

ORDINANCE NO. 76-20

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY PROVIDING FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND REFUSE.

WHEREAS, the City of Richmond operates an approved sanitary landfill for the purpose of disposing of garbage and refuse generated within the City of Richmond, and,

WHEREAS, it is necessary to establish rules, and regulations pertaining to collection and disposal of garbage and refuse in order to insure the health and well-being of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE RICHMOND BOARD OF COMMISSIONERS THAT:

SECTION 1. DEFINITIONS

As used in this ordinance, the words "garbage", "refuse", and "ashes" have the following meanings:

GARBAGE: Wastes resulting from the handling, preparation, cooking and consumption of food; wastes from the handling, storage and sale of produce.

REFUSE: Combustible trash, including, but not limited to, paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, wood furniture, bedding; noncombustible trash, including but not limited to, metals, tin cans, metal furniture, dirt, small quantities of rock and pieces of concrete, glass, crockery, other mineral waste; street rubbish, including but not limited to, street sweepings, dirt, leaves, catch-basin dirt, contents of litter receptacles. Provided, refuse shall not include earth and wastes from building operations, nor shall it include solid wastes resulting from industrial processes and manufacturing operations such as food processing wastes, boiler-house cinders, lumber, scraps and shavings.

ASHES: Residue from fires used for cooking and for heating buildings.

SECTION 2. UNCOVERED GARBAGE

- a. It shall be unlawful to place or permit to remain anywhere in the city any garbage, or other material subject to decay other than leaves or grass, excepting in a tightly covered metal or rigid plastic container.
- b. All garbage vehicles operating in or traveling through the City of Richmond will be of the closed commercial packer type of vehicle or will have a canvas or net (not larger than 2 inch mesh) cover tied down so as to preclude the loss of garbage from the vehicle.

SECTION 3. WINDBLOWN REFUSE

It shall be unlawful to cause or permit to accumulate any dust, ashes, or trash of such a material that it can be blown away by the wind anywhere in the city excepting in a covered container.

SECTION 4. DEPOSITS ON STREETS

It shall be unlawful to deposit or permit to fall from any vehicle any garbage, refuse or ashes on any public street or alley in the city; provided, that this section shall not be construed to prohibit placing garbage, refuse or ashes in a container complying with the provisions of this ordinance preparatory to having such material collected and disposed of in the manner provided herein.

SECTION 5. CONSENT OF OWNER

It shall be unlawful to dump or place any garbage, refuse or ashes on any premises in the city without the consent of the owner of such premises.

SECTION 6. DISPOSAL

It shall be unlawful to dispose of any garbage, refuse or ashes anywhere in the City excepting in an incinerator, or disposal device, properly constructed and operated or in a lawfully established garbage or refuse dump. Such material not so properly disposed of shall be placed in containers for collection by the city as hereinafter prescribed.

SECTION 7. COLLECTION BY CITY

The superintendent of sanitation (or other designated officer) shall have charge of the collection of garbage; the superintendent of streets and maintenance shall have charge of the collection of refuse and ashes in the City. The collection shall be made from all premises once each week, provided that the material is properly stored for collection in a container complying with the provisions of this ordinance.

SECTION 8. CONTAINERS

All garbage, refuse and ashes for collection by the city shall be placed in metal or rigid plastic containers provided by the owner, occupant or person in charge of the residence's equipped with handles so that they may be lifted and carried by one man. NO such container shall have a capacity of less than ten gallons or more than twenty gallons. Container shall be maintained in good condition. Any container that does not conform to these rules or regulations must be promptly replaced upon notice.

SECTION 9. SEPARATION

Refuse which is flammable shall not be mixed or mingled with refuse that is nonflammable. Garbage shall be kept separate from all other types of refuse. Separate containers shall be provided for each class of garbage, or refuse to be collected by the City.

SECTION 10. TRASH

Trash as defined in this ordinance shall be kept separate from garbage. All trash such as leaves, grass and other items shall be placed in boxes, containers or plastic bags that can be handled by the employees of the City. Branches and limbs shall be cut into sections not longer than three feet and bound in bundles that can be handled by a single person. Extraordinary household refuse shall be collected from time to time upon call of a resident to the superintendent of streets.

SECTION 11. CONSTRUCTION WASTE

All waste resulting from the Construction, Demolition or Remodeling shall be promptly removed from the City and disposed of in accordance with the law. The responsibility for the removal of such waste material shall be upon the individual responsible for the construction, demolition, or remodeling or his agent.

SECTION 12. SEPARABILITY

If any section, subsection, sentence or portion of this ordinance is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, independent provision and such holding shall not affect the remaining portions hereof. All ordinances and parts of ordinance in conflict herewith, shall be, and are repealed.

SECTION 13. PENALTY

Any person, firm, or corporation violating any provision of this ordinance shall be fined not less than five dollars nor more than two hundred dollars for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

The fact that garbage, refuse or ashes remains on any occupant's premises in the City in violation of this ordinance shall be prima facie evidence that the occupant of such premises is responsible for the violation of the ordinance occurring.

DATE OF FIRST READING November 16, 1976

MOTION TO ADOPT Comm. Todd

SECONDED BY Comm. Smith

VOTE: YES NO

- Commissioner Lawson ✓
- Commissioner Smith about
- Commissioner Strong ✓
- Commissioner Todd ✓
- Mayor Maffett ✓

DATE OF SECOND READING December 7, 1976

MOTION TO ADOPT Comm. Smith

SECONDED BY Comm. Lawson

VOTE: YES NO

- Commissioner Lawson ✓
- Commissioner Smith ✓
- Commissioner Strong ✓
- Commissioner Todd ✓
- Mayor Maffett ✓

ATTEST:

Elizabeth A. Dean
CITY CLERK

Robert S. Maffett
MAYOR