

**Ordinance Revision to Chapter 26 of the City Code  
Relating to Garbage and Trash**

Section 1: Be it ordained that Section 26 of the City Code is revised as indicated below.

Sec. 26-1. - Definitions.

In addition to the definitions of the state department of human resources, division of health services, in its Solid Waste Management Rules, the following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Areas, establishments and units.*

- a. *Business, retail and commercial.* Establishments of this type shall mean offices, retail stores, restaurants, hotels, boardinghouses, religious and charitable organizations, and private clubs.
- b. *Central business district* means a section of the city bounded by Eighth Street to the north, Patterson Avenue and Vine Street to the east, First Street to the south, and Broad Street to the west. It also includes Liberty Street between Eighth Street and 14th Street and Burke Street between First Street and Fourth Street. This general area may be either expanded or decreased due to service requirements by the assistant city manager/public works or his authorized representative.
- c. *Density* means the number of families residing on, or the number of dwelling units located in, a stated unit of land area, which land area excludes all but the land devoted to living facilities, the accessory uses thereon and the open space thereon; however, where all of a residential site is not developed, resulting in a higher density as built, then, unless the assistant city manager/public works determines that good cause exists for the development to be classified at a lower density, the development shall be classified according to the density of that part actually developed.
- d. *Dwelling unit* means one or more rooms used as a place of residence by one family.
- e. *Multiple-family residential unit* means any building containing more than one dwelling unit.
- f. *Premises* means that property including land and building thereon, sidewalks, rights-of-way, grass strips and/or curbs up to the edge of the improved road surface of the public street.
- g. *Small business*, as used in this chapter, means a business that generates only 96 gallons of waste per week, or fewer.

- (2) *Litter* means any solid waste material such as garbage, household trash, yard trash, business trash, building materials, etc., or any other discarded used or unconsumed substance, which is not handled and stored for collection as specified in this chapter.

(3) *Receptacles and containers.*

- a. *Bulk container and Bulk Recycling Container both* means a metal container with a capacity of not fewer than four cubic yards and not more than eight cubic yards. The container shall be of leakproof and watertight construction, with door openings on two sides and the top as approved by the assistant city manager/public works, and constructed so that it can be emptied mechanically by city trucks. Containers shall be constructed with automatic-closing top lids. When not in use, side doors shall be closed at all times.
- b. *Bulk Recycling Center* means an area enclosed on 3 sides and designated for housing recycling containers.
- ~~c.b.~~ *Heavy-duty plastic bags* means polyethylene plastic bags meeting the standards set ~~set~~ forth by the National Sanitation Foundation. Such bags shall be in good shape, size and weight and shall not weigh more than 40 pounds when filled, and shall have the capability of being handled safely by one person without breakage.
- ~~d.e.~~ *Refuse receptacle* means a 96-gallon plastic, wheeled garbage and trash receptacle compatible with city garbage collection equipment and approved by the department of public works. Such receptacle and its contents shall not weigh more than 150 pounds.
- ~~e.d.~~ *Portable packing unit* means a metal bulk container with a four- to eight-cubic-yard capacity that contains a packing mechanism for compaction of waste and has an internal or external power unit.
- ~~f.e.~~ *Yard trash mobile roll-out container* means a 96-gallon plastic wheeled container compatible with city garbage collection equipment and approved by the department of public works.
- ~~g.f.~~ *Recycling roll-out mobile containers* means a 96-gallon plastic wheeled container provided by the City for recycling.

(4) *Solid waste* means all discarded waste materials, including but not limited to garbage, household trash, yard trash, business trash, building materials, industrial waste, refuse, brush and ashes as specified in this subsection.

- a. *Ashes* means waste resulting from fires which has been wet and cooled prior to collection.
- b. *Brush* means small tree limbs, branches and shrubbery trimmings. Brush and trimmings shall not exceed six inches in diameter and shall be no greater than six feet in length. The term does not include stumps, logs and tree trunks that exceed the diameters mentioned in this definition.
- c. *Building material* means any material such as lumber, brick, plaster, gutters or other substances accumulated as a result of repairs or additions to existing buildings, construction of new buildings or demolition of existing structures.
- d. *Bulky household trash (appliances, furniture)* means any waste accumulation of bulky items such as stoves, refrigerators, washers, dryers, water heaters, sofas, box springs, carpeting and other similar items.

- e. *Business trash* means any accumulation of dust, paper, packing materials or rags, or any accumulation other than garbage, which is usually attendant to the operation of retail and commercial establishments.
  - f. *Garbage* means the byproduct of animal or vegetable foodstuffs resulting from the handling, preparation, cooking and consumption of food, or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gasses or odors.
  - g. *Household trash* means any waste accumulation of paper, sweepings, dust, rags, bottles, discarded toys and small appliances, cans or other material of a similar kind, other than garbage, which is usually attendant to housekeeping. Discarded glass bottles, whether in their original condition or ruptured, shall be properly wrapped or containerized to prevent injury to collection personnel.
  - h. *Industrial waste* means all waste generated from factories, processing plants and other manufacturing enterprises.
  - i. *Refuse* means solid waste accumulations consisting of garbage, household trash, ashes and business trash.
  - j. *Yard trash* includes leaves, grass trimmings, shrubs or shrubbery trimmings, twigs and other plant waste other than garbage. This does not include tree trimmings unless the material is properly placed in yard waste containers. It does not include dirt, rocks or stumps.
- (5) *Vacant lot* means an empty, unimproved or unoccupied parcel of land.
- (6) *Recycling* means newspapers and accompanying inserts, corrugated cardboard, glass, food and beverage containers, plastic soft drink containers and liquor bottles, spiral paper cans, aluminum, bimetal cans, steel or tin cans, and other items determined to be recyclables by the city.

(Code 1975, § 9-1; Ord. No. 4270, § 1, 9-15-97; Ord. No. 4284, § 1, 5-18-98; Ord. No. 4360, §§ 1, 4, 6-5-00; Ord. No. 4380, § 1, 12-18-00; Ord. No. 4386, § 1, 3-26-01; Ord. No. 4695, § 1, 6-21-10; Ord. No. 4796, § I, 6-17-13)

**Cross reference**— Definitions generally, § 1-2.