

## CHAPTER 9

### GARBAGE AND OTHER REFUSE

#### Article 1. Collection and Disposal

##### Sec. 9-1-1. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings ascribed to them in this section:

- (1) Person shall mean any institution, public or private corporation, individual, partnership, or other entity.
- (2) Premises shall mean land, buildings or other structures, which vehicles, water craft, or parts thereof, upon or in which refuse is stored.
- (3) Refuse shall mean all solid waste, including garbage and rubbish.
- (4) Garbage shall mean all putrescible waste, except sewage and body waste, including all meat, vegetable and fruit refuse, and carcasses of small animals and fowls from any premises within the city limits.
- (5) Rubbish shall mean tin cans, bottles, papers, tree limbs which shall be cut into lengths not exceeding three and one-half (3½ feet), leaves, etc., from any premises within the city limits.
- (6) Rubble shall mean brushwood, cardboard boxes, and other bulky earthen, wooden, or metal refuse-like materials, longer, larger, and/or heavier than refuse.
- (7) Health officer shall mean the County health officer of Grady County, or his authorized agent.
- (8) Public Works Director shall mean the city Public Works Director of the City of Chickasha, Oklahoma, or his authorized agent.
- (9) Hazardous Waste shall mean any chemical, compound, mixture, substance, or article which is designated by the United States Environmental Protection Agency or appropriate agency of the State of Oklahoma to be "hazardous" as that term is defined by or pursuant to Federal or State law. Hazardous wastes shall also include biomedical wastes, the disposal of which is regulated by Federal or State law. Non-regulated medical wastes shall not be considered hazardous for the purpose of this chapter.
- (10) Bulky Waste includes but is not limited to: household appliances, furniture, carpet, mattresses, box springs, water tanks, containerized do-it-yourself remodeling wastes, fencing and similar non-contracted items, bagged grass, and brush produced as refuse from single-family dwellings receiving collection services from the City of Chickasha or the Contractor for the City of Chickasha. All appliances containing chlorofluorocarbons (air conditioners, refrigerators, and freezers) must be certified "Freon free" or compressors must be removed before collection may be completed. Appliances containing Freon can be picked up by special arrangement. Items excluded under the definition of bulky waste include hospital and medical waste, poisons, acids and caustics, explosives, dirt and socks, sewage and liquid waste, nuclear materials gasoline, kerosene, propane tanks, degreasers, lubricants, tires and rims, antifreeze, paint, and commercial construction debris. (*Ord. No. 2007-09, 08/06/2007.*)

##### Sec. 9-1-2. Accumulation of garbage and refuse.

- (a) It shall be the duty of every person, firm or corporation owning, managing, operating, leasing or renting any premises or any place where garbage or rubbish accumulates, to provide and at all times to maintain in good order and repair on any said premises a portable container or containers for refuse which shall be made of galvanized metal, sturdy plastic or equivalent, not easily corrodible, rodent-proof and fly-proof, with a tight-fitting lid which shall not be removed except when depositing or removing the contents of the receptacle, with handles on the sides and of sufficient capacity and in sufficient numbers to accommodate and

securely keep all of the garbage and rubbish that may accumulate between collections; provided, that each container shall have a capacity of not less than twenty (20) gallons nor more than thirty-two (32) gallons, except where approved type bulk storage containers are in use and provided further, that all containers shall be kept clean and free from the accumulation of any substances remaining attached to the inside of the container which would attract flies, mosquitoes or any other insects. Trash bags may be used, if of sufficient strength, and placed at the same location as containers no earlier than twelve (12) hours prior to pickup.

- (b) All containers shall be kept in a convenient location for collection, as designated by the Public Works Director whereby collectors can obtain same without going into buildings, garages, locked gates, or fenced yards. All containers and grounds immediately around same shall be kept in a safe and sanitary condition at all times.
- (c) All ordinary accumulations of rubbish such as tree limbs, paper boxes and scrap lumber which cannot be conveniently placed in the containers required under this article shall be gathered together and baled, tied or sacked in compact bundles weighing no more than fifty (50) pounds, and placed in a location easily accessible to the collector. Rubble and rubbish not conforming to this section will be the responsibility of the individual to transport to the landfill. The City may, upon special request, arrange for special pick up on a case-by-case basis. [See Section 9-10-1.]
- (d) There shall be no open burning on premises unless specifically permitted by the City Fire Marshal. (*Ord. No. 2007-09, 08/06/2007.*)

Sec. 9-1-3. Collection of garbage and rubbish.

- (a) The City of Chickasha, Oklahoma, or its authorized representative, shall collect from the residential areas of the city, and from the designated business routes and all food establishments of the city all garbage and rubbish as required to ensure sanitary conditions; provided, that it shall be the duty of any person in possession or control of any premises to place the containers required in Section 9-2-1(a) in a location easily accessible to the collector as directed by the Public Works Director.
- (b) Business operations generating excessive amounts of garbage and/or rubbish may themselves be responsible for transportation and disposal of such waste. The City, at its option, may limit municipal sanitation service to normal household or business refuse.
- (c) Permits.
  - (1) It shall be unlawful for any person, firm, or corporation who does not possess a permit to engage in the business of refuse collection or refuse disposal for compensation in Chickasha, Oklahoma. The City Manager's office shall issue permits with the approval of the city council for such applicants; provided, that such permits shall be limited to persons, firms or corporations having proper equipment, meeting State Department of Environmental Quality requirements, and personnel to collect and dispose of refuse in accordance with the provisions of this article; and provided further, that the method of disposal used is in accordance with the requirements of Section 9-4-1 of this article. Any customer requiring ongoing permanent roll off service shall fall under the jurisdiction of the City or its authorized representative.
  - (2) Every person desiring to engage in the collections and/or disposal of refuse (other than the Solid Waste Contractor for the City) shall make written application to the City Manager's office setting forth the name of such person, the residence address thereof or the address of the place of business, a description of the equipment to be used in the collection and/or disposal of such refuse, the place of disposal and the method of disposal to be practiced. Upon approval of such application, the City

Manager's office shall issue a permit to the applicant. The permit fee shall be one hundred dollars (\$100.00) per location per year, payable in advance to the City of Chickasha.

(3) A permit issued under this article shall expire on the 30<sup>th</sup> day of June in each year. Permits shall be renewable annually in the same manner and upon payment of the same annual fee as provided in subsection (c)(1) and (c)(2) of this section.

(4) Carcasses of animals such as cows, horses, and mules shall be removed and disposed of at the expense of the owner or person having same in charge and by the method directed by the Section 9-4-1. Animals removed as garbage or rubbish shall weigh less than ten (10) pounds.

(5) Heavy accumulations such as brush, broken concrete, ashes, sand or gravel, automobile frames, dead trees and other bulky, heavy materials shall be disposed of at the expense of the owner or person controlling same under the direction of the Public Works Director.

(6) Manure from cow lots, horse stables, poultry yards, pigeon lofts, and other animal or fowl pens, waste oils from garages or filling stations or materials considered hazardous and/or dangerous, shall be removed and disposed of at the expense of the person controlling same in the manner and by the methods directed by the Grady County Health Department, State Department of Health/Department of Environmental Quality, and U. S. Environmental Protection Agency (EPA).

(7) The placing of garbage or rubbish or any refuse material in any street or alley within the city limits or the disposal of such refuse at any place within the city limits, except at the approved landfill, or at such other place as may be directed by the Public Works Director is prohibited.

(8) The meddling with refuse containers or in any way pilfering, scattering contents or junking in any alley or street within the city limits is prohibited. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-4. Disposal.

The disposal of garbage and rubbish shall be at an approved landfill only. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-5. Inspections.

It shall be the duty of the health officer, Public Works Director, or code enforcement officer of the City of Chickasha, Oklahoma, or their authorized agent, to make all necessary inspections and investigations of any and all premises to see that the terms of this article are complied with. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-6. Residential Sanitation Fees.

(a) There shall be charged, assessed and collected from each residential unit within the city limits a monthly fee established by a resolution of the City Council.

(b) The fees established for residential refuse collection will be reviewed periodically and changed by resolution of the City Council.

(c) There shall be charged, assessed and collected from each residential user outside the city limits, using refuse service of the City, a monthly fee in an amount that is double the amount established by resolution of the City Council for residential users within the city limits.

(d) Two types of residential refuse collections are hereby established as follows:

(1) Type I. Residential refuse collection is defined as the normal residential collection from curbside, street edge, or alley pick up. The monthly charge will be the normal residential collection fee established by resolution of the City Council.

(2) Type 2. Residential refuse collection is defined as residential collection at house side. The fee for Type II residential refuse collection is also established by resolution of the City Council.

- (e) All residential units shall comply with Type I and Type II collection methods established above. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-7. Duty to request garbage service.

To assist in maintaining the general sanitation of the City of Chickasha, Oklahoma, it shall be the duty of every person occupying or having control of the occupancy of any premises located on a regularly established garbage route to notify the city at the beginning of such occupancy and request, accept and use the garbage pick up and collection service; provided however, that failure of any owner, rental agent or occupant of such premises to make such request shall not prevent nor in any way impair or impede the city from adding the address of such premises to the proper sanitation collection route records and providing such service and otherwise enforcing by appropriate action the regulatory measures herein prescribed and causing the fees or charges therefore to be paid. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-8. Charges to be on water bill.

All bills for sanitary (refuse) service charges shall be included on water bills and no payment shall be accepted by the water department except for the full amount billed for all services, and delinquent refuse bills shall carry the due dates, grace periods, and penalties as water bills. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-9. Repeal.

This article shall be cumulative of all other sanitary ordinances or regulations of the City of Chickasha, Oklahoma, unless in conflict with the terms of said ordinances and regulations, in which case the terms of this article shall prevail. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-10. Large/Bulky Items.

- (a) There shall be charged, assessed and collected from each residential, apartment, or commercial customer, within the city limits an estimated per cubic yard fee for the collection of large/bulky items, such fees shall be established by resolution of the City Council.
- (b) The fees established for large/bulky refuse collection will be reviewed periodically by the City Council.
- (c) There shall be charged, assessed and collected from each customer outside of the city limits using refuse service of the City, a fee in an amount that is double the amount established by resolution of the City Council for users within the city limits. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-11. Commercial sanitation fee.

- (a) There shall be charged, assessed and collected for each commercial or industrial user within the city limits, using sanitation service of the City, a monthly fee established by a resolution of the City Council.
- (b) There shall be charged, assessed and collected from each commercial or industrial user outside the city limits, using the sanitation service of the City, a monthly fee in an amount that is double that amount established by resolution of the City Council for each commercial or industrial users within the city limits.
- (c) The fees established shall be reviewed periodically and changed by resolution of the city council. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-12. Multi-family sanitation fee.

- (a) The monthly fee established for each unit in a multi-family dwelling (apartment, duplex, etc.) for sanitation collection monthly shall be in an amount set by a resolution of the City Council.
- (b) The fee established shall be reviewed periodically and changed by resolution of the City Council.
- (c) There shall be charged, assessed and collected from each multi-family dwelling unit located outside the city limits, using refuse service of the City, a monthly amount which is to be double that amount established by the City Council for multi-family dwellings within the city limits that are using refuse service of the City. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-13. Use of garbage and rubbish receptacles.

- (a) It shall be unlawful for any person to use a refuse or rubbish receptacle or container belonging to another person.
- (b) It shall be unlawful for any person to dispose of refuse or rubbish in a dumpster placed in a residential, commercial, recreational, public, or industrial area by the municipality without having paid the appropriate fee established for use of that particular dumpster. As used herein a dumpster is defined as a receptacle for disposal of refuse or rubbish with a capacity greater than ½ cubic yard, constructed of plastic, metal or fiberglass and having handles of adequate strength for lifting. *(Ord. No. 2007-09, 08/06/2007.)*

Sec. 9-1-14. Penalty.

Any person, the local manager of any firm or corporation, who violates any of the provisions of this chapter, shall be guilty of an offense and upon conviction thereof, or plea of guilty hereunder, shall be punished with a fine in an amount not to exceed the maximum fine allowed by law for non-jury trials and court costs. Each day's violation shall constitute a separate offense. *(Ord. 166, 07/14/83; Ord. No. 2003-05, 05/19/2003; Ord. No. 2007-09, 08/06/2007.)*