

WATKINSVILLE CODE

**Chapter 32**  
**SOLID WASTE MANAGEMENT**

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**ARTICLE I. IN GENERAL**

**Section 32-1 Purpose**

The purpose of the rules and regulations contained in this Chapter is to provide for the protection of the public health by prescribing the manner of storage, collection, transportation, and disposal of residential and industrial waste, rubbish, garbage, and refuse.

**Section 32-2 Definitions**

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

1. **Collection**: A person, or business, who, under agreements, verbal or written, with or without compensation, does the work of collecting and/or transporting solid waste from industries, offices, retail outlets, businesses, institutions, or similar locations, and/or from residential dwellings; provided, however, that this definition shall not include an individual collecting or transporting waste from his own single-family dwelling unit.

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2. **Disposal Facility**: Any facility or location where any treatment, utilization, processing, or disposition of solid waste occurs.
3. **Construction and Demolition Waste**: Shall mean a type of solid waste consisting of waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavement, houses, commercial buildings and other structures. Construction and demolition debris includes trees, stumps, and brush removed from property during construction, maintenance or repair of structures.
4. **Disposal Operation**: The performance of solid waste disposal, including administration, personnel, land, equipment, design, and other elements necessary or used in the work of solid waste disposal.
5. **Disposal Site**: The location or land area where the final disposition of solid waste occurs.
6. **Garbage**: Putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food.
7. **Hazardous Waste**: Solid or liquid waste material resulting from the manufacture or use of pesticides and drugs, other than normal household use; pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludge; and other waste material determined to be a likely hazard to the public health, safety, or environment, except radioactive waste materials as provided for in Rules of the Department of Human Resources, Chapter 270-5-20, entitled "Radioactive Materials." **Such wastes are prohibited in the City.**
8. **Industrial Waste**: Waste materials generated in industrial operations. **Such wastes are prohibited in the City unless the operator/owner disposes of such outside the City in compliance with all applicable regulations.**
9. **Open Dump**: A disposal site at which solid waste from one or more sources is consolidated and left to decompose, burn, or to otherwise create environmental pollution or a nuisance. **Such are prohibited in the City.**
10. **Putrescible Wastes**: Wastes that are capable of being decomposed by microorganisms, including kitchen wastes, manure, offal, hatchery and poultry wastes, and garbage. **Such wastes are prohibited in the City unless the operator/owner disposes of such in compliance with all applicable regulations.**
11. **Refuse**: All putrescible and nonputrescible solid wastes, except body wastes, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid commercial and industrial wastes. **The City does not collect or contract for the collection of such, except garbage and rubbish.**
12. **Reclamation**: A controlled method of sorting and storing solid wastes for future use in accordance with an approved plan. **The City does not provide for such, except as to garbage and rubbish.**
13. **Rubbish**: Nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, and similar materials.
14. **Sanitary Landfilling**: A method of disposing of putrescible waste or hazardous waste on land by placing an earth cover thereon. **Such Sanitary Landfills are prohibited in the City, as it has no sites suitable for such.**
15. **Scavenge**: Uncontrolled picking from discarded waste materials. **Such is prohibited in the City.**

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16. **Solid Waste:** Putrescible and nonputrescible wastes, except water-carried body wastes, including garbage, rubbish, ashes, street refuse, dead animals, sewage sludge, animal manures, industrial wastes, residue from incineration, food processing wastes, construction wastes, hazardous wastes, by-products, waste and remains from agricultural processes including poultry processing, and any other waste material in a solid or semisolid state not otherwise defined in this Chapter. Such wastes (except garbage and rubbish) are prohibited in the City unless the operator/owner disposes of such in compliance with all applicable regulations.
17. **Solid Waste Handling:** The storage, collection, transportation, treatment, utilization, processing, or disposing of solid wastes, or any combination thereof.
18. **Transfer Station:** A facility used to transfer solid wastes from one transportation vehicle to another for transportation to a disposal facility. **Such are not currently allowed in the City, as it has no areas zoned for such and are not desirable.**

### Section 32-3 Enforcement

1. **Administrative Responsibilities.** The Mayor or his designated representative shall:
  - A. Be responsible for the administration and enforcement of this Chapter and such other responsibilities for contracting out the collection of solid waste;
  - B. Inspect and regulate the operations of private collectors and private transportation and disposal systems to ensure that such operations are in compliance with the provisions of this Chapter.
2. **Limitations of Authority.** All regulatory actions shall be subject to the full review of the Mayor and Council.
  1. **Appeal.** Any person aggrieved by a requirement of this Chapter, or a fee charged for the collection of waste from his premises, shall have the right to appeal to the Mayor and Council, which body may, upon hearing, confirm, modify, or revoke such requirement or fee.

### Section 32-4 Penalties for Violation

Any person convicted of violating any of the provisions of this Chapter shall be punished in accordance with Section 1-7. As an alternative, any residence or business that receives more than three (3) documented notices, either verbally or written, of receptacles left at curbside longer than prescribed in Article II Collection and Disposal, Paragraph 4, shall be subject to have their collection suspended. Reinstatement shall be at the reasonable judgment of the Code Enforcement officer, considering the seriousness of the offense, and upon written commitment of the violator to comply in the future.

### Secs. 32-5- 32-30 Reserved

**ARTICLE II. COLLECTION AND DISPOSAL**

**Section 32-31 Pre-collection**

1. **Generally.** No person shall keep or store garbage and/or rubbish outside of any residence or building within the City, except in proper containers for collection or otherwise prepared as set forth in this Section or under the express prior approval of the Mayor or his designated agent. Any unauthorized accumulation of garbage and/or rubbish is hereby declared to be a nuisance and is prohibited. Any storage or placement of solid waste (other than temporary small quantities of garbage and rubbish in approved trash cans for pickup) is prohibited. Upon complaint by a citizen, or on his own initiative, the Mayor, or his designee by written notice, shall notify the violator to remove the accumulation. Failure to remove after such written notice shall be deemed a violation of this article and subject to penalties set forth in Section 32-4 above. A separate violation shall be deemed committed each day during or upon which such unlawful accumulation continues.

2. **Containers.**

A. Garbage containers shall be provided by the owner or occupant of each residence, business or institution sufficient in number to accommodate such waste generated by the residence or establishment between collections. Containers shall be of durable metal or plastic and shall be watertight, nonabsorbent, rust-resistant, rodent proof, and easily cleanable. They shall be equipped with handles and tightly fitted covers and shall have a capacity of not less than fifteen (15) gallons nor more than thirty-two (32) gallons, except that bulk containers of a type suitable for collection with mechanical equipment may be used. Commercial businesses and institutions may use dumpsters to comply with paragraph C&D. below. Containers failing to comply with this Section that have defects causing them to scatter waste upon the ground during collection or causing them to hamper or to injure the persons collecting waste shall be promptly replaced. All trash in containers shall be bagged & tied.

B. **Garbage Container Screening.** Commercial businesses and institutions with garbage containers shall place the containers behind their building or have disposal areas that are screened from view by placement of a solid wood fence or masonry wall from five to eight feet (5'-8') in height. All refuse materials shall be contained within the refuse area and in acceptable containers described in paragraph A. Storage area for residential shall be the rear of the home or screened from view from the street or roadway.

C. **Dumpster screening**

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### D. **Dumpster maintenance-**

1. Owners, occupants and when appropriate service providers are responsible for keeping dumpsters in a serviceable condition. The area surrounding dumpsters shall be free and clear of any accumulations of refuse. All refuse shall be properly deposited in the container in a manner to prevent scatter. Where two (2) or more occupants share the same dumpster, it shall be the joint responsibility of all of the users to maintain the surroundings of the dumpster.
2. All dumpsters shall have lids to prevent scatter by wind, birds or by creating vermin infestation.
3. Rusted, damaged or unsightly dumpsters shall be replaced by service provider.
4. All dumpsters shall be emptied on a schedule to prevent overflow of refuse to surrounding areas.
5. Use of roll-off type dumpsters shall be limited to the uses as defined in Article I Definitions "construction and demolition waste". Any other use is prohibited.
6. Dumpsters located at food service establishments shall comply with Environmental Health Service regulations.

**3. Placement.** On days designated as collection days for the respective routes by the contracting agency, garbage and/or rubbish shall be placed for collection no further than 5 feet from the curb or roadside front of the residence or establishment owning the garbage or rubbish, or if the property abuts on an alley, at the rear of the property, but not in the gutter or in the street or alley in such manner as to interfere with pedestrian or vehicular traffic. All containers shall be placed before 7:00 a.m. on the day of collection or the night prior to collection and returned to their storage area by 7:00 p.m. the next day.

**4. 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.

### **Section 32-32 Collection**

**1. Frequency.** Garbage and rubbish shall be collected from residential premises once a week. No person or entity shall engage in the collection of any garbage and/or rubbish or recyclable materials from dumpsters, containers, or receptacles of any kind or type except during the hours of 7:00 a.m. until 9:00 p.m. unless performing emergency work to safeguard the immediate health, safety and welfare of the public.

**2. Limitations.** Industrial waste, dead animals, waste from construction, demolition, landscaping, or processing operations, and any other waste besides garbage and rubbish, will not be collected, transported, or disposed of by public facilities. Such waste collection, transportation, and disposal shall be by the owners or generators of such waste or animals.

**3. Collection Vehicles.** Vehicles used for collection and transportation of garbage and rubbish shall be kept clean and in good repair. They shall be constructed in such manner

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that the contents thereof cannot be spilled, leaked, or blown from the vehicle. They shall be readily identifiable by letters, not less than three inches (3") high and easily legible, painted on the door of the vehicle cab or in an equally conspicuous place, showing the owner's name, telephone number, state permit number, truck number, and rated load capacity in cubic yards.

#### **4. Private Contractors. Privately contracted collectors engaged in providing collection services shall:**

- A. Comply with local, state and federal rules and regulations regarding the storage, handling, transporting and disposing of garbage and rubbish and other materials.
- B. Dispose of garbage and rubbish only at landfills permitted by the Environmental Protection Division (EPD) of the Georgia Department of Natural Resources when disposing within the State of Georgia. The transfer of any refuse into receptacles serviced, or onto property within Watkinsville is prohibited.
- C. Operate only approved garbage and rubbish transportation vehicles designed or modified to prevent debris from dropping or blowing away, and sealed to prevent waste liquids from spilling on the streets.
- D. Obtain any other permits required by law.
- E. Construction/demolition contractors:
  - 1. The property owner or owners and the prime contractor in charge of a construction-site and/or demolition-site shall be required to furnish containers for materials produced by construction and by workers. All materials from construction, demolition or related activities shall be picked up and placed in containers by the end of each workday. Provided, however, that construction material and debris which cannot be blown away by wind or blown or carried away by any other natural force shall not be affected by this provision until completion of said construction or demolition.
- F. The location of bulk containers used at construction/demolition-sites shall meet the approval of the Code Enforcement Officer or Building Inspector.

#### **Section 32-33 Disposal**

All disposal of garbage and rubbish shall be at the contractor's disposal sites operated in accordance with state laws and with rules and regulations of the state department of natural resources, and at no other place. The establishment of any private waste disposal facility, agricultural by-products recycling facility, or other solid waste, garbage, or similar facility must be approved by the city, such approval to be based upon applicable regulations.

#### **Section 32-34 Fees**

#### **Section Reserved**

#### **Section 32-35 Billing**

#### **Section Reserved**