Chapter 82 SOLID WASTE [1]

ARTICLE I. - IN GENERAL

ARTICLE II. - COLLECTION AND DISPOSAL

FOOTNOTE(S):

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Editor's note—Ord. No. 2010-10-05, adopted Jan. 11, 2011, deleted the former Ch. 82, Art. I, §§ 82-1—82-4, Art. II, Div. 1, §§ 82-36—82-55, Div. 2, §§ 82-76—82-87, and enacted a new Ch. 82 as set out herein. The former Ch. 82 pertained to solid waste and derived from the Code of 1978, §§ 12-3—12-13, § 12-13.1(a), (b), §§ 12-14—12-23, § 12-24(a), (b), §§ 12-31—12-43; Ord. No. 98-5-3, 6-9-1998; Ord. No. 99-9-7, 10-12-99; Ord. No. 2000-9-8, 9-26-00; Ord. No. 2007-01-02, 1-2-07; Ord. No. 2007-01-03, 1-30-07; Ord. No. 2008-12-01, 1-6-09.(Back)

Cross reference— Buildings and building regulations, ch. 18; health and sanitation, ch. 54; refuse disposal and municipal swimming pool area, § 74-117; utilities, ch. 98.(Back)

State Law reference— Municipal powers relating to public health, V.T.C.A., Health and Safety Code § 122.006; minimum standards of sanitation and health protection measures, V.T.C.A., Health and Safety Code § 341.001 et seq.; local regulation of sanitation, V.T.C.A., Health and Safety Code § 342.001 et seq.; Solid Waste Disposal Act, V.T.C.A., Health and Safety Code § 361.001 et seq.; Solid Waste Resource Recovery Financing Act, V.T.C.A., Health and Safety Code § 362.001 et seq.; municipal solid waste, V.T.C.A., Health and Safety Code § 363.001 et seq.; litter, V.T.C.A., Health and Safety Code § 365.001 et seq.(Back)

ARTICLE I. IN GENERAL

Sec. 82-1. Definitions.

Sec. 82-2. Burning prohibited; exceptions.

Sec. 82-3. Disposal of bulky wastes, wrecked autos, heavy machinery, etc.

Sec. 82-4. Appeals.

Secs. 82-5—82-35. Reserved.

Sec. 82-1. 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:

Animal waste means those materials collected from stables, kennels, chicken coops, pet waste containers and veterinary establishments.

Bulky wastes means large refuse items such as appliances, furniture, auto parts, trees and branches, stumps and large crates.

Collector means anyone authorized by the city to collect and remove garbage.

Construction and demolition wastes means the remains of the construction, remodeling, repair and demolition operations on houses, commercial buildings, pavements and other structures. Such wastes include a variety of rejected material such as excavated earth, stones, concrete, bricks, plaster, roofing, sheathing, lumber, insulation, as well as rubble from the installation or demolition of plumbing, heating and electrical systems.

Garbage means all waste from the preparation, cooking and dispensing of food, and from the handling, storage, preparation and sale of food, including market refuse or waste from the handling, storage and sale of produce and meats. For the purpose of landfills, the term "garbage" means all table garbage, paper, rubbish, trash, refuse, prunings, glass, tin, grass clippings, brush, ashes, leaves and other debris of like nature. There shall be no distinction between wet and dry garbage. Dead animals shall not be included in the term "garbage." The difference between garbage and trash is garbage can include food items.

Human wastes means contained and uncontained wastes and materials collected as the result of bodily functions.

Illegal dumping means the disposal or allowing disposal of litter or other solid waste at a place that is not approved solid waste site, including places on or within 300 feet of a public highway, a right-of-way, public or private property, or into inland or coastal water of the state.

Landfill means the area provided by the city under Texas Commission for Environmental Quality Arid Exemption Permit No. 2197 for a Type I landfill in which garbage and other debris shall be accumulated or disposed of. The area shall include such area known as the landfill access road bounded on two sides by a fence.

Medical refuse means refuse from residences, hospitals, doctors' offices, clinics and nursing homes, such as facial tissue, bandages, pathological wastes and other contaminated material.

Nonresident means persons who do not permanently reside within the corporate limits of the city.

Premises means business houses, boardinghouses, offices, theaters, hotels, motels, restaurants, cafes, eating houses, hospitals, tourist courts, churches, trailer parks, schools, private residences, vacant lots, grocery stores, butcher shops, restaurants, drugstores, hotels and other places within the city where garbage or rubbish accumulates.

Recycling center means the area provided by the city and overseen by city employee(s) to receive recyclable materials being diverted from the landfill. The collected recyclables may be sold by the city or by the contracted waste hauler to help fund recycling activities.

Recyclables means any of a number of materials that can be diverted from the landfill to be reused or repurposed, such as glass, aluminum, tin, scrap metal, plastics #1 and #2, paper, corrugated cardboard, magazines, newsprint, used motor oil, and others.

Rubbish means combustible and noncombustible solid waste material from households, institutions and commercial concerns. Combustible rubbish consists of paper, rags, cartons, boxes, wood, excelsior, bedding, rubber, leather, grass, leaves, yard trimmings and plastics. Noncombustible rubbish consists of metals, tin cans, metal foils, dirt, stones, bricks, glass, bottles and ceramics. Whenever the term "rubbish" is used alone, it shall mean a combination of such wastes.

Tourist means a nonresident of Brewster, Jeff Davis and Presidio Counties, who is in the city for the purpose of pleasure, amusement or educational purposes or civic meetings.

(Ord. No. 2010-10-05, 1-11-11)

Cross reference— Definitions generally, § 1-2.

Sec. 82-2. Burning prohibited; exceptions.

No person may burn garbage, trash, weeds, grass, brush, tree limbs, building wastes, old lumber or similar materials within the city limits or within 5,000 feet of the city limits. Exception: the Alpine Animal Shelter in Alpine may operate a crematorium.

(Ord. No. 2010-10-05, 1-11-11)

Cross reference— Fire prevention and protection, ch. 46.

Sec. 82-3. Disposal of bulky wastes, wrecked autos, heavy machinery, etc.

(a) Inoperable vehicles and inoperable heavy machinery may be stored within the city, provided the area is fenced in such a manner as not to be unsightly and not detrimental to the value of adjoining property. Owners of such vehicles may sign a "vehicle transfer" to the city for junking, pickup, and proper disposal, free of charge.

(b) Bulky wastes shall not be placed in any collection containers. Such materials may be disposed of at the city landfill by the person in control, taken to specified areas on specified days, or by special pickups, as outlined in section 82-47.

(c) Salvaging is allowed at the landfill, but only with the permission of the operator.

(Ord. No. 2010-10-05, 1-11-11)

Cross reference— Traffic and vehicles, ch. 94.

Sec. 82-4. Appeals.

Appeals to and from the city council under this chapter may be made in accordance with the Administrative Procedure Act (V.T.C.A., Government Code ch. 2001).

(Ord. No. 2010-10-05, 1-11-11)

Secs. 82-5—82-35. Reserved.

ARTICLE II. COLLECTION AND DISPOSAL

DIVISION 1. - GENERALLY

DIVISION 2. - LANDFILL

DIVISION 1. GENERALLY

Sec. 82-36. Separation for collection.

Sec. 82-37. Containers to be provided by the contracted waste hauler.

Sec. 82-38. Tampering with garbage containers.

Sec. 82-39. Reserved.

Sec. 82-40. Frequency of service.

Sec. 82-41. Contracts authorized.

Sec. 82-42. Back-door service authorized for additional charge.

Sec. 82-43. Disposal of garden waste.

Sec. 82-44. Disposal of dead animals.

Sec. 82-45. Disposal of construction and demolition wastes.

Sec. 82-46. Waste service mandatory.

Sec. 82-47. Bulky waste disposal.

Sec. 82-48. Establishment of charges.

Sec. 82-49. Reserved.

Sec. 82-50. Services outside city.

Sec. 82-51. Reserved.

Sec. 82-52. Nonresident fees.

Sec. 82-53. Unlawful use of landfill or dumpsters.

Sec. 82-54. Roll-off service.

Sec. 82-55. Reserved.

Sec. 82-56. Littering on public or private property.

Secs. 82-57—82-75. Reserved.

Sec. 82-36. Separation for collection.

It shall be the duty of every person owning, controlling, managing, operating, leasing, renting or occupying any premises where garbage or refuse accumulates, to place all garbage, animal wastes, human wastes and medical refuse in suitable plastic bags, and tie or secure, bags properly, to prevent leakage, noxious odors and access to contents by flies and vermin. Persons are encouraged to separate recyclables from trash and take those recyclable materials to the Hal Flanders Recycling Center on Cemetery Road.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-37. Containers to be provided by the contracted waste hauler.

The contracted waste hauler will provide and maintain collection containers for all residents and businesses within the city limits.

(a) Permit for collection required. No person except the duly authorized agents and employees of the city shall empty garbage cans or trash receptacles or convey or transport garbage or trash

on the streets, alleys and public thoroughfares of the city without a written permit granted and issued by the city manager, unless otherwise so authorized by this chapter.

(b) Authority to contract for collection and disposal services. The city, acting by and through the mayor, is hereby authorized and empowered to enter into a contract with any person for the collection and disposal of garbage and trash within the city. Such contract to become effective only upon approval of the city council.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-38. Tampering with garbage containers.

Tampering with garbage containers, in any way, and scattering of the contents after being placed in the garbage containers, the breakage of contained garbage in plastic bags or other materials, or scattering of the contents along the alleys and streets of the city or vacant lots or the premises of another within the city, is prohibited, and shall be punished as a class C misdemeanor.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-39. Reserved.

Sec. 82-40. Frequency of service.

(a) Residential. Dumpsters shall be serviced weekly.

(b) Business. Commercial dumpsters will be serviced weekly unless the business owner makes other arrangements with the city.

(c) Manner of collection; duty of owner or occupant to maintain supervision for receptacles. The collection and removal of garbage, trash and refuse shall be carried on in a systematic and efficient manner, keeping the entire city in a clean and sanitary condition. Every owner, occupant, tenant or lessee of a house, building or premises used for residential, industrial or commercial purposes is required to maintain constant supervision and surveillance over the garbage and trash cans and receptacles servicing his premises, and if the garbage and trash cans and receptacles should not be emptied and the contents removed by a duly authorized agent or employee of the city for a period of five days, he must notify the city of this fact within five days. No community or public trash can or receptacle (those provided by the city or by the community, civic or similar groups) shall be used by any person for the purpose of depositing therein personal, business or industrial trash, rubbish, junk or garbage from home or business use. The community or public trash cans and receptacles are for the deposit of litter or trash from streets and other public places only.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-41. Contracts authorized.

The waste hauler may contract for the disposal of garbage and trash for the university, or any residence or business, within or without the city.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-42. Back-door service authorized for additional charge.

The contracted waste hauler may provide back-door garbage and trash collection service, if requested by the resident, at twice the regular rate.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-43. Disposal of garden waste.

Weeds, grass, brush, tree limbs and other organic waste will be collected during a designated week, four times per year by the contracted solid waste hauler. Such materials must be placed by the curb of the property owners' lot only during collection week. Leaves and grass clippings must be placed in paper sacks. Brush and tree limbs must be tied together in bundles with string or twine (no wire) and no more than four feet long. Individual branches in the bundle must be less than four inches in diameter. Brush and tree limbs may also be taken to the city yard on Cemetery Road on specified days to be chipped into mulch, which is available free to the public.

All garbage, trash and refuse that is mixed with water or other liquids shall be thoroughly drained before being put in garbage and trash cans and receptacles for collection.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-44. Disposal of dead animals.

Dead animals and fowl shall not be placed in any collection container. Dead animals and fowl may be disposed of at the designated landfill disposal site, or may be disposed of by the animal control officer, after notification is given of the presence of dead animals or fowl. The presence of any dead animal or fowl, upon any premises, or in the street or alley adjacent to any premises, must be promptly reported to the animal control officer. All animal matter that is subject to decomposition shall be well wrapped in paper or other combustible material before being deposited in such can or receptacle.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-45. Disposal of construction and demolition wastes.

(a) It is unlawful to place wastes resulting from construction and demolition activity in the collection containers, and shall be disposed of directly by the contractor, or by the person in control of the premises wherein such debris is accumulated. Contractors are required to have a roll-off container onsite for all construction debris, or shall be inspected for holding valid landfill receipts. All such wastes shall be removed promptly and shall not be stored in any location where it may be blown, or otherwise dispersed, beyond the construction or demolition site. Wastes may be disposed of at the city landfill. Rock, dirt, concrete, brick, tile, plaster, waste, scrap building materials, or other trash resulting from construction or major remodeling; resulting from a general cleanup of vacant or improved property just prior to its occupancy; or resulting from sizable amounts of trees, brush and debris, cleared from the property in preparation for construction, will not be removed by the city as regular service. The owner will have such debris removed at his expense. All contractors shall obtain a container for disposal of building debris. Proof of such contract shall be a requirement for obtaining a building permit. Any materials including, but not limited to, rocks, large metal bolts, castings or machining, which the collector determines to be damaging to his trash and garbage collection equipment, may be excluded from collection by the collector.

(b) Wastes from tree trimming operations. It shall be the duty of any person employing, engaging or otherwise paying a contractor, student, professional tree trimmer, or any other person to trim and prune his trees or shrubs, to have the trimmings and debris removed at the owner's expense. The city will not remove trimmings and debris created by such persons as regular service.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-46. Waste service mandatory.

All residences and businesses within the city limits will be charged a waste disposal fee on their water/wastewater bill.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-47. Bulky waste disposal.

The contracted waste hauler will provide special pickup of bulky waste four times per year during a designated week. Items to be collected must originate from the resident's household and be placed at the curb of the resident's property. A maximum of five items per household per collection will be taken. Residents must call the contracted waste hauler to schedule pickup during the designated week. Refrigerators, freezers, and air conditioners must have an attached certificate stating the Freon has been removed by a licensed technician. Bulky items may also be disposed of by residents at the city landfill during business hours.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-48. Establishment of charges.

The city council adopts the following monthly sanitation rates:

Sanitation rates

Residential rates (city limits) $26.63

Residential rates (outside city limits) 39.95

Commercial rates

1.5 CY one pick-up per week 53.56

3 CY one pick-up per week 64.56

4 CY one pick-up per week 72.56

1.5 CY two pick-ups per week 101.34

3 CY two pick-ups per week 122.34

4 CY two pick-ups per week 137.34

1.5 CY three pick-ups per week 149.51

3 CY three pick-ups per week 180.51

4 CY three pick-ups per week 202.51

1.5 CY four pick-ups per week 197.68

3 CY four pick-ups per week 238.68

4 CY four pick-ups per week 266.68

1.5 CY five pick-ups per week 245.84

3 CY five pick-ups per week 296.84

4 CY five pick-ups per week 331.84

1.5 CY six pick-ups per week 294.01

3 CY six pick-ups per week 354.01

4 CY six pick-ups per week 396.01

Carts

1 carts one-time pick-up per week 31.56

2 carts one-time pick-up per week 46.56

3 carts one-time pick-up per week 59.56

Cardboard recycling containers

1.5 CY one-time pick-up per week 42.00

3 CY one-time pick-up per week 54.00

4 CY one-time pick-up per week 62.00

1.5 CY two-time pick-up per week 80.00

3 CY two-time pick-up per week 101.00

4 CY two-time pick-up per week 116.00

Sanitation permits 26.63

Service and rates

Residential rates. Any house, building or premises within the incorporated limits of the city used for residential purposes shall have its garbage, trash and refuse collected and removed by the duly authorized agents or employees of the city at a charge, as set by contract, plus applicable sales tax.

Industrial/commercial rates. Any house, building or premises within the incorporated limits of the city used for industrial and/or commercial business purposes shall have its garbage, trash and refuse collected and removed by the collector at a monthly charge to be negotiated between the collector and the customer,

such charge to be determined by the number of times each week that collection and removal of garbage, trash and refuse collected and removed.

Billing procedures; failure to pay charges. The monetary charges for residential service of collection and removal of garbage, trash and refuse shall be enclosed with the monthly water bill sent to each house, building or premises located within the incorporated limits of the city, and shall be payable monthly upon bills being rendered by the waterworks department of the city, and shall be paid to the waterworks department of the city. The charges provided in this chapter shall become delinquent ten days after the bill is rendered and as printed on the face of the bill. The bill, as rendered, shall be the net amount of the bill; provided, however, that if such bill is not paid before the delinquency and is paid after the bill becomes delinquent, a penalty of ten percent shall be added thereto and shall become a part of the bill, which penalty shall be printed on the bill. All bills shall be considered rendered when sent to the consumer by the waterworks department of the city, and the failure to receive any such bill by any consumer shall in no manner relieve such consumer of the duty and necessity of paying for the service furnished under the terms specified in this section.

Failure to pay charge. Every owner, occupant, tenant or lessee of a house, building or premises within the city used for residential, industrial or commercial purposes to whom a bill for collection and removal of garbage, trash and refuse has been rendered who shall fail or refuse to pay the charge in such bill, shall be subject to a discontinuation of utility service furnished such owner, occupant, tenant or lessee by the city. The city is privileged to continue such discontinuation until such fees have been paid in full, or satisfactory arrangements therefore have been made with the city's water department.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-49. Reserved.

Sec. 82-50. Services outside city.

For solid waste service outside the city limits, a person or business must contract with an approved solid waste hauler or purchase a sanitation permit from the city to be able to use a dumpster within the city limits.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-51. Reserved.

Sec. 82-52. Nonresident fees.

The provisions of this section shall not apply to an individual who uses the city dumpsters and who is a tourist. Nonresidents must obtain their own disposal contract with a local trash collection company, or purchase a sanitation permit from the city to be able to use a dumpster within the city limits.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-53. Unlawful use of landfill or dumpsters.

It shall be unlawful for any person, corporation or firm to use the city landfill or dumpsters without paying the fees as provided in this article.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-54. Roll-off service.

The city shall require roll-off containers within the city limits, under the following conditions:

(1) Roll-off container service shall be utilized for construction and demolition activities.

(2) All material collected in the roll-off containers within the city shall be disposed of at the city landfill, unless the tonnage is such that it cannot be accepted. The permit holder shall notify the contracted solid waste hauler prior to disposal, to determine the acceptance of the roll-off material into the landfill.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-55. Reserved.

Sec. 82-56. Littering on public or private property.

It shall be unlawful for any person to throw, place or deposit, or cause to be thrown, placed or deposited, or suffer or permit his servant or any other person in his family to throw or deposit in any street, alley, gutter, ditch, lot or other place in this city, the carcass of any dead animal or fowl or any meat, fish, hides, skins, bones, offal, manure, fruit, vegetables, litter, debris, melon rinds, fruit peelings, slop, trash or other unsound or offensive matter or matter liable to become offensive or injurious to the health of those who reside in the vicinity or owned or controlled by him, or to throw, place or deposit, or cause to be thrown, place or deposit in any street, alley, gutter, ditch or other public place, or upon any lot or other premises not owned or controlled by him, tires, bottles, cans, loose paper, rags, scraps of leather, shavings, dishwater, chips, debris, litter or trash.

Any individual group of individuals, business, or corporation who illegally disposes of litter, solid waste, tires, hazardous materials, bulky wastes, or other such materials can be charged with the following offenses and penalties:

(1) Class C misdemeanor: 5lbs/5gals or less: Fine up to $500.00

(2) Class B misdemeanor: 6lbs—499lbs/6gals—99c.f.: Fine up to $2,000.00 and/or not more than 180 days in county jail.

(3) Class A misdemeanor: 500—999lbs./100c.f.—199c.f.: Fine up to $4,000.00 and/or not more than one year in county jail.

(4) State jail felony: Over 1,000 lbs./200c.f., any amount of waste in a closed drum or barrel: Fine up to $10,000.00 and/or 180 days to two years in a state jail.

(Ord. No. 2010-10-05, 1-11-11)

Secs. 82-57—82-75. Reserved.

DIVISION 2. LANDFILL

Sec. 82-76. Disposal to be at landfill.

Sec. 82-77. Use of landfill.

Sec. 82-78. Removal of municipal solid waste from the city landfill.

Sec. 82-79. Right of refusal.

Sec. 82-80. Authorized wastes.

Sec. 82-81. Waste acceptance rate.

Sec. 82-82. Hours of operation.

Sec. 82-83. Entry and disposal procedures.

Sec. 82-84. Fees.

Sec. 82-85. Fee exemptions.

Sec. 82-86. Fee collection and disposition.

Sec. 82-87. Penalties.

Sec. 82-76. Disposal to be at landfill.

Garbage and trash collected from containers will be disposed of by the contracted waste hauler by use of sanitary landfill complying with requirements of the Texas Commission on Environmental Quality.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-77. Use of landfill.

(a) The landfill will be operated by maintaining an adequate pile of loose dirt at the edge of the fill, ready for immediate coverage of disposal, so paper will not blow across the landscape.

(b) There will be no burning at the landfill.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-78. Removal of municipal solid waste from the city landfill.

(a) It shall be unlawful for any person, firm or corporation to scavenge or remove from the city sanitary landfill, municipal solid waste, garbage, refuse, trash, rubbish, scraps or any other material deposited in the city sanitary landfill.

(b) The following activities are exempt from this section:

  (1) The removal of any material deposited in the landfill by the city, or its agents, which is done in the ordinary course of operating the city sanitary landfill; and

  (2) Any material which is removed for recycling or repurposing.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-79. Right of refusal.

The city, through its city manager or the contracted solid waste hauler, shall have the right to refuse the admittance of solid waste into the landfill for disposal to maintain the 20 ton per day Texas Commission for Environmental Quality Arid Exemption Permit No. 2197 limit.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-80. Authorized wastes.

The use of the landfill shall be restricted to the disposal of only those wastes that are authorized under Texas Commission for Environmental Quality Arid Exemption Permit No. 2197, as well as all other wastes governed by state and federal municipal solid waste regulations. Tires shall not be accepted or disposed of in the landfill.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-81. Waste acceptance rate.

Solid waste is to be accepted at the landfill site at a rate not to exceed 20 tons per day based on a seven-day a week average in accordance with the provisions of the Texas Commission for Environmental Quality Arid Exemption Permit No. 2197.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-82. Hours of operation.

The landfill shall be open for public use on Monday through Friday of each week, from the hours of 8:00 a.m. to 5:00 p.m. and Saturdays from 9:00 a.m. to 3:00 p.m. The landfill shall be closed on Sunday and all major holidays.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-83. Entry and disposal procedures.

(a) Entry. Entrance to the landfill will be through the gate located off Highway 90 East. During normal operating hours, entrance will be limited only to authorized personnel who are hauling waste, recycling personnel and approved visitors. Entry to the active portion of the site will be restricted to designated personnel, approved waste haulers and properly identified persons or visitors whose entry is authorized by site management. Visitors may be allowed on the active area only when accompanied by a site representative.

(b) Duty to stop at gate attendant building. All vehicles entering the landfill site shall first stop at the landfill gate attendant's building for identification, processing and disposal directions. The gate attendant will direct haulers to designated disposal areas.

(c) Duty to dispose at designated disposal areas. All vehicles shall dispose of their wastes only in those areas designated for the types of wastes to be disposed, and as directed by the gate attendant or working site operator.

(d) Recycling area at landfill. Vehicles hauling cardboard, scrap metal, or other recyclables must first stop at the gate attendant and be directed to the appropriate area for those materials.

(e) Covered loads. All vehicles entering the landfill for the purpose of waste disposal or recycling must have their loads covered with a tarp, or otherwise protected or contained in a suitable manner, to prevent spillage of wastes and windblown material. Failure to cover loads will result in an additional charge.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-84. Fees.

(a) All persons utilizing the sanitary landfill to dispose of allowed wastes shall pay the following charges for use of the landfill:

(1)	0 to 700 pounds, per load	$18.15
	701 to 1,500 pounds, per load	34.49
	1,501 to 1,750 pounds, per load	39.93
	1,751 to 2,000 pounds, per load	45.98
	2,000 pounds and over, per ton	50.00
	Non-compacted trash	
	Roll-off OT, dump truck, and other, per cubic yard	12.50
	per ton	48.40
	Commercial out of town trucks	60.00
(2)	Dead animals:	
	Small animals—dogs, cats, etc., each	12.10
	Large animals—cows, deer, horses, each	36.30
(3)	Failure to tarp load	18.15 each
	Scale fee	12.00

	Freon recovery fee	60.00
	After hours charge	60.00

(b) The landfill gate/building attendant will weigh all loads brought into the landfill and shall keep records of all load weights.

(c) When weighing equipment is not in operating condition, there will be a $12.10 charge per agreed cubic yard for all estimated weights over 500 pounds.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-85. Fee exemptions.

Landfill fees shall not apply to individuals who are taking recycling materials to the recycling yard, provided only recycling materials are involved in the loads. Mixed loads of recycling materials and wastes will be charged landfill fees. Recycling materials shall consist of the following: Scrap metal, steel and aluminum cans, cardboard, newspaper, magazines, plastics #1 and #2, used appliances.

(Ord. No. 2010-10-05, 1-11-11)

Sec. 82-86. Fee collection and disposition.

The following procedures shall be utilized for the collection and disposition of all fees collected at the landfill:

(1) The landfill gate building attendant shall collect all applicable landfill fees and issue receipts for all landfill use fees. The fees, with all corresponding receipts, shall be brought to city hall in a locked box at the end of each working day by the landfill gate attendant for processing, with the exception of weekends and holidays in which the fees will be taken to the police department for storage and processing at city hall on the next working day.

(2) The cashier shall count the fees and match the fees against the receipts. An amount adequate to provide change for fee transactions shall be left in the box and picked up the following morning by the gate building attendant. The cashier shall post the receipts, prepare the daily cash report and deposit the funds the following working day.

(Code 1978, § 12-42; Ord. No. 2010-10-05, 1-11-11)

Sec. 82-87. Penalties.

Any person, firm or corporation who shall violate any of the provisions of this division, or who shall fail to comply with this division, or with any of the requirements thereof, shall for each and every violation for noncompliance, be deemed guilty of a class "C" misdemeanor, and shall be fined not more than $500.00 for each such violation. Illegal dumping carries its own set of penalties as defined in section 82-56 of this chapter. Each day a violation occurs shall be a separate violation. A culpable mental state is not required for a violation of this chapter, and need not be proved.

(Ord. No. 2010-10-05, 1-11-11)