

Chapter 54

SOLID WASTE*

Article I. Solid Waste Management Plan

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***Editor's note**—Ord. No. 10-O-005, adopted April 5, 2010, repealed the former ch. 54, § 54-1, and enacted a new ch. 54 as set out herein. The former ch. 54 pertained to similar subject matter and derived from Res. of January 4, 1993.

Cross references—Buildings and building regulations, ch. 18; environment, ch. 38; utilities, ch. 70.

State law references—Georgia Comprehensive Solid Waste Management Act, O.C.G.A. § 12-8-20 et seq.; local, multijurisdictional and regional solid waste plans, O.C.G.A. § 12-8-31.1; scrap tire disposal restrictions, O.C.G.A. § 12-8-40.1; yard trimmings disposal restrictions, O.C.G.A. § 12-8-40.2; Georgia Hazardous Waste Management Act, O.C.G.A. § 12-8-60 et seq.; Litter Control Law, O.C.G.A. § 16-7-40 et seq.; transporting garbage or waste across state or county boundaries without permission, O.C.G.A. § 36-1-16; littering highways, O.C.G.A. § 40-6-249; transportation of biomedical waste, O.C.G.A. § 40-6-253.1; solid waste management education program, establishment of Georgia Clean and Beautiful Advisory Committee and Interagency Council on Solid Waste Management, O.C.G.A. § 50-8-7.3; authorization to provide garbage and solid waste collection and disposal, Ga. Const. art. IX, § II, ¶ III(a)(2).

ARTICLE I. SOLID WASTE MANAGEMENT PLAN**Sec. 54-1. Solid waste management plan adopted.**

The Joint Solid Waste Management Plan dated March, 2007, as amended March, 2009, and as amended from time to time with approval by resolution of the mayor and city council, shall be the official solid waste plan of the city.

(Ord. No. 10-O-005, 4-5-2010)

ARTICLE II. COLLECTION AND DISPOSAL**Sec. 54-2. Mandatory participation.**

All owners, occupants, tenants and lessees of residential buildings, office, business and commercial buildings and premises are mandatorily required to accept the collection and removal services offered by the City of Gray, whether offered directly by the city or through a contracted service provider, as it relates to the disposal of garbage, trash, rubbish and other debris within the municipal jurisdiction of the city.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-3. Notification for collection.

All occupants, persons in possessions, charge or control of premises and places in or upon which garbage is created, accumulated or produced shall notify the city that collection of garbage from such places is required.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-4. Authorized containers.

Each residential or commercial dwelling unit that has individually metered water service will be provided one standard authorized rollaway garbage container by the city. Upon request additional garbage containers may be delivered to a residential dwelling unit at an addition monthly charge.

Sec. 54-5. Loss or damage to authorized containers.

(a) Authorized containers assigned to residential or commercial customers by the city are and shall remain property of the city's provider.

(b) Damage to, loss, or removal of an authorized container assigned to a residential or commercial unit shall be the responsibility of the holder of the utility account for the unit at the time such damage, loss or removal is discovered by the city, and such holder of the utility account or property owner (if no water account is noted) shall be liable for all costs associated with replacing the container.

(c) Persons moving from one address in the city to another address in the city, or from the city to another locality shall leave all authorized containers at the dwelling to which the containers have been assigned.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-6. Maintenance of authorized containers.

(a) Authorized containers assigned shall be the responsibility of and kept and maintained by the occupants of such units in a clean and sanitary manner so as to prevent the breeding of flies, vermin, vectors or the release of odors.

(b) Dumpsters and multi-family containers assigned to multi-family dwellings and mobile home parks shall be the responsibility of and maintained by the owner of such units and the manager of such units in a clean, disinfected, and sanitary manner so as to prevent the breeding of flies, vermin, or vectors or the release of odors.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-7. Collection assistance due to physical limitations.

(a) A written verification by a medical doctor that the resident is unable to physically place garbage and trash at the curbside may be required. Handicapped, disabled, or elderly residents must live alone or all persons living in the household must be disabled.

(b) Residences receiving assistance with the non-curbside service will utilize a collection point designated by the city's provider.

(c) A disability form may be required by the contracted provider.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-8. Scavenging.

No person other than the owner or authorized collection personnel shall sift the contents of or remove anything from containers, boxes or bundles containing garbage or rubbish.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-9. Move-outs and evictions.

(a) For rental properties, garbage, trash, or other solid waste originating from the property during the clean up between the tenants shall be the responsibility of the landlord and/or the property owner. Following an eviction, any property, trash, belongings, or other items shall be placed on some portion of the landlord's property, immediately behind the sidewalk, a minimum of five feet behind the curb or off the pavement and shall not be located as to impede or obstruct or divert either pedestrian or vehicular traffic or the flow of surface water or block drains.

(b) Any property, trash, belongings, or other items placed curbside following an eviction shall be removed within 48 hours of the physical eviction by the property owner.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-10. Building materials.

The city shall not be responsible for collecting or hauling discarded building materials, dirt, broken concrete, bricks, rock or debris resulting from repairs, renovations, remodeling, or construction waste (plumbing, fixtures, including but not limited to sinks, bath tubs, shower stalls, toilets, cabinets, doors, windows, roofing debris, lumber, siding, carpet and/or floor coverings). Such material must be disposed of by the builder, property owner, or tenant.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-11. Prohibited materials.

(a) Dead animals, tires, sewage, poisons, commercial medical waste, explosives, dangerous or corrosive chemicals, motor oil, yard debris (leaves, limbs, etc.) bulky items such as air conditioners, furniture, or lumber shall not be placed in receptacles used for regular collection service or in the city's container.

(b) No person shall dispose of any hypodermic syringe, needle, instrument or any device used for injections except when in compliance with state and federal regulations and as a minimum making this material completely incapable of reuse; prior to disposal, such material shall be placed in an appropriate container and secured so as to prevent injury to collectors.

(c) *Cardboard boxes.* All cardboard boxes must be flattened and bundled before these items will be acceptable for collection. Under no circumstances shall cardboard boxes be placed in the city containers until the cardboard boxes have been flattened as outlined in this section.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-12. Drainage of refuse.

All refuse capable of holding liquids must be drained before being deposited in the city's containers.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-13. Illegal disposal of garbage, etc.

(a) No person shall deposit solid waste on or bury solid waste in, any public easements or right-of-way, street, alley, sidewalk, or other public land, or any storm sewer, vacant or unoccupied lot, or any lake, storm water ditch, creek or watercourse.

(b) It shall be unlawful for any owner, occupant or lessee of any building, yard or lot of ground within the city to allow garbage, trash or refuse of any kind to accumulate or remain in the building, or upon the yard or lot, unless placed in a container as required by this division.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-14. Nuisance.

(a) The keeping of garbage in containers other than containers prescribed by this chapter or the keeping upon premises of garbage or yard waste which is allowed to become offensive and noisome, shall constitute a public nuisance and may be abated in the manner provided by law.

(b) A separate violation shall be deemed committed each day during or upon which such unlawful accumulation continues.

(Ord. No. 10-O-005, 4-5-2010)

Secs. 54-15—54-24. Reserved.

ARTICLE III. SOLID WASTE PROVIDER

Sec. 54-25. Contracts with independent waste providers.

In order for the city to provide adequate service to the citizens of the city for the collection, removal and disposal of refuse accumulated, the city may enter into contract with an independent contractor, either private or another municipal corporate entity, for such services.

(Ord. No. 10-O-005, 4-5-2010)

Secs. 54-26—54-30. Reserved.

ARTICLE IV. RATES AND CHARGES

Sec. 54-30. Rates.

(a) Fees for collection of garbage and yard waste shall be those as established by resolution of the city council; and shall be published in the office of the city clerk and where utility bills may be paid.

(b) Rates will be subject to periodic review and adjusted by the city council by separate resolution as necessary to ensure adequate cost recovery for operation of the sanitary municipal solid waste system.

(Ord. No. 10-O-005, 4-5-2010)

Sec. 54-31. Billing.

Owners and occupants of premises receiving such service shall be billed for refuse collection and disposal charges in the same manner and at the same time as invoices for water are billed. The charges for solid waste collection and water service shall appear on the same bill with each charge substantiated.

(Ord. No. 10-O-005, 4-5-2010)

Chapters 55—61

RESERVED

