from the immediate premises to which it has been assigned. It is unlawful to intentionally damage or deface the City-provided container or to utilize it for a purpose or in a manner other than the collection and disposal of residential refuse.

7-3-106 MONTHLY SERVICE FEE

(a) The resident or property owner of the single-family dwelling at the service address shall pay to the City the monthly service fee as established by the City's "fee resolution", for each solid waste container assigned to that location, regardless of quantity or frequency of usage. Payments received by the City for culinary water services, irrigation water services, solid waste collection and disposal services, and/or other City-provided services shall first be allocated in full to outstanding balances for solid waste collection fee.

(b) Upon failure of the resident or property owner to pay the monthly service fee for the solid waste collection and disposal, the City may temporarily or permanently interrupt or suspend culinary water service to the residential location, unless and until the outstanding billing is paid together with the water reconnection fee.