City of Lansing
Code of Ordinances – Waste Haulers

852.01. Definitions.

As used in this chapter:

Motor vehicle means a vehicle which is self-propelled but not operated upon rails.

Trailer means a vehicle with or without motive power designed for carrying property and being drawn by a motor vehicle.

Truck means a motor vehicle designed, used or maintained primarily for the transportation of property.
(1958 Code, § 16-18)

852.02. License required; exceptions.

(a) No person shall operate a motor vehicle, trailer or truck over, along or upon the streets, avenues, alleys or parks of the City for the purpose of hauling for hire or reward any rubbish, ashes, junk, paper, rags, scrap or discarded metal, bottles, glass, crockery or shavings, except factory scrap, without first having obtained a license therefor, as provided in this chapter.
(1958 Code, § 16-19)

(b) Nothing in this chapter shall require a person, hauling any of the material described in subsection (a) hereof along the streets, avenues, alleys or parks in the City, for his or her own personal use and not for hire or reward, to have a license therefor. (1958 Code, § 16-20)

852.03. License application; inspection of vehicle.

(a) An application for the license required in Section 852.02 shall be made in writing, signed and sworn to by the applicant, on forms provided by the City Clerk. Such application shall be filed with the Clerk and shall contain the full name and street address of the applicant and the manufacturer's name, model, make, year and State license number of each vehicle owned by or leased to the applicant, for purposes of hauling any of the materials listed in Section 852.02. Further, the application shall state the name of the insurance carrier for property damage and public liability coverage, as required in Section 852.06 and the date of issuance of such policy, together with its expiration date.

(b) Such application shall also be referred to the Office of Building Safety for an inspection of any premises owned or occupied by the applicant within the City, to determine whether or not such premises are being used for purposes contrary to the applicable provisions of the Zoning Code and the Building and Housing Code of the City. No license shall be granted to any applicant whose premises do not meet the requirements of such provisions.
(Ord. No. 771, 2-29-88)

852.04. License fees; expiration date.

The fee for the license required in Section 852.02 shall be set by resolution of Council for each motor vehicle, trailer or truck so licensed, which license shall be for no longer than one year, and shall expire on April 30 of each year. (1958 Code, § 16-22)

852.05. License transfer.

All licenses issued under this chapter may be transferred from one motor vehicle to another owned by the same licensee and approved by the Sealer of Weights and Measures, as provided in Section 852.06. (1958 Code, § 16-23)

852.06. License issuance; liability insurance.

The City Clerk shall issue the license required in Section 852.02 if the following conditions are met:

(a) Upon filing an application, as provided in Section 852.03;

(b) Upon receipt of an inspection report approved by the Office of Building Safety;

(c) Upon proof submitted in the form of a policy of insurance issued by a company licensed to do business in the State, or a certificate that such policy is issued and outstanding, by the applicant of his or her ability to respond in damages for any liability thereafter incurred, resulting from the ownership, maintenance, use or operation of a motor vehicle, trailer or truck licensed to him or her, for personal injury or death of any one person, for liability imposed upon him or her, for injury or death to two or more persons and for damage to property in any one accident in the minimum amounts required by State law; and

(d) Upon payment of the license fee provided in Section 852.04.
(Ord. No. 773, 2-29-88; Ord. No. 972, 9-15-97)

852.07. Certificate of payment of taxes.

No license required under this chapter or renewal thereof shall be issued to any person unless and until a certificate from the City Treasurer, to the effect that all personal property taxes levied and assessed against the person have been paid in full, is obtained and filed with the license application.
(1958 Code, § 16-25)

852.08. Carrying license in vehicle; identification plate.

The license issued under this chapter shall at all times be carried in the cab of the vehicle to which it is assigned. In addition, the City Clerk shall cause to be issued to the licensee an identification plate containing a number corresponding to that shown in the Clerk's records as issued to such licensee, and containing the year during which such license expires. The licensee shall have such identification plate attached to the body of such motor vehicle, trailer or truck at all times.
(1958 Code, § 16-26)

852.09. Transferring rubbish on streets.

No person shall transfer rubbish from one automobile, truck or other vehicle to any other vehicle while standing in the public streets or alleys of the City.
(1958 Code, § 16-27)

852.10. License revocation.

Any license issued under this chapter shall be subject to revocation upon five days notice by the Office of Building Safety for a violation of any of the provisions of this chapter or for storing rubbish upon premises owned or occupied by him or her within the City contrary to the applicable provisions of the Zoning Code and the Building and Housing Code of the City.
(Ord. No. 79, 3-2-64)

852.99. Penalty.

Editor's note: See Section 202.99 for general Code penalty if no specific penalty is provided.

City of Lansing
Code of Ordinances – Garbage and Rubbish Collection

1060.01. Title and purpose.

(a) The title of this chapter shall be "Patrick E. Lindemann Recycling Ordinance."

(b) The City finds that a significant amount of recyclable materials that could be removed from the solid waste stream is needlessly discarded each year. The recovery and re-use of such recyclable materials will:

(1) Minimize environmentally unsound solid waste disposal methods;

(2) Reduce the consumption of and the demand for scarce landfill capacity; and

(3) Aid in the conservation of vital natural resources and energy.

(c) As a result of a vote approved citizen initiative in 1990, a City-wide yard waste collection and recycling service was established in 1991 and shall be administered and operated by the Public Service Department. The Public Service Department shall collect or pick-up at curbside any of the recyclable materials and/or yard wastes, which have been placed in the right-of-way. Revenue from the salvageable materials shall be used to maintain and improve the recycling programs and/or reduce the recycling fee. Procedures for implementation of the yard waste collection and recycling service referred to herein shall be established by ordinance.
(Ord. No. 1032, § 1, 7-2-01)

1060.02. Definitions.

As used in this chapter:

Containers means an appropriate bin, cart, bag of plastic or paper, or other vessel specified or provided by the City or private company for purpose of holding solid waste, yard waste, or recyclable materials until collected.

Hazardous substance means any waste (including "hazardous waste" as defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, and "solid waste" as defined in the Resource Conservation and Recovery Act of 1976, as amended, and State counterpart laws thereto), substance, pollutant, contaminant, oil petroleum product, commercial produce or other substance which is listed, regulated or designated as toxic or hazardous (or words of similar meaning and regulatory effect), or with respect to which remedial obligation may be imposed, under any environmental law, or exposure to which may pose a health or safety hazard.

Garbage means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables, with the exception of fruit and/or vegetable matter properly composted.

Generator means a person generating solid waste.

Industrial recyclable materials means source separated from solid waste fiber, plastic, ferrous or nonferrous metal scrap directed and/or delivered to a scrap processor or to a re-user of ferrous or nonferrous products and slag or slag products directed to a slag processor or to a re-user of slag or slag products.

Licensed waste hauler means any waste hauler licensed by the City pursuant to Chapter 852 of the Business Regulation and Taxation Code.

Multiple residential facility means any multifamily dwelling containing five or more units and any mobile home located in a mobile home park, as defined in the Michigan Mobile Home Commission Act, as amended.

Multiple residential site of generation means any site of generation containing a multiple residential facility.

Nonresidential entity means any person who uses, occupies or possesses a premises, or any part thereof or unit therein, which is not a single-family dwelling, a multifamily residential dwelling containing four units or less or a multiple residential facility. Nonresidential entity includes, but is not limited to, commercial, office, industrial, governmental, educational, religious, medical and food institutions, businesses and establishments, whether for profit or not for profit.

Commercial recyclable materials means all residential recyclable materials and such other materials as may be recommended by the Public Service Department and established by Council from time to time by resolution.

Nonresidential site of generation means any site of generation of a nonresidential entity. It is intended that this classification include all non-residential premises and any part thereof or unit therein.

Person means any individual, firm, public or private corporation, partnership, trust, public or private agency or any other entity, or any group of such persons.

Premises means any enclosed areas which are used for residential, commercial or industrial purposes, separately or in combination, to which a separate street address, postal address or box, tax roll description or other similar identification has been assigned to or is in use by a person having control of the area.

Residential recyclable materials means materials such as newspaper, clear and brown glass bottles and jars, tin (steel) cans, high-density polyethylene (HDPE) plastic bottles and jugs with threaded neck, polyethylene teraphalate (PET) bottles, aluminum cans, trays and foil, glossy-paged magazines and catalogs, and such other material as may be recommended by the Public Service Department and established by Council from time to time by resolution.

Residential site of generation means any site of generation containing a single-family dwelling or multifamily residential dwelling which contains four units or less.

Right-of-way means the area between the sidewalk and the curb, or within six feet from the curb if no sidewalk is in place, whichever is applicable.

Solid waste means garbage; ashes; incinerator ash; incinerator residue; street cleanings; Municipal and industrial sludge; solid commercial and solid industrial waste and animal waste; but does not include human body waste; liquid or other waste regulated by statute; source separated from solid waste fiber, plastic, ferrous or nonferrous metal scrap directed and/or delivered to a scrap processor or to a re-user of ferrous or nonferrous products and slag or slag products directed to a slag processor or to a re-user of slag or slag products.

Site of generation means any premises in or on which solid waste is generated by any person.

Waste hauler means any person engaged, in whole or in part, in the business of collecting, transporting, delivering or disposing of solid waste, recyclable materials or yard waste within the City.

Yard waste means leaves, grass clippings, garden debris, shrubbery or brush or tree trimmings less than four feet in length and two inches in diameter, that

can be converted to composted humus. This term does not include stumps, agricultural wastes, animal waste, roots, sewage sludge or garbage.

Acceptable bulk items for collection means any item which cannot be fully contained within a City collection bag or which exceeds thirty pounds, except as defined in subsection (t) hereof.

Unacceptable bulk items for collection includes, but is not limited to, logs; stumps; trees (except Christmas trees); buildings or demolition materials; concrete; rocks; abandoned or junk vehicles, including automobiles, trucks and buses; automobile or truck parts (excluding tires); and manufacturing or trade wastes.
(Ord. No. 1032, § 1, 7-2-01)

1060.03. Mandatory recycling; anti-scavenging; separation of recyclable materials and yard waste from solid waste.

(a) All persons who are owners, lessees or occupants of a residential site of generation shall separate residential recyclable materials and yard waste from solid waste and prepare the recyclable materials and yard waste for recycling.

(b) All owners, lessees or occupants of a multiple residential site of generation shall separate residential recyclable materials and yard waste from solid waste and prepare the recyclable materials and yard waste for recycling. Owners of any multiple residential facility may provide the residents at each such property or unit with convenient, on-site collection of recyclable materials. Such collection may consist of at least one of the following:

(1) The owners, or their agents, may collect recyclable materials in containers and transport them to a facility that accepts materials for the purpose of recycling.

(2) The owners of the multiple residential facility may contract with a licensed waste hauler to provide on-site recycling collection services. These services may consist of regularly scheduled drop-off recycling services to be approved by the Public Service Director. Recycling containers shall be clearly labeled and separated in a manner appropriate for delivery to a recycling facility. The containers shall be marked "recyclable materials only."

(3) Owners of the multiple residential facility may provide in-house storage containers for each residential unit and contract for recycling collection service provided by a licensed waste hauler or the Public Service Department. Owners of each multiple residential facility may inform the residents of the recycling program by providing educational materials available from the from Public Services Department to all new tenants upon signing a lease and twice annually. The required education materials shall, at a minimum, include written instructions to all parties identifying the materials to be recycled, how the materials are to be prepared, how to use the on-site collection system, the location of collection containers, and updates detailing any changes in the program.

(4) The Public Service Department may enter into contracts with owners of multiple residential facilities to provide recycling service for a reasonable fee on a case by case basis.

(c) All nonresidential entities at any nonresidential site of generation shall separate recyclable materials and yard waste from solid waste and prepare the recyclable materials and yard waste for recycling nonresidential entities may provide for the collection of the selected nonresidential recyclable materials by at least one of the following methods:

(1) By collecting the nonresidential recyclable materials at the site of generation in containers and transporting them to facilities which accept the materials for the purpose of recycling.

(2) By contracting with licensed waste haulers to provide on-site recycling collection services. These services shall use recycling collection containers that are as convenient as those used for the existing solid waste collection system. Recycling containers shall be clearly labeled and separated in a manner appropriate for delivery to a recycling facility.

(3) By using containers clearly labeled for recyclable material and contracting for a regularly scheduled curbside recycling collection service provided by a licensed waste hauler or the Public Service Department.

Any hazardous substance shall be stored, handled, transported, disposed of and recycled in accordance with applicable environmental laws and regulations of Federal, State and local governments to qualify as any of the four categories of materials required by ordinance.

(d) The City, at its own expense, shall distribute to each unit of residential site of generation, a City-approved recycling container. The container shall remain the property of the City and shall be visibly designated as such. Any replacement or additional City-approved recycling container may be purchased at a fee determined by Council resolution.

(e) It shall be a violation of this chapter for any person, other than a Public Service Department employee, to collect or pick-up or cause to be collected or picked-up from residential sites of generation any of the recyclable materials and/or yard wastes which have been placed in the right-of-way.

(f) Nothing in this chapter shall be construed to prevent an individual from composting yard waste and fruit and vegetable matter on his or her own property as long as the composting does not create a nuisance or hazard to health, and does not emit offensive odors beyond the property lines of the site in which the compost is located.

(g) The burning of yard waste on any premises in the City is prohibited.

(h) It shall be a violation of this chapter for any waste hauler to dispose in a landfill any yard waste collected in the City. It shall be a violation of this chapter for any waste hauler to dispose in a landfill any recyclable materials collected in or from a container designated for the purpose of recycling.

(i) It shall be a violation of this chapter to rake or place yard waste into streets or alleys.

Editor's note: The following regulations were promulgated by the Public Service Department pursuant to Section 1060.03(b) and were approved by Council by Resolution 474, passed August 9, 1993.

1. Tenant or Resident Payments for Recycling Collection Service.

(a) Any recycling program that causes the tenant or resident to pay on a volume basis for recycling collection service is not acceptable under the City ordinance. Requiring residents to pay a volume-based fee in order to participate in a recycling program is not as convenient as non-volume based refuse collection service (where the cost is included in the monthly rent).

(b) Bag-based recycling collection service is an acceptable system for on-site recycling, provided that tenants or residents are not required to purchase bags in order to participate in the recycling program.

(c) As with other solid waste services, tenants or residents shall not be limited to the volume of materials they can

recycle at a given cost per the requirements set forth in subsection (d) below.

(d) Owners may not recover the cost of a recycling collection program at a multi-family dwelling property, except by one of the following:

(i) Include the cost of the recycling collection service in the rent as with landfill-bound solid waste collection and other apartment services;

(ii) Inform the tenant of the charge for the recycling service at a multifamily dwelling property together with the tenant's (per household) cost for landfill-bound solid waste collection and disposal.

2. Curbside Recycling Service.

(a) Curbside recycling is commonly referred to in the recycling industry and in government policies as a service where recycling collection is provided to households by using collection bins that are placed by the resident along the curb or street directly in front of their house or multifamily dwelling unit.

(b) For the purposes of meeting the requirements of the recycling ordinance, a multifamily dwelling recycling system may be considered as "curbside recycling" if the collection point for household recycling containers for any multifamily dwelling unit is located no further than the curb or parking area in front of the building where a given multifamily dwelling unit is located.

(Ord. No. 1032, § 1, 7-2-01)

1060.04. Yard waste, solid waste and recyclable material container specifications; price.

(a) The containers for recyclable materials from a residential site of generation shall be as specified by the Public Service Department. Its contents shall not exceed thirty pounds, excluding the weight of the bagged or bundled newspaper that may be placed on top of the container, and shall be properly prepared and separated from the solid waste prior to collection, and maintained in a fly and vermin proof condition. The recycling containers shall be kept in a sanitary condition by the users thereof.

(b) The containers for solid waste which shall be picked up by Public Service Department employees from residential sites of generation, shall be plastic bags or carts of City-approved quality. Specifications for City-approved collection bags or carts for solid waste shall be promulgated by the City through its Public Service Director. The contents of the City-approved collection bags for solid waste and containers for yard waste shall not exceed thirty pounds.

(1) City collection bags shall be a distinctive color and printed with the City seal or appropriate words which will readily indicate to the Public Service Department that the collection bags are intended for the weekly City-wide residential collection service.

(2) City collection bags shall be sold at a price determined by resolution of Council and shall be sold at outlets designated by the City. Designated sales outlets shall sell City collection bags only at the price established by Council. However, the appropriate sales tax may be charged by the retail establishment if so required by the laws of the State.

(c) Yard waste in plastic bags will not be picked up by public service department employees from residential sites of generation. Specifications for City-approved collection containers for yard waste shall be promulgated by the City through its Public Service Director. The contents of the containers shall not exceed thirty (30) pounds.

(d) All brush shall be neatly bundled in accordance with the City's pre-collection requirements.
(Ord. No. 1032, § 1, 7-2-01)

1060.05. Location of yard waste, solid waste and recycling containers; hours of collection; removal of containers.

(a) Between each collection period, the owner, tenant, lessee or occupant of any property shall provide a suitable place on the premises to store solid waste and/or recyclable materials. Solid waste and/or recycling and/or yard waste containers shall be placed and protected so that they cannot be easily disturbed by animals and in a place which, if possible, is not visible from the street and away from places occupied by other persons.

(b) Solid waste and/or recycling containers and/or yard waste containers, which will be picked up by Public Service Department employees from residential sites of generation, shall be set out in the right-of-way (adjacent to the street) on designated collection days, which shall be specified in the rules and regulations prepared by the Public Service Director and approved by Council. The schedule shall provide one collection weekly. The solid waste and/or recycling containers shall not be placed between the sidewalk and the curb (adjacent to the street) prior to 4:00 p.m. of the day preceding the scheduled collection day. No later than 7:00 a.m. on the day following the collection day, the solid waste and/or recycling containers shall be promptly removed from between the right-of-way (locations adjacent to the street) by the owner, resident, tenant, lessee or occupant.
(Ord. No. 1032, § 1, 7-2-01)

1060.06. Public service department pick-up of recyclable material.

(a) The Public Service Department shall be solely responsible for the pick-up of recyclable materials from residential sites of generation once placed in the right-of-way.

(b) It shall be a violation for any other company or person to pick-up any recyclable material from residential sites of generation once placed in the right-of-way.
(Ord. No. 1032, § 1, 7-2-01)

1060.07. Removal of scattered refuse and unacceptable materials.

(a) The owner or occupant of a residential site of generation unit shall promptly clean up and remove any scattered solid waste, rejected items, recyclable material and/or yard waste resulting from the breakage or opening of any City collection bag, can or other container or refuse bag intended for collection from the residential site of generation unit within twenty-four hours after the same has been scattered.

(b) Within twenty-four hours after written notification by the City, the owner or occupant of a residential site of generation unit shall, in accordance with this chapter, properly dispose of any such scattered refuse, rejected items, any City collection bag (and the contents thereof), intended for collection which is either broken or otherwise open, any City collection bag which weighs in excess of thirty pounds, any City collection bag which contains unacceptable materials for collection or any City collection bag which was placed on the curb in front of the residence prior to 4:00 p.m. of the day preceding the collection day, or later than 7:00 a.m. of the day of collection.

(c) Notification shall be in writing and sent by first class mail to the owner or party in interest of the property on which or in front of which the violation of this chapter exists. The name and address of the owner or party in interest of the residential site of generation shall be determined from the last local tax assessment record for the property. Notice shall also be given to the occupant of the property on which or in

front of which the violation exists, by either giving a copy of the notice personally to a person at the residence or by sending a copy of the notice by first class mail to the "occupant," as addressee, addressed to the property, if there is a residential site of generation thereon, and by posting a copy of the notice in a conspicuous place at the property or on a building thereon.
(Ord. No. 1032, § 1, 7-2-01)

1060.08. Nuisances.

(a) Removal or Abatement. Any solid waste, recyclable material and/or yard waste accumulated in a manner which is a public nuisance; any scattered solid waste, rejected items, recyclable material and/or yard waste; broken or open City collection containers; yard waste collection or recyclable material containers in excess of thirty pounds; City or private collection containers containing unacceptable materials; or City or private collection containers placed in front of a residential site of generation contrary to any collection procedure referred to in Section 1060.05; or any bulk item accumulated beyond the time frame identified in Section 1060.12, or unacceptable bulk item or bulk item placed in front of a residential site of generation contrary to collection procedures referred to in Sections 1060.14 and 1060.15, is hereby declared to be a public nuisance and is subject to removal or abatement. If a violation of this chapter is not corrected within seven days after notice is given in the manner provided in Section 1060.07 or 1060.16, respectively, then the City, through its Public Service Director or authorized representative, agent or designee, may remove or abate the nuisance.

(b) Expenses.

(1) The complete expense, including the administration costs to the City, incurred in the removal, abatement or preparation of materials for recycling shall be the sole responsibility of the owner or party in interest of the property on which or in front of which the condition existed, and shall be paid by the owner or party in interest in whose name the property appears on the City's latest real property tax assessment records. The expense shall be a penalty for income tax purposes.

(2) The complete expense incurred shall be a lien against the real property and shall be reported to the City Assessor, who shall assess the same against the property on which or in front of which the nuisance was located.

(3) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first class mail at the address shown on the records. If he or she fails to pay the same within thirty days after mailing, by the City Assessor, of a notice of the amount thereof, the City Assessor shall add the same to the next tax roll of the City, and such amount shall be collected in the same manner in all respects as provided by law for the collection of taxes by the City.
(Ord. No. 1032, § 1, 7-2-01)

1060.09. Licensing of waste haulers.

(a) No person shall engage in the business of collecting, transporting, delivering or disposing of solid waste residential recyclable materials and/or commercial recyclable materials and/or yard waste within the City without first obtaining a license issued by the City. A waste hauler license shall be valid from the date of issuance to the following April 30 (unless revoked earlier). It shall be an express condition of each license that the waste hauler shall:

(1) Comply with all provisions of this chapter, Federal and State laws;

(2) Have suitable types of containers and an appropriate number of containers to provide adequate service;

(3) Have a schedule of pick-ups; and

(b) Every person required to obtain a waste hauler license shall make application to the City on forms provided by the Clerk's office. The application shall require such information as will enable the Department of Public Service's designee to determine whether the applicant, if licensed, will serve the public in compliance with the requirements of this chapter, and all other applicable laws, statutes, ordinances, rules and regulations. The nonrefundable fee for a waste hauler license shall be determined by Council resolution.

(c) Upon receipt of an application for a waste hauler license and payment of a nonrefundable license fee established by resolution of Council, the Department of Public Service shall make a recommendation regarding whether to grant the waste hauler license. The City may deny the issuance of a waste hauler license for any of the following reasons:

(1) Failure of the applicant to comply with this chapter, and any rules and regulations promulgated by the Department of Public Service and adopted by Council;

(2) Violations of this chapter or any other applicable laws, statutes, ordinances, rules and regulations;

(3) Prior criminal convictions, other than minor traffic offenses, or prior license revocations, when such criminal conviction or license revocation bears on the ability of the applicant to serve the public as a waste hauler in a fair, honest, safe and lawful manner; or

(4) Misrepresentation of any material fact in the application for the license. In the event that the waste hauler license is denied, the City shall provide to the applicant written findings of fact in support of the denial based on the standards described above.

(d) Any waste hauler license granted pursuant to this chapter may be suspended or revoked by the City for any of the reasons for denial of such license set forth in subsection (c) hereof. The Public Service Department shall make written findings of fact in support of any license suspension or revocation. A person shall have the right to a hearing before Council on any recommended license suspension or revocation, provided that a written request therefor is filed with the City Clerk within five business days after receipt of notice of such suspension or revocation. In the event that such written request is filed with the City Clerk, Council shall hold a public hearing on such suspension or revocation, and shall have the power to reverse, affirm or modify the decision of the Public Service Department. Council shall, in its determination, make written findings of fact supporting its decision. The determination by Council shall be final, subject to appeal to a court of competent jurisdiction.

(e) Any vehicle used by a waste hauler for the collection, transportation, delivery or disposal of solid waste within the City shall have the waste hauler's name, address, telephone number and the number of its license issued pursuant to this chapter, plainly marked upon both sides of the vehicle in letters and figures not less than two inches high.
(Ord. No. 1032, § 1, 7-2-01)

1060.10. Bulk item collection service.

The bulk item collection service shall be provided only to residential sites of generation in the City.
(Ord. No. 1032, § 1, 7-2-01)

1060.11. Disposal of bulk items; deposit in parks prohibited.

(a) The owner or occupant of a residential site of generation unit shall dispose of bulk items by:

(1) Utilizing the bulk item collection service provided by the City, if available, and by complying with this chapter;

(2) Utilizing the services of a licensed waste hauler; or

(3) Transporting and disposing of bulk items in an approved refuse disposal area, provided that the load of bulk items so transported is tightly covered and secured in order that no part of the load is lost.

(b) No person shall transport bulk items to a City park for the purpose of depositing the bulk items in trash receptacles located within the park.
(Ord. No. 1032, § 1, 7-2-01)

1060.12. Time limit for bulk item accumulations.

No owner or occupant of a residential site of generation unit shall permit the accumulation of bulk items upon the residential premises for a period of more than seven days, except during any calendar month in which Council, by resolution, suspends bulk item collection service.
(Ord. No. 1032, § 1, 7-2-01)

1060.13. City bulk item stickers.

(a) City bulk item stickers shall be a distinctive color and shall be printed with the City seal or appropriate words which will readily indicate to City collectors that the bulk items are intended for the weekly, City-wide residential bulk collection service.

(b) City bulk item stickers shall be sold, at a price determined by resolution of Council, at outlets designated by the City. Designated sales outlets shall sell City bulk item stickers only at the price established by Council. However, the appropriate sales tax may be charged by the retail establishment, if so required by the laws of the State.
(Ord. No. 1032, § 1, 7-2-01)

1060.14. Conditions for bulk item collection service.

The owner or occupant of a residential site of generation unit qualifying for weekly bulk item collection service under this chapter, and intending to utilize the service, shall place a bulk item sticker on each item to be collected. Bulk items intended for collection shall be placed by the owner or occupant of the residential dwelling unit at the curb in front of the residence not earlier than 4:00 p.m. of the day preceding the bulk item collection day, and not later than 7:00 a.m. of the day of collection. Bulk items shall be placed at the curb with the sticker facing the roadway. The owner or occupant shall not place or cause to be placed any unacceptable bulk item for collection. No person, other than the owner or occupant, shall place City bulk collection items on the premises of the residence or in front of the residence for the City-wide residential bulk collection service.
(Ord. No. 1032, § 1, 7-2-01)

1060.15. Bulk item collection schedule; exception for holidays.

The schedule of routes and days for the bulk item collection service established under this chapter shall be determined by resolution of Council. Bulk items shall be collected on a weekly basis, except as otherwise approved by Council. The Department of Public Service shall schedule the collection of bulk items on the next working day following the regularly scheduled refuse collection. Council, by resolution, may suspend bulk item collection service during the months of December, January, February and March.
(Ord. No. 1032, § 1, 7-2-01)

1060.16. Removal of unacceptable bulk items.

(a) Within twenty-four hours after written notification to do so by the City, the owner or occupant shall remove from the curb in front of his or her residence any unacceptable bulk item or any bulk item placed on the curb in front of the residence prior to 4:00 p.m. of the day preceding the bulk collection day, or later than 7:00 a.m. of the day of bulk collection.

(b) Notification by the City shall be in writing and sent by first class mail to the owner or party in interest of the property on which or in front of which the violation of this chapter exists. The name and address of the owner or party in interest of the property shall be determined from the last local tax assessment record for the property. Notice shall also be given to the occupant of the property on which or in front of which the violation exists, either by giving a copy of the notice personally to a person at the residence or by sending a copy of the notice by first class mail to the "occupant," as addressee, addressed to the property, if there is a dwelling thereon, and by posting a copy of the notice in a conspicuous place at the property or on a building thereon.
(Ord. No. 1032, § 1, 7-2-01)

1060.17. Annual collection and enforcement fee; unpaid fees.

(a) The City shall establish an annual collection and administrative fee, which fee shall be established by resolution of Council.

(1) The annual collection and administrative fee shall only be imposed upon those units of residential site of generation which utilize the Public Service Department to pick up the recyclables and yard waste.

(2) Any person who is billed for a collection fee and administrative and who has not used the Public Service Department and exercised another approved option for the picking up of recyclables and/or yard waste shall submit to the Public Service Department appropriate documentation; and, if the Public Service Department determines that the user has utilized another approved option, the Public Service Department shall rebate the collection fee and administrative fee.

(3) The annual collection and administrative fee shall provide for covering the complete costs, direct and indirect, of administering the enforcement program and picking-up the recyclables and yard waste.

(b) The annual collection and administrative fee, if unpaid, shall be placed upon the tax roll of the parcel of property on which the unit is located.

(c) The Public Service Department shall promulgate rules and regulations which will govern the implementation of the collection of recyclables by the Public Service Department and the billing procedure.
(Ord. No. 1032, § 1, 7-2-01)

1060.99. Penalty.

(a) Any violation of this Chapter 1060 shall be deemed to be a civil infraction pursuant to Code Chapter 203.

(b) The following schedule of civil fines payable to the Municipal Ordinance Violations Bureau for admissions of responsibility to civil infraction violation notices is established under this chapter:

First offense . . . $20.00
First repeat offense . . . 40.00
Second (or any subsequent) repeat offense . . . 60.00

(c) All Public Service Department personnel are hereby designated as authorized City officials to issue municipal civil infraction citations or municipal civil infraction violation notices pursuant to Code Section 203.01.
(Ord. No. 1032, § 1, 7-2-01)