

CHAPTER 11

GARBAGE AND TRASH COLLECTION

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CHAPTER 11
GARBAGE AND TRASH COLLECTION

ARTICLE 11-1 GARBAGE AND TRASH COLLECTION

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Section 11-1-1 Definitions

In this chapter unless the context otherwise requires:

- A. "Garbage" means all putrescible wastes, except sewage and body wastes, including all organic wastes that have been prepared for, or intended to be used as, food or have resulted from the preparation of food, including such substances from all public and private establishments and residences.
- B. "Refuse" means all garbage and trash.
- C. "Trash" means all nonputrescible wastes.

Section 11-1-2 Award of Contract

The council may by resolution award a contract for the collection and disposal of garbage, swill, refuse and waste matter to any person which the council believes best qualified and equipped to perform the work. The contract shall require the contractor to collect, remove and dispose of garbage, swill, refuse and waste matter in the town in accordance with such regulations as may be prescribed by the council. It shall require the contractor to carry worker's compensation insurance and property damage and public liability insurance in such sums as shall be fixed by resolution.

Section 11-1-3 Collection Agency

The town or other collector authorized by the town, shall collect all residential and commercial garbage within the town. No person, except as provided in this chapter, shall collect or gather garbage within the town.

Section 11-1-4 Collection Hours

The town manager is hereby authorized to establish the hours of collection of refuse within the town.

Section 11-1-5 Rates

A. The council may from time to time fix the rates and classifications for garbage and trash collection within the town and shall make such rules and regulations as may be necessary to properly administer and enforce this chapter.

B. Trash removal by Town Employees: When a citizen of the Town of Duncan asks to have refuse removed from their property by the Town of Duncan, the citizen shall have the refuse piled up and easily accessible. When convenient for the Town, such refuse will be removed. The owner of the refuse/property shall pay in advance the cost of the landfill charges per load, and a flat rate of thirty dollars (\$30) per load.

Section 11-1-6 Policies

Refuse collection within the town limits, whether by the town or a contractor, shall at all times be in accordance with all current county, state and federal regulations.

Collection of trash is subject to county, state and federal regulations including, but not limited to, proper disposal in an authorized landfill and is the responsibility of the individual.

It is the policy of the town to promote a clean and attractive community through proper regulation of refuse services.

Each occupied residence within the town shall have an approved container for refuse services and shall be charged the standard rate for same.

The town may provide refuse services to senior citizens at a reduced rate.

Handling of garbage containers for handicapped residents will be handled on a case-by-case basis.

The town shall provide, at no additional cost, a roll-off container on a regular basis to receive trash and other large and bulky items for the benefit of the residents.

ARTICLE 11-2 PREPARATION OF REFUSE FOR COLLECTION

11-2-1	Preparation of Refuse
11-2-2	Location for Pick-Up
11-2-3	Lids and Covers
11-2-4	Use of Containers

Section 11-2-1 Preparation of Refuse

All refuse shall be prepared for collection or disposed of as follows:

A. Garbage. Containers shall be tightly covered and be of rust resistant metal or plastic and shall have handles on the outside. All garbage must be wrapped in paper or placed in paper or plastic bags and sealed. This will prevent flies from laying eggs, or if eggs are laid, this will keep the maggots from migrating out of the garbage. This will also help keep garbage from accumulating in the bottom of cans, thereby reducing odors and additional fly breeding material. The maximum capacity of each container shall not exceed twenty gallons. Such containers shall be kept in good repair and in a sanitary condition. Containers found to be no longer serviceable through disrepair or maintained in an unsanitary condition may be condemned by the town for further use. Legal notice of such condemnation shall consist of a label or tag affixed to the container, which tag shall contain the following or similar wording: The "container" to which this label is attached is no longer serviceable through disrepair or is maintained in an unsanitary condition, and for that reason it is condemned for further use. The label is notice that the receptacle will be removed and destroyed by the town unless replaced or placed in a satisfactory condition within fifteen days from its date. You may request a hearing as to the condition of the receptacle by calling 359-2791, or by writing to Town of Duncan, PO Box 916, Duncan, AZ 85534. If you request a hearing, the receptacle will not be destroyed until completion of the hearing and a determination by the hearing officer. If you do not request a hearing, the receptacle will be destroyed after fifteen days from the date of this notice. Dated this _____ day of _____, 199_. Town of Duncan, by authorized signature.

B. Trash. Trash shall be placed in container or tied in bundles by the customer and set out for collection. Containers may be garbage containers described above, or boxes no exceeding three square feet by four feet depth or plastic bags of at least three mil strength. In any event, the weight of a loaded container or bundle shall not exceed fifty pounds. Customer wishing to retain disposal boxes should mark the box "SAVE" in a readily seen manner.

C. Brush. Brush shall be cut into such a size that one person can readily load the individual pieces into a truck or chipper, be piled in neat order with all long branches parallel to one another and shall have all metal or foreign materials removed to facilitate chipping.

D. Rubbish. Rubbish shall be neatly piled or bundled and placed at a point easily accessible to the collection service. Tree limbs and other foliage waste shall be cut in lengths no to exceed four feet and not over fifty pounds in weight.

E. Appliances and Vehicles. The customer shall remove or cause to be removed all appliances, vehicles or equipment classed as refuse from their premises or the public right-of-way.

F. Building Materials. All owners, contractors and builders of structures shall upon the completion of any structure, gather up and haul away, at their sole cost and expense, all refuse of every nature, description or kind, which has resulted from the building of such structures, including all lumber scraps, shingles, plaster, brick, stone, concrete and other construction in a slightly condition. Residential customers may dispose of small amounts of building materials from time to time, providing it is placed in a container as described above and contains no concrete, masonry or soil.

G. Disposal of Industrial and Construction Rubbish. It shall be the responsibility of the owner, tenant, lessee or contractor to dispose of all industrial and construction rubbish and waste accumulated as a result of construction and industrial operating.

H. Dangerous Waste. Dangerous wastes shall be placed in a proper container, plainly marked "DANGER". The town reserves the right to deny service for certain dangerous wastes and to require the customer to properly dispose of it by other means.

I. Soil and Concrete. Waste soil, concrete, masonry blocks, sod and rocks shall be disposed of by the owner, tenant or occupant of the premises.

Section 11-2-2 Location for Pick-Up

All refuse prepared for collection shall be placed at the front of the property line on the sidewalk or parkway. All containers and piles of refuse shall be so located as to not block the street, sidewalk or gutter, or otherwise be a hazard to pedestrian or vehicular traffic.

Section 11-2-3 Lids and Covers

The lids or covers of all containers shall at all times be kept secure so that flies and other insects may not have access to the contents and shall only be removed while the containers and receptacles are being filled, emptied or cleaned.

Section 11-2-4 Use of Containers

A. It is unlawful for any person to deposit, or cause to be deposited, any refuse in any container that he does not own or is not entitled to use as a tenant. This does not apply to public containers.

B. Only town residents shall dispose of locally generated residential garbage or trash in containers furnished by the town or other collector for the accumulation, storage and collection of all locally generated residential garbage or trash.

C. Any non-resident of the town who disposes of any refuse or trash in any container furnished by the town or other collector for the accumulation, storage and collection of all locally generated garbage or trash in violation of this section shall be punishable as a petty offense.

ARTICLE 11-3 OTHER METHODS OF GARBAGE AND TRASH REMOVAL

- 11-3-1 Vehicles and Receptacles to be Spillproof
- 11-3-2 Spilled Refuse
- 11-3-3 Dumping Refuse

Section 11-3-1 Vehicles and Receptacles to be Spillproof

It is unlawful for any person to haul or cause to be hauled on or along any public street in the town any garbage, unless such garbage is contained in strong, watertight vehicles or vehicles with watertight receptacles, constructed to prevent any such garbage from falling, leaking or spilling and any odor from escaping.

Section 11-3-2 Spilled Refuse

Any person hauling any refuse along the street of the town shall immediately replace in the conveyance used for such hauling any refuse which may fall upon any street.

Section 11-3-3 Dumping Refuse

It is unlawful for any person to place or cause to be placed any refuse upon any public or private property within the town, except as specifically permitted in this chapter.

ARTICLE 11-4 NUISANCES

- 11-4-1 Containers for Manure Required
- 11-4-2 Privies Prohibited
- 11-4-3 Abatement of Flies
- 11-4-4 Obnoxious Places
- 11-4-5 Removal
- 11-4-6 Owner to Pay Charges

Section 11-4-1 Containers for Manure Required

It shall be the duty of every person owning, controlling, operating or having in charge any public or private corral, stable, barn or place where horses, mules, asses, cattle, sheep, goats, poultry or other livestock are kept, to have and maintain at all times upon the premises in or adjacent to such corral, stable, barn or place a receptacle of sufficient dimensions which shall be fly tight, for the purpose of containing the droppings of manure from such stock, which said receptacle shall have a top or lid so arranged and maintained as to be fly tight and exclude therefrom all flies; and such owner, tenant or occupant shall promptly deposit therein all the droppings from such stock, and shall keep the lid thereof closed, except when necessary to open for the purpose of depositing therein or removing therefrom, and every such owner, tenant or occupant shall cause the contents of such receptacle to be removed from the premises at least once a week, and more often if required by the Health Officer.

Section 11-4-2 Privies Prohibited

No person shall suffer, permit or have upon his premises any privy, cess pool, vault, pit or like place within the corporate limits.

Section 11-4-3 Abatement of Flies

No owner, tenant or occupant of any premises within the town shall permit or have upon such premises any animal manure, garbage, trash, litter, rags or other thing in which flies breed or multiply, unless the same shall be so protected as to prevent the attraction, breeding and multiplying of flies.

Section 11-4-4 Obnoxious Places

Every person owning or occupying any premises within the town in or upon which are kept any animals or livestock which is or may become noxious or offensive to the senses, shall at all times keep and maintain such premises so covered, enclosed, protected, cleaned, drained and disinfected that no offensive or noxious gases or odors may or shall arise therefrom, or which are allowed to become a breeding place for flies and insects, or to become offensive or obnoxious to the residents in the immediate neighborhood, are hereby declared to be nuisances and subject to summary abatement and cleaning, and in addition to such abatement and cleaning, the person or persons in charge or control thereof, or responsible therefore, shall be guilty of a misdemeanor.

Section 11-4-5 Removal

Should any owner, tenant or occupant of any premises wherein a cess pool, open vault or privy is maintained fail to remove the same, or should any person fail to keep any water

closet, sink, wash basin or tub clean, sanitary and in good working order, the chief marshal, or his agent, is hereby authorized to fill in and remove or clean the same and prepare a verified statement of account of all expenses incurred by such removal or cleaning and file said statement with the clerk.

Section 11-4-6 Owner to Pay Charges

All expenses incurred in and incident to the removal, filling up and abatement of any cess pool, open vault or privy, and in causing any toilet, lavatory, urinal, water closet, sink, wash basin or tub to be cleaned, flushed and placed in good state and condition of repair and operation, as fixed and determined by said verified and itemized statement of account filed with the clerk and hereby declared to be a lien upon and against the property and the buildings and improvements thereon, and shall be collected at the same time and in the same manner as other town taxes are collected.