

Chapter 12
Garbage & Solid Waste Management

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Section 12-1-1. Definitions

- a. Approved garbage containers: Approved garbage containers are those containers specifically provided by the City for residential uses, which containers are designated specifically for automated collection and have permanently attached, tight fitting lids.
- b. Commercial solid waste: Solid waste resulting from the normal activities of commercial users.
- c. Commercial user: An enterprise, not a residence, such as a business, association, corporation, manufacturer, hotel, motel, resort, multi-family dwelling shall be considered a separate residence for purpose of billing.
- d. Residence: An occupied dwelling unit such as a home, trailer, or multi-family dwelling of two or less nits, not including hotels, motels, or mobile home parks or subdivisions. Each unit of a two unit multi-family dwelling shall be considered a separate residence for purposes of billing.
- e. Residential solid waste: Solid waste resulting from the normal activities of households and residential use.
- f. Solid waste: All putrescible and non-putrescible materials or substances discarded or rejected as being spent, useless, worthless, or in excess to the owner's needs at the time of discard or rejection, including garbage, refuse, industrial and commercial waste, and waste which constitutes solid waste as defined in 40 C.F.R. Part 258, the Criteria for Municipal Solid Waste Landfills ("Part 285") which is household waste, commercial solid waste or industrial solid waste (as such terms are defined in Part 285), or other types of waste governed by subtitle D of the Resource Conservation and Recover Act, and Solid waste within the meaning of the Solid Waste Management Act, Title 19, Chapter 6, Part 5, Utah Code Annotated 1953, as amended, including demolition and construction debris.

Section 12-1-2. Creation of solid waste collection department.

There is hereby created the Grantsville City Solid Waste Collection Department and System, directed and controlled by the Mayor and City Council.

Section 12-1-3. Residential collection.

- a. All occupied residences within Grantsville City shall be provided with mandatory solid waste collection, removal and disposal services and approved garbage containers by the City or its designated agent.

- b. Except as otherwise expressly permitted by this Section, no residential solid waste shall be moved, hauled away or transported upon the streets or public ways of the City except by the municipality or its designated agents. It is hereby declared to be unlawful for any person, except as permitted in this Section, to haul or removed residential solid waste within or from the City. Nothing contained in this Section shall however preclude persons from hauling their own residential solid waste over the streets or public waste of the City to Tooele County's designated solid waste disposal facility provided said person is regularly paying the City for collection services and container fees.

Section 12-1-4. Commercial Collection.

Commercial users shall collect and remove their own commercial solid waste that is generated within the City, either directly or by employing the services of a City licensed contractor. All commercial solid waste generated within the City shall be transported and delivered to Tooele County's designated solid waste disposal facility.

Section 12-1-5. Residential collection contract.

- a. The City may grants a contract to an independent contractor o operate a residential solid waste collection and sanitary disposal pickup service within the City upon the terms and conditions as the City Council shall require by contract.
- b. The holder of such contract shall be answerable to the City Council for the conduct and operation of solid waste collection and disposal.

Section 12-1-6. Residential solid waste collection fees.

- a. All residents within the City shall pay monthly solid waste service charges in the amount set forth by resolution of the City Council. Charges for collection, removal and disposal services for residential solid waste and fees for City provided containers shall be paid for by the owner, lessee or occupant of the residence on the regular water and sewer utility bill or by direct billing, if sewer and water services are not provided by the City. All solid waste shall be collected, removed and disposed of with such frequency and in such manner as the City Council may from time to time determine appropriate.
- b. Every residential user shall be issued at least one approved garbage container by the City. Title to containers furnished by the City to residential users shall be retained by the City and the payment made by the residents therefor shall be pursuant to a rental fee for the use thereof. After September 30, 1995, a one-time delivery and administration fee shall be charged for each new container issued by the City. The delivery and administration fee for new containers is hereby established at \$65.00. The delivery and administration fee may be amended by Resolution of the City Council. Monthly rental fees for containers shall be established and amended by Resolution of the City Council. Rental fees for the first container shall be incurred for a minimum of on (1) month for each month or part thereof that a residence is occupied. Garbage container delivery and administration fees and rental fees shall be charged and collected in the same manner as he service charge for solid waste collection services.
- c. The Mayor, with the consent of the City Council, may excuse needy persons who are not reasonably capable of paying the monthly charge for residential collection of solid waste or container fees from the payment of the residential rate for such period of time as may be deemed proper or necessary.
- d. Charges for garbage collection service shall be rendered each month and may be included with the water and sewer bills if said services are also provided. Each bill shall show separately the amount of the garbage service charge for the combined use of the garbage, water and sewer service. The portion of the bill rendered for garbage service in the case of a combined billing cannot be paid separately from the portion rendered for the other City services. Payments for garbage and other City services are due at the Grantsville City Offices prior to the time that the next months service billing is prepared by the City. A 1.5 percent late fee shall be added to all delinquent accounts at the time the next months service billing is prepared by the City. A separate late fee shall be assessed against each residential unit, when payment for

that unit is delinquent and when the billing or payment is combined with other residential units. In the event that the garbage, water, sewer charges or late fees or any portion thereof are not paid in full within forty-five (45) days after the due date, water service may be discontinued. Before the water shall be turned on again, all delinquent garbage, water or sewer charges, late fees, interest charges and a \$25.00 late fee to cover the expenses of restoring water service shall be paid in full to the City. In the event a deposit has been made securing the payment of charges for City service, said deposit may be forfeited to the City in the amount delinquent and due the City. The City Recorder may waive late fees if he or she determines that there is good cause of the waiver of said charge.

- e. Containers lost or missing through no fault of the user thereof shall be replaced by the City without charge for its replacement. Users shall exercise due care to protect containers against loss through theft or misappropriation. Containers shall not be removed from the premises that they have been assigned to. The owner, lessee or occupant of each residence shall be held responsible for each container issued to that residence. No hot ashes, flammable, corrosive or explosive materials shall be deposited in a garbage container. A purchase fee based on the cost to the City at the current rate, together with a delivery and administration fee shall be charged to anyone who damages or removes a garbage container from the property that the container has been assigned to.

Section 12-1-7. Garbage containers and fees.

- a. Solid waste shall be collected by the City or its agent from residential users only in containers approved and issued to them by the City. The use of any other type of containers or the use of approved containers issued to another residence is unlawful and prohibited. All other solid waste not collected by the City shall be placed in suitable and sufficient garbage receptacles, either with tight fitting lids or durable water resistant containers manufactured specifically for use in solid waste collection.
- b. Every residential user shall be issued at least one approved garbage container by the City. Title to containers furnished by the City to residential users shall be retained by the City and the payment made by the residents therefor shall be rental for the use thereof. Rental fees for the first container shall be incurred for a minimum of one (1) month for each month or part thereof that a residence is occupied. Garbage container rental fees shall be charged and collected in the same manner as the service charge for solid waste collection services.
- c. Users renting containers furnished by the City, or having custody thereof, shall keep the container free from destructive or decorative markings, shall maintain the original color thereof, and shall keep the inside of said containers clean and free from build-up of fungus or bacteria or any other type of contamination that causes odors or facilitates deterioration of the inside or outside of such container. Users shall be responsible for containers and shall not be negligent in the use of the containers.
- d. Residential users shall report to the City, or authorized garbage hauler, any damage to or malfunctioning containers that limit their usefulness for receipt of garbage or refuse so that the same may be returned to the supplier for repair or replacement if they are covered by warranty or for repair or replacement by the City or its agent.
- e. Containers lost or missing through no fault of the user thereof shall be replaced by the City without charge, but users shall exercise due care to protect containers against loss through theft or misappropriation. Containers shall not be removed from the premises that they have been assigned to. The owner, lessee or occupant of each residence shall be held responsible for each container issued to that residence. No hot ashes or flammable or explosive materials shall be deposited in a garbage container. A purchase fee, based on the cost to the City at the current rate, will be charged to anyone who damages or removes a garbage container from the property that the container has been assigned to.
- f. Containers furnished by the City are issued to specific users by number and are non-transferable. Upon discontinuance of use by a resident, containers shall be returned to the City or its designated agent.

Section 12-1-8. Additional containers.

- a. Should a residential user determine that an additional container is necessary to provide for their needs, a

request may be made to the City for an additional container or containers.

- b. Additional Containers will be provided to a user at an additional charge per month which charge shall be set by resolution of the City Council. Such charge shall be incurred for a minimum of four (4) months.
- c. At such time the user determines the additional container or containers are no longer needed, the user shall return said container(s) to the City at which time the additional charge will be deleted from the monthly billing provided the four months minimum has been met.
- d. Additional containers will be rented subject to availability of the containers to the City. Provision of initial containers to new residents will take priority over providing additional containers to residents who already have been issued one container.

Section 12-1-9. Time and place pickup.

- a. All residential solid waste containers shall be placed on the edge of the street next to the driveway on the opposite side of the driveway approach from the mailbox, but in no event within ten feet of a mailbox, and with the container's wheels as close to the curb or edge as reasonably possible, with the hinge thereof to curbside and the lid opening facing toward the street. When snow or streets constructions prevents placing of the container against the curb, the container shall be placed not over two feet from the edge of said snow or construction and in a manner that will not obstruct traffic or unduly impede the snow plowing activities of the City. In the areas of the City where there is no curb and or gutter, containers shall be placed off of the traveled portion of the street, but close enough to the street that the container can be picked up without undue difficulty.
- b. Containers shall not be placed or permitted to block driveways or through traffic.
- c. Unless otherwise provided by regulation, garbage and refuse must not be set out upon the street for collection prior to the evening of the day before collection and must be set out prior to 7:00 a.m. on the day of collection.
- d. All empty containers must be removed from the street as soon as practicable after being emptied, and in every case, must be removed from the street the same day they are emptied.
- e. Those physically unable to wheel containers to curbside may arrange with the City for assistance.
- f. It shall be unlawful to park a vehicle upon a public street with the City during the hours of garbage pickup on said street in a manner that interferes with access to garbage containers by the garbage collection vehicle.

Section 12-1-10. Closing of garbage containers required.

No garbage containers shall be overfilled to the extent that the lid does not remain firmly closed at all times or to such an extent that the contents may be spilled during the process of pickup and dumping into the garbage collection vehicle.

Section 12-1-11. Accumulation or Disposal of Solid Waste Prohibited.

It shall be unlawful for any person to accumulate solid waste or cause solid waste to be deposited upon any street or alley or upon any premises in the City without express permission from the City or County Health Department. No person shall for the purpose of final disposal dump, place or bury any solid waste within the corporate limits of the City. No person shall for the purpose of final disposal, burn solid waste within the corporate limits of the City.

Section 12-1-12. Commercial waste prohibited in residential containers.

It shall be unlawful for commercial users to deposit commercial solid waste in residential containers. It shall be unlawful for residential users to deposit residential solid waste in any commercial users solid waste containers.

Section 12-1-13. Covering vehicles required.

It shall be unlawful for any person to haul, convey or transport through or upon any of the public streets of the City, any solid waste, in any open truck, trailer or other open conveyance, unless covered completely so that no solid waste is capable of leaving the container or conveyance within which it is enclosed or being transported in.

Section 12-1-14. Regulations.

The City Council may adopt such regulations from time to time as, in its opinion may be necessary to implement the provisions of this Chapter.

Section 12-1-15. Penalty.

Any person, firm or corporation who shall violate the terms of this Chapter by any act of omission or commission shall be deemed guilty of a Class "C" Misdemeanor and upon conviction thereof may be sentenced to pay a fine not exceeding \$750.00 and to imprisonment in the Tooele County Jail not exceeding 90 days or by both such fine and imprisonment.

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