

CITY OF ANTELOPE

ORDINANCE 166

PROVIDING FOR SOLID WASTE TRANSFER STATION OPERATION BY THE CITY OF ANTELOPE. PROVIDING FOR METHODS OF BILLING, OPEN BURNING GUIDELINES, RESTRICTIONS ON DISPOSAL.

The City of Antelope ordains as follows:

Section 1. Purpose. The Antelope city council finds that the maintenance of health and sanitation requires a city-operated Solid Waste Transfer Station.

Section 2. Definitions

(1) **Garbage.** All putrescible and non-putrescible wastes from all public and private establishments and residences except sewage, body wastes and carcasses of dead animals, which are abandoned or discarded by the owners or producers thereof as offensive, useless or no longer desired by producers thereof; and which, by their presence or accumulation may effect injuriously the health, comfort or safety of the community by increasing disease, environmental pollution, or hazard by fire. These wastes include: the non-liquid accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit and vegetables that is subject to decay and/or the attraction of flies or rodents; animal offal; ashes; cartons; boxes; cans; yard trimmings; furniture; bedding; metals; glass; crockery and similar substances or materials.

2) **Burn Barrel.** A substantial, noncombustible container covered with a wire screen having mesh not larger than 1/2-inch openings and

placed with a minimum clearance of 10 feet from all rubbish, vegetation, or other combustible material.

(3) **Open Burning.** Any burning which occurs outdoors. Includes burning of garbage, yard debris, stumps or the remains of demolished structures in a burn barrel, outdoor fireplace, backyard incinerator or open pile.

(4) **Composting.** The mixing of ashes, fruit and vegetables wastes, animal wastes, yard trimmings and debris, soil and other similar substances and materials in a controlled process which produces soil conditioner and fertilizer.

(5) **Recycling.** Materials accepted by our solid waste management contractor for the purpose of resale as reusable material.

Section 3. Rules and Regulations. The city council shall adopt, modify and enforce rules and regulations for disposing of city garbage and recycling materials, and for all other purposes deemed necessary for the proper conduct of disposing of garbage. The Operating Plan and all rules and regulations shall first be approved by the city council.

Section 4. Filing Rules and Regulations. The Operating Plan, rules and regulations shall be maintained subject to inspection in the city hall. The city council may prescribe rules or regulations which may be enforced by the city in a civil action. All operating plans, rules and regulations promulgated under the authority of this section, and all amendments hereto, shall be filed with the city council for approval at its next meeting following such promulgation.

Section 5. Segregation of Garbage. The city shall require the segregation of garbage:

- (1) Ashes and soot shall be securely wrapped or bagged before being deposited at the Solid Waste Transfer Station.
- (2) Kitchen garbage shall be securely wrapped or bagged before being placed in the garbage container at the Solid Waste Transfer Station.
- (3) Tires, appliances, vehicle batteries, chemicals, hazardous wastes, liquids, biomedical wastes, concrete, sod, dirt, rocks, large pieces of scrap metal and animal carcasses shall not be deposited at the Solid Waste Transfer Station.
- (4) Recyclable materials will be separated as specified in the Recycling Brochure and deposited in the separate recycling containers provided.

Section 6. Rates and Billing Method.

- (1) All rates and credits will be designated by resolution and approved by the Antelope city council.
- (2) The charge for use of the Solid Waste Transfer Station shall be billed by the city .
- (3) The collection policies and procedures shall be consistent with the water system policies and procedures.
- (4) Payment of the Solid Waste Transfer Station bill shall be the responsibility of the property owner.
- (5) There will be a startup fee for the city Solid Waste Transfer Station service for all users.

Section 7. Service Discontinuance.

- (1) City Solid Waste Transfer Station service will be provided to households or businesses for a minimum of one month.
- (2) Households or businesses receiving the city Solid Waste Transfer Station service shall be billed for the service whether or not any garbage or recycling materials were actually deposited.
- (3) Solid Waste Transfer Station service to any household or business for which the charge for such service is delinquent as defined in the collection policies and procedures may be discontinued. If the service is discontinued for failure to pay charges the service shall not be resumed until the delinquent charges are paid. The payment of a startup fee shall be required in addition to the payment of delinquent charges before service shall be resumed.

Section 8. Open Burning.

- (1) Open burning of waste paper, boxes, rubbish, debris, brush, leaves, grass, wood and cuttings from trees, lawns and gardens is permitted on private property within the city in burn barrels, outdoor fireplaces and backyard incinerators except where such burning unreasonably interferes with the enjoyment of life or property, creates a public or private nuisance, or is a hazard to public safety.
- (2) No person may burn rubber products, tires, plastic, wet garbage, petroleum or petroleum treated materials, asphalt, industrial waste, hazardous household waste or any material that creates dense smoke or noxious odors in a burn barrel, outdoor fireplace, backyard incinerator or burn pile within the city.
- (3) Open burning in a burn pile or on public property is permitted only with permission of the City Fire Chief or designee.

Section 9. Restricted Private Property Disposal. No person may dump, place, deposit or bury garbage upon any lot or property within the city, except for the purposes of composting or open burning without first obtaining permission in writing from the city.

Section 10. Restricted Public Property disposal. No person may dump, place or bury garbage upon any of the public streets, alleys, ways, parks, or lots of the city without first obtaining permission in writing from the city.

Section 11. Repeal of Ordinance 163. Ordinance 163 is repealed.

Section 12. Non-validity. If any article, section, subsection, subdivision, phrase, clause, sentence, or word in this ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, it shall not nullify the remainder of this ordinance, but shall be confined to the articles, section, subsection, subdivision, phrase, clause, sentence, or word so held invalid or unconstitutional.

Section 13. The foregoing ordinance was passed this 9th day of December, 2003 by the following vote of the Antelope City Council.

AYES : Sheer, Beasley, Silvertooth, Opray

NAYS: 0

ABSENT: Hore

Brian Sheer, Mayor

Attest: Barbara Beasley, City Recorder