

ORIGINAL ORDINANCE NO. 1786

INTRODUCED BY: Shuster

ENROLLED ORDINANCE NO. 1562

AN ORDINANCE AMENDING CHAPTER 8.16 OF THE LARAMIE MUNICIPAL CODE TO REGULATE GARBAGE COLLECTION IN THE CITY OF LARAMIE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE:

## **Chapter 8.16**

### **GARBAGE**

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**8.16.010. Definitions.**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A. "Container" refers to any disposable bag, box, or similar item into which refuse is placed prior to being placed within a receptacle.

B. "Garbage" means and includes all kitchen refuse, rejected or waste food, meats, fish, fowl, offal, carrion or other refuse accumulation, use, cooking of or the dealing in or storing of meats, fish, fowl, fruits, vegetables or anything whatsoever which will or may decompose and become foul, offensive, insanitary or dangerous to health.

C. "Receptacle" means any non-disposable container used for the purpose of containing refuse.

D. "Refuse" means and includes all hay, straw, shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans, bottles and the residue from the burning or other destruction of all combustible material whatsoever, and all other material commonly known as rubbish or refuse of whatever kind or character or by whatever name known, except as excluded by this chapter.

**8.16.020 Premises to be kept clean.**

It shall be the duty of any owner, agent, tenant, purchaser, contractor or lessee of any premises within the city including place of business, dwelling house, apartment, tenement, construction site, or other establishment, at all times, to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of materials other than those necessary or ordinarily attendant upon construction or upon the use for which such premises are legally intended. Any such accumulation is declared to constitute a nuisance and a nonconforming use of the premises. (Prior code § 15-2(a)).

### **8.16.030 Containers--Required.**

A. For residences and/or businesses with a manual refuse collection service. All such persons, where cooking or eating is done, shall provide and keep at their expense, at all times, garbage cans or acceptable receptacles which in the discretion of the city manager or designee are suitable for the purpose of holding all garbage and refuse without running over. (Ord. 874 § 1, 1986; prior code § 15-2(b)).

B. For residences and/or businesses with automated collection. The city will provide customers with a standard collection receptacle compatible with automated collection equipment. Only receptacles provided by the city shall be used for automated collection. The city is responsible for repair and replacement of receptacles damaged or worn as a result of normal use. The city may require customers to pay for repair or replacement of receptacles damaged or destroyed through customer negligence. The replacement cost for missing containers shall be billed to and paid by the person assigned to the container.

### **8.16.040 Securing garbage, refuse and other materials.**

A. All garbage, refuse or other disposable materials must be properly prepared for collection and contained to avoid littering. To avoid blowing of loose debris, each residence must contain all garbage, refuse or other disposable materials in a securely tied or sealed disposable bag or container. Such disposable bag or container must be of a material of sufficient thickness and strength to contain the refuse enclosed without tearing or ripping under normal handling. All garbage, refuse or other disposable materials must be placed in a disposable bag or container before being placed in a trash receptacle for collection and all trash receptacles must be covered with a lid. It is the responsibility of the property owner or resident to repackage torn disposable bags or containers or tipped trash receptacles in a timely manner in order to properly contain the materials for collection.

B. Brush from tree limbs or bushes may be tied in bundles not more than three feet long and weighing not more than twenty-five pounds each.

C. All glass, all sharp corners and all sharp items shall be securely wrapped to prevent injury to any person collecting the refuse.

D. It shall be unlawful to place any household hazardous waste or hazardous waste in receptacles. Such materials shall be disposed of in accordance with all applicable federal, state and local statutes.

E. The owner or occupant of the premises shall be deemed to be responsible for any violation of or failure to comply with any of the requirements of this section. Garbage, refuse or disposable materials set out for collection which does not meet the requirements outlined herein will not be collected and a notice will be placed on the trash receptacle, bag or container. After two or more notices of failure to comply with the section herein, the city shall not collect any garbage, refuse or disposable materials of the owner or occupant of the premises until compliance is met. If debris is scattered, the resident must abate or the city may clean up the debris and charge the owner or occupant of the premises a fee of twenty-five dollars for the abatement. (Ord. 1509 § 1, 2007; prior code § 15-2(c)).

F. For automated collection, the combined weight of each solid waste receptacle and the contents shall not exceed 350 pounds; the contents shall securely fit into the receptacle so that the lid closes completely.

G. Heavy metals or metal parts, lumber, rocks, bricks, concrete blocks, tires, sod, dirt, gravel, dead animals, and materials from construction or remodeling shall not be placed in the solid waste receptacle. These items shall be delivered to the landfill for proper disposal.

H. Boxes and crates shall be dismantled, flattened, or otherwise compacted prior to placement in solid waste receptacles.

I. For both manual and automated collection, only refuse placed into city approved (manual collection) or city provided (automated collection) receptacles will be collected as part of the normal collection route.

J. All charcoal or ashes from barbecue pits, fireplaces or other sources must be thoroughly cold or doused with water before being placed in receptacles. The customer is responsible for replacement of city provided receptacles damaged as a result of hot ashes or coals.

#### **8.16.050 Receptacles —Specifications.**

A. For manual refuse collection, all trash receptacles shall be constructed of galvanized iron, metal, plastic or other material approved by the city manager or designee, shall have a lid or cover; shall have a bail or handles thereon for handling; and shall not exceed thirty-two gallons in capacity, and fifty pounds in weight when loaded.

B. In areas where manual garbage collection is conducted in the front of a residence and from the street, the number of bags placed at the curbside shall not exceed 64 gallons.

C. For automated collection, receptacles shall be furnished and supplied by the city and shall be of the type, size and color specified for use.

D. Garbage, refuse or disposable materials set out for collection which does not meet the requirements outlined herein will not be collected and a notice will be placed on the trash receptacle, bag or container. After two or more notices of failure to comply with the section herein, the city shall not collect any garbage, refuse or disposable materials of the owner or occupant of the premises until compliance is met. Residents and businesses are responsible for controlling waste until it is picked up by the solid waste department. If debris is scattered, the owner or occupant of the premises must abate or the city may clean up the debris and charge the owner or occupant of the premises a fee of twenty-five dollars for the abatement. (Ord. 1509 § 2, 2007; Ord. 1239 § 1, 1998; Ord. 874 § 2, 1986; Ord. 753 § 1, 1983; prior code § 15-3).

#### **8.16.060 Receptacles—Location—Security.**

A. All manual collection receptacles shall be placed in a location within the lot line adjacent to the alley and within easy reach, or, where there is no access to the alley, at some other proper and accessible place within easy reach of the garbage collector. Such receptacles shall be secured upon a rack or base in such a manner as to provide reasonable security against being overturned by animals, wind or other causes. (Prior code § 15-4).

B. All automated collection receptacles shall be placed within the lot line adjacent to the alley for alley collection. For street-side collection, the receptacles shall be placed at the curb line at a distance of two-feet minimum from any parked vehicle. For multiple receptacles, a minimum separation of two-feet shall be required between each container. Receptacles shall not be placed on sidewalks. Location of receptacles for collection, either curbside or alley, shall be made by the city manager or designee.

C. All containers shall be placed for collection no later than seven o'clock a.m. on the day that garbage collection is scheduled and shall be removed by six o'clock pm of the same day, or when emptied, whichever is later.

D. For automated collection, the customer shall roll out the receptacle to be placed at the designated location on the day scheduled for collection. If the receptacle is not placed to allow for collection by the city's automated process, the city shall be deemed to have provided service whether or not the container is emptied. Request to return and empty any such receptacle shall be considered a special collection with an added fee of fifteen dollars.

**8.16.070 Receptacles—Placing of liquids.**

No liquids shall be placed in any receptacle for collection in the residential districts. (Prior code § 15-5).

**8.16.080 Occupancy taken as proof of refuse accumulation.**

A. Any occupied place of abode, any place of business in operation or any construction site shall be prima facie evidence that garbage and refuse is being produced and accumulated on such premises. It shall be the duty of the city manager or designee to inspect and supervise such premises and to remove or cause to be removed there from all garbage or refuse found on the premises and in the adjoining streets and alleys, and to assess and collect a reasonable charge therefore from the abutting owner, agent, tenant, purchaser, contractor or lessee. (Prior code § 15-8).

B. The owner of the property where waste is generated is responsible for the proper disposal of the waste regardless of whether the owner resides on the property.

**8.16.090 Hauling—Restricted to city—Exceptions.**

A. Except as provided in Section 8.16.110, all garbage and refuse accumulated within the city shall be collected, conveyed and disposed of by the city under the supervision of the city manager or designee, and it is unlawful for any person to move over, upon or across any street or alley within the city any garbage or refuse, except representatives of the city; provided, that the provisions of this section shall not apply to persons hauling their own garbage or refuse from their homes or places of business or from construction sites. (Prior code § 15-7).

B. All vehicles used for the transportation of refuse shall be fully enclosed or covered in such a manner as to prevent the spilling or blowing of refuse. Any person arriving at the city disposal site not meeting this regulation may be assessed a ten dollar fee in addition to any other standard disposal fees.

**8.16.100 Hauling—Contracting for nonsingle-kitchen units.**

Construction site owners or contractors, places of business, hotels, motels, schools, institutions, trailer courts and apartments containing more than two kitchen units, may contract with licensed collectors for the removal of garbage, refuse and other material through the city streets, or make arrangements for city services with the city manager or designee. (Ord. 1199 § 2, 1996: prior code § 15-10).

**8.16.110 Collector's license—Fee.**

The refuse and garbage collector license fee shall be fifty dollars a year. (Prior code § 15-15).

**8.16.120 Collection vehicle—License required—Revocation.**

All vehicles or conveyances used for the purpose of collecting garbage or refuse for places of business shall be licensed for operation by the city which license may be revoked at any time for good cause shown, by vote of the city council. (Prior code § 15-14).

**8.16.130 Collection vehicle—Requirements—Inspection.**

Trucks of licensed haulers shall be completely enclosed or provided with tarpaulins or covers which shall be tightly fastened when such trucks are in motion, and tailboards of sufficient height to control the load at all times. Such trucks are subject to inspection by the city manager or designee. (Prior code § 15-16).

**8.16.140 Storage over twenty-four hours.**

It is unlawful to keep putrid or decaying animal or vegetable matter in any house, cellar, restaurant, hotel or any adjoining building for more than twenty-four hours. (Prior code § 15-17).

**8.16.150 Nonresidents using the landfill.**

The city manager or designee may permit persons who are not residents of the City of Laramie and businesses which have their principal place of business outside of the Laramie city limits to deposit material in the landfill. The city manager or designee shall determine residency by reasonable means. (Ord. 1199 § 3, 1996). The City of Laramie landfill does not accept waste that originates outside of Albany County.

**8.16.160 Depositing on streets and public places.**

No person shall permit or cause to be deposited, on any public or private property within the city, any garbage or refuse as those terms are defined by Section 8.16.010; nor shall any person, in hauling garbage and refuse, permit the same or any part thereof to fall from, blow out of or otherwise be discharged upon public or private property between the city limits and the city landfill, or upon the grounds occupied by the city landfill, except as directed by the custodian thereof. Keeping alleys clean and free from garbage, refuse and weeds, and personal property shall be the responsibility of each property owner along the width of his property and extending to the centerline of the alley. (Prior code § 15-18).

**8.16.170 Collection—Temporary termination.**

Garbage collection and removal may be temporarily terminated upon notification to the city treasurer for periods over thirty-days credit prorated will be given after service is resumed at the request of the customer. (Ord. 522 § 1 (part), 1977: prior code § 15-9(c)).

**8.16.180 Fees—Households—Generally.**

A. Except in cases where contracts have been entered into with licensed haulers as provided in Section 8.16.110, all households utilizing manual collection within the city shall be charged the following fees for the supervision and regular twice-a-week pickup of garbage and refuse, which shall be prorated on a weekly basis. (Ord. 522 § 1 (part), 1977: prior code § 15-9(a) (part)).

B. For all households utilizing automated collection, fees shall apply to once-per-week pickup.

#### **8.16.190 Fees—Households—Basic receptacles.**

A. For manual refuse collection, the basic fee of ten dollars and forty-eight cents per month shall be assessed for receptacles of no more than thirty-two gallons each (limit of fifty lbs/can) with a total capacity of sixty-four gallons for each household unit containing one kitchen unit serving one family group. The basic fee of three dollars and twenty cents per month shall be assessed for landfill disposal fees. (Ord. 1518 § 1, 2007; Ord. 1490 § 1, 2006; Ord. 1464 § 1, 2005; Ord. 1391 § 1, 2002; Ord. 1364 § 1, 2001; Ord. 1319 § 1, 2000; Ord. 1068 § 1, 1992; Ord. 808 § 1, 1984; Ord. 753 § 2, 1983; Ord. 522 § 1 (part), 1977; prior code § 15-9(a) (part)).

B. For automated refuse collection, the basic fee of ten dollars and forty-eight cents per month shall be assessed for one receptacle. The basic fee of three dollars and twenty cents per month shall be assessed for landfill disposal fees.

#### **8.16.200 Fees—Households—Additional receptacles.**

A. For manual refuse collection, the sum of five dollars and twenty-four cents per month shall be assessed for each additional receptacle of no more than thirty-two gallons plus a fee of one dollar and sixty cents for landfill disposal. (Ord. 1518 § 2, 2007; Ord. 1490 § 2, 2006; Ord. 1464 § 2, 2005; Ord. 1391 § 2, 2002; Ord. 1364 § 2, 2001; Ord. 1319 § 2, 2000; Ord. 753 § 3, 1983; Ord. 522 § 1 (part), 1977; prior code § 15-9(a)(1)).

B. For automated refuse collection, the sum of ten dollars and forty-eight cents per month shall be assessed for each additional receptacle plus a fee of three dollars and twenty cents for landfill disposal.

#### **8.16.210 Fees—Multiple unit buildings.**

Where there is more than one kitchen unit at one street address or in the same building, the owner must assume liability for the garbage fee for all the units, and the fees shall be ten dollars and forty-eight cents per month plus three dollars and twenty cents for landfill disposal for each kitchen unit. (Ord. 1518 § 3, 2007; Ord. 1490 § 3, 2006; Ord. 1464 § 3, 2005; Ord. 1391 § 3, 2002; Ord. 1364 § 3, 2001; Ord. 1319 § 3, 2000; Ord. 1068 § 2, 1992; Ord. 808 § 2, 1984; Ord. 753 § 4, 1983; Ord. 522 § 1 (part), 1977; prior code § 15-9(a)(3)).

#### **8.16.220 Fees—Petition for waiver.**

Upon petition accompanied by an affidavit to the extent that any individual does not have the financial capacity to pay the fees for collection of garbage and refuse as they are set forth in this chapter, the city council may in its sole discretion, adjust or completely waive the fees therein contained. (Ord. 522 § 1 (part), 1977; prior code § 15-9(d)).

#### **8.16.230 Rate schedule for city-provided receptacles**

A. The city will, upon request, provide receptacles for rental at the following monthly rates based upon receptacle size and frequency of collection as follows:

**MONTHLY COLLECTION RATES – TWO CUBIC YARDS AND LARGER**

Receptacle Size	Collections Per Week					
	1	2	3	4	5	6
2 cubic yards	\$35.66	\$56.83	\$77.98	\$ 99.15	\$120.30	\$141.46
4 cubic yards	not available	\$65.72	\$89.13	\$112.53	\$135.93	\$159.32
6 cubic yards	not available	\$74.62	\$100.26	\$127.02	\$152.60	\$179.36

B. The above rates are based upon costs to the city for maintenance of receptacles, pickup, and hauling of garbage. (Ord. 1518 § 4, 2007: Ord. 1490 § 4, 2006: Ord. 1464 § 4, 2005: Ord. 1391 § 4, 2002: Ord. 1364 § 4, 2001: Ord. 1319 § 4, 2000: Ord. 1068 § 3, 1992: Ord. 808 § 3, 1984: Ord. 753 § 5, 1983: Ord. 522 § 1 (part), 1977: prior code § 15-9(b)).

**8.16.240 Use of receptacle belonging to another forbidden.**

No person shall deposit garbage or refuse in any garbage or refuse receptacle owned, leased, or provided for the use of another, without the permission of the owner, lessee, or person for whose use the receptacle is provided. This section does not apply to the use of garbage or refuse receptacles which are intended for public use. Persons convicted of a violation of this section are subject to the general penalty section of this code. (Ord. 1201 § 1, 1997).

**8.16.250 Refuse removal refusal.**


No owner, tenant or lessee shall refuse or neglect to permit the removal of garbage or refuse from their premises. (Prior code § 15-20).

**8.16.260 Purpose-Enforcement.**

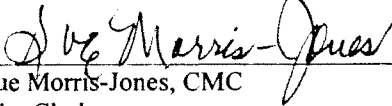
This chapter is declared to be strictly a sanitary measure for the promotion and protection of the public health and safety and to prevent fire hazards and nuisances. The city council shall use every means at its disposal, including its police powers, for the enforcement of this chapter and may revoke the licenses of licensed haulers for the violation of any provisions of this code or other ordinances of the city. (Prior code § 15-2).

This ordinance is effective immediately upon publication.

PASSED AND APPROVED this 04<sup>th</sup> day of August, 2009

  
 Jodi Guerin,  
 Mayor and President of the  
 Laramie City Council, Laramie, Wyoming

ATTEST:

  
Sue Morris-Jones, CMC  
City Clerk

Duly published in the Laramie Daily Boomerang this 14<sup>th</sup> day of August, 2009

1<sup>st</sup> Reading: July 7, 2009  
Public Hearing: July 14, 2009  
2<sup>nd</sup> Reading: July 21, 2009  
3<sup>rd</sup> Reading: August 4, 2009