

## Chapter 6.04

### SOLID WASTE AND RECYCLABLE MATERIAL

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#### **Section 6.04.010 Definitions.**

For the purpose of this Chapter the following words and phrases shall have the meanings respectively ascribed to them by this section.

"Contractor" means a person, persons, firm or corporation authorized by contract with the City to provide solid waste collection services within the City.

"Detachable bin" means a metal container designed for mechanical emptying and provided by the City or contractor where applicable for the accumulation and storage of solid waste.

"Garbage" means a form of solid waste which is putrescible animal, fish, fowl, food, fruit or vegetable matter resulting from the cultivation, preparation, storage, handling, decay or consumption of such substance.

"Hazardous waste" means a waste, or combination of wastes, which because of its quantity, concentration or physical, chemical or infectious characteristics may do either of the following:

1. Cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness.
2. Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.

"Place" or "premises" means every dwelling house, dwelling unit; apartment house or multiple-dwelling building; trailer or mobile home park; store; restaurant; rooming house; hotel; motel; office building; department store; manufacturing, processing or assembling shop or plant;

and every other place or premises where any person resides, or any business is carried on or conducted within the City.

"Public Works Director" means the Public Works Director of the City or his duly authorized representative.

"Refuse" means solid waste.

"Recyclable" means any paper, glass, cardboard, plastic, used motor oil, ferrous metal, aluminum, or any item or material that has been separated from solid waste, and has an economic value, and is deposited in a recyclable material receptacle provided by the City or in a privately-owned receptacle on which the City's official sticker is placed designating said receptacle to be recyclable material for the City to collect.

"Rubbish" means a form of solid waste which is nonputrescible, useless, unused, unwanted or discarded material or debris, either combustible or noncombustible, including but not limited to paper, cardboard, grass, tree or shrub trimmings, straw, clothing, wood or wood products, crockery, glass, rubber, metal, plastic, construction material, and similar material.

"Solid waste" means all putrescible and non-putrescible solid, semisolid and liquid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, dewatered, treated or chemically fixed sewage sludge which is not hazardous waste, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. Solid waste does not include hazardous waste. Solid waste does include recyclable material. Solid waste includes dirt, soil, rock, decomposed rock, gravel, sand, or other aggregate material.

"Solid Waste Collector" means personnel employed by the City or contractors for the collection and disposal of solid waste.

"Standard container" means a metal, plastic or rubber container, twenty- to thirty-two-gallon capacity, not to exceed a weight of fifteen pounds when empty, with side bail handles and a tight-fitting lid, designed and manufactured for the accumulation and storage of solid waste, or plastic and/or paper bags manufactured for the accumulation and storage of refuse. The top diameter of the container shall in no case be smaller than the diameter of the receptacle at the bottom. (Ord. 6875 § 1, 2006; Ord. 6424 § 2, 1998; Ord. 5954 § 1, 1991; Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

#### **Section 6.04.020 Receptacle requirements.**

A. Every owner, tenant, lessee or occupant of any premises where solid waste is generated shall provide upon the premises sufficient standard containers for receiving and holding all solid waste generated between the times of removal. All solid waste on the premises shall be kept in said standard containers.

B. Every owner, operator, manager or person in charge of any hotel, restaurant, cafe, cafeteria, hospital, public dining room or other place where food is prepared for sale, sold or offered for sale for human consumption and every owner, operator, manager or person in charge of any store, market or other place where meat, fish, fowl, vegetables, fruit or any food is sold or offered for human consumption shall provide a separate standard container for receiving and holding all garbage created upon the premises between the times of collection; provided, however, the garbage may be placed in the same receptacles as rubbish if the garbage is drained and securely wrapped or sealed in plastic bags prior to placement in the container or bin.

C. Solid waste containers shall be maintained in a clean and sanitary condition. It is unlawful for any person, firm or corporation to use solid waste containers that do not conform to the provisions of this chapter or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof. If, within five days after written notice of a violation of this section from the Public Works Director, such container is not repaired

or replaced as necessary, further service for the container may be suspended until the violation is corrected. The notice of violation shall be deemed served when securely attached to the container determined not in conformance with the provisions of this section. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.030 Location of receptacles and detachable receptacle requirements.**

A. At residential property serviced by the City, the standard containers shall be placed as follows for collection:

1. Residential customers adjoining an alley shall place their standard containers adjacent to but not within the alley.

2. Residential customers may utilize one of three levels of collection service. Fees for different levels of service are set by resolution. In special circumstances the Public Works Director, or designee, may designate receptacle location.

a. Curbside: Receptacle shall be placed at the curbside or adjacent to the alley before five-thirty a.m. on collection days. Sidewalks shall not be blocked.

b. Driveway: Receptacles shall be placed adjacent to the driveway before five-thirty a.m. on collection days. Driveway clearance must be sufficient to accommodate collection equipment.

c. Backyard: Receptacles are located behind gates, inside trash enclosures, beside garages not accessible for collection equipment in any location not in accordance with curbside or driveway levels.

3. Residential customers who place their standard containers at the City curb shall not do so earlier than six p.m. of the day preceding such collection nor fail to remove the container from the curb prior to eight p.m. of the day of collection.

B. At residential properties serviced by contractors, the residents shall place their standard containers at the curb for collection except when other arrangements have been made with the collection contractor. Containers shall be removed from the curb except between the hours of six p.m. on the day preceding such collection and eight p.m. on the day of collection. Detachable bins provided by the contractor shall be placed where they are accessible to the contractor's collection vehicle.

C. For commercial collection all standard containers and detachable bins shall be placed at an area designated by the contractor.

D. In all disputes, complaints or problems arising from or concerning the location of containers or bins, the Public Works Director shall designate the proper location and the decision of the Public Works Director shall be final. (Ord. 7157 § 2, 2012; Ord. 5954 § 2, 1991; Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.040 Placement of material in receptacles.**

A. At residential properties the following shall govern the placement of material in receptacles for collection:

1. Wooden boxes, crates and cardboard or paper boxes or cartons shall be broken and flattened before being placed in a receptacle or tied in a bundle no more than eighteen inches in diameter and four feet in length and placed beside the standard container.

2. Vacuum dust, sweepings and ashes shall be securely wrapped or enclosed in a bag prior to placement in the standard container.

3. Household garbage shall be drained and wrapped in paper or secured in plastic bags prior to placement in the standard container.

4. Animal waste of household pets shall be wrapped.

5. Sharp-edged and pointed material such as glass and metal shall be packaged before placement in the receptacle in such a way as to protect refuse handlers from being cut or wounded when handling the receptacles and contents with ordinary care.

6. Tree trimmings shall be tied in bundles not more than eighteen inches in diameter nor more than four feet in length and shall include branches and logs no more than three inches in diameter or shall be cut in short lengths and placed in the standard containers. In areas serviced by the City, bundled tree trimmings shall be collected on the second regular collection day of each week; namely, Thursday, Friday and Saturday.

7. When filled, the standard container shall not weigh more than fifty-five pounds.

B. At commercial properties, placement of material in receptacles for collection shall be as follows:

1. All refuse must be placed in standard containers or detachable bins.

2. Garbage must be drained and securely wrapped or sealed in plastic bags prior to placement in containers or bins. (Ord. 5954 § 3, 1991; Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

#### **Section 6.04.050 Required solid waste removal.**

A. No person, persons, firm or corporation other than one of the City authorized solid waste haulers acting pursuant to their contract with the City, municipal solid waste collection crews or a person or firm acting under the authority and within the limitation of a valid self-hauler permit issued pursuant to this chapter, shall collect solid waste within the City.

B. No person, persons, firm or corporation other than the City or one of the City-authorized solid waste contractors acting pursuant to their contract with the City shall provide temporary bin service for solid waste.

C. Except as provided in subdivision D of this section, solid waste collection shall be provided from residential property at a minimum of once a week.

D. Commercial solid waste collection shall be provided not less than once a week except that at each business engaged in the sale or production of food and at each multifamily residential property which receives bin service, such collection shall be provided not less than twice weekly. "Multifamily residential property" includes but is not limited to apartment house, boarding house, rooming house, town house and condominium.

E. Every owner, lessee, tenant or occupant of residential or commercial property shall remove or cause to be removed all solid waste created, produced or brought upon the premises according to the schedule in B or C by subscribing to the solid waste collection service of the City or the contractor authorized by the City Council to provide such service to that property; provided, however, one may provide one's own service pursuant to a self-hauler permit as provided in this chapter for the removal of solid waste created by one's own activity as a residential or commercial occupant, but not as a landlord for one's tenant or lessee. (Ord. 6237 § 1, 1995; Ord. 6071 § 1, 1993; Ord. 5999 § 1, 1992; Ord. 5954 § 4, 1991; Ord. 5928 § 1, 1991; Ord. 4599 § 1, 1978; Ord. 4551 § 1, 1978; Ord. 4502 § 1, 1978; Ord. 4406 § 1, 1977; Ord. 4189 § 1 (part), 1975)

#### **Section 6.04.055 Requirements for self-haulers.**

A. Every occupant of a residential or commercial property desiring to provide removal of solid waste created by their own activity shall first obtain and maintain in full force and effect a self-hauler permit and shall provide solid waste removal service in accordance with said self-hauler permit.

B. Application for self-hauler permits shall be made to the Public Works Director and shall be accompanied by a nonrefundable fee set by resolution.

C. The Public Works Director shall issue the permit upon determining that the applicant is able to transport all solid waste in a safe and sanitary manner in accordance with the provisions of this chapter.

D. Such permit shall be effective for one year from the date of its issue.

E. If the application is denied by the Public Works Director, the applicant shall be

provided with a full statement of the reasons for the denial.

F. A permit may be revoked by the Public Works Director for any violation of law or for failure to comply with the provisions of this chapter by providing the permittee with a written statement of the violations noted.

G. A denial or revocation may be appealed to the Public Safety Committee of the City Council whose decision shall be final. Such appeal shall be filed with the City Clerk within ten days after the receipt of the Public Works Director's written notice of denial or revocation.

H. All solid waste removal pursuant to a valid self-hauler's permit shall be accomplished by the permit holder or the holder's own employees using the permittee's own equipment.

I. All solid waste removed pursuant to a self-hauler permit shall be deposited only at authorized and licensed solid waste disposal sites.

J. All equipment used by a self-hauler's permittee to remove solid waste shall comply with the requirements of Section 6.04.060.

K. Every holder of a self-hauler permit shall submit legible copies of landfill receipts to the Public Works Director on or before the tenth of each month for solid waste deposits made during the previous month at authorized and licensed solid waste disposal sites. (Ord. 6103 § 1, 1994; Ord. 5954 § 5, 1991; Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

#### **Section 6.04.060 Vehicle requirements for conveyance of solid waste.**

A. Passenger motor vehicles shall not be used in the transportation of solid waste upon or along any public street or highway of the City; provided, however, residential self-haulers as provided in Section 6.04.055 may utilize such vehicles upon the condition that the solid waste is so contained as to prevent it from leaking, dripping, falling, blowing or scattering from the vehicle in which it is being conveyed or transported.

B. Trucks used in the collection and transportation of solid waste shall have bodies of watertight metal construction which shall be leakproof and shall be equipped with a close-fitting cover, which shall be affixed in a manner that will prevent dropping, spilling or other loss of solid waste upon the highway during collection and transportation. In lieu of such watertight bodies and covers, separate metal containers with tight-fitting, clamp-on lids may be used.

C. Trucks used in the collection of rubbish shall have solid construction of the floor and body and shall be equipped with a close-fitting covering which shall be affixed in a manner that will prevent the dropping or blowing of any rubbish upon the highway during collection and transportation.

D. All trucks used in the collection and transportation of solid waste and rubbish shall be maintained in a clean, sanitary and neatly painted condition, and shall carry a shovel, broom, first-aid kit and fire extinguisher.

E. Every contractor authorized by the City Council to collect solid waste shall paint his firm name and telephone number in legible letters not less than three inches in height on both sides of all trucks used to collect and transport refuse. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

#### **Section 6.04.070 Collection periods.**

A. Solid waste collection from residential properties shall be provided by all haulers a minimum of once a week.

B. Contractors shall provide collection service to all commercial premises at least once a week; provided, however, collection must be made at least twice a week to those establishments generating garbage; and further provided that nothing in this subsection shall prohibit the contractor from collecting solid waste at a more frequent rate.

C. Solid waste will not be collected on Sundays except in emergencies and as approved by the Public Works Director.

D. Solid waste collection within or in close proximity to residential areas shall not

commence prior to five-thirty a.m. on any day. (Ord. 5954 § 6, 1991; Ord. 5928 § 1, 1991; Ord. 5379 §§ 1, 2, 1986; Ord. 4965 § 1, 1981; Ord. 4214 § 1, 1975; Ord. 4189 § 1 (part), 1975)

**Section 6.04.075 Prohibition against scavenging.**

It shall be unlawful for any person other than the owner or agent or employee of the owner of a solid waste or recyclable material receptacle, a solid waste hauler or the person or agent or employee of the person for whom a solid waste or recyclable material receptacle is contracted or placed to collect refuse or recyclable material to rummage in, disturb, interfere, scavenge, or remove refuse or recyclable material from officially designated refuse and recyclable containers. (Ord. 6755 § 1, 2004; Ord. 6424 § 3, 1998; Ord. 5928 § 1, 1991; Ord. 5855 § 1, 1990; Ord. 5326 § 1, 1985; Ord. 4189 § 1 (part), 1975)

**Section 6.04.080 Dumping, placing, burning and burial restrictions.**

A. No person shall throw, drop, leave, dump, bury, burn, place, keep, accumulate or otherwise dispose of any waste matter, including but not limited to garbage, hazardous waste, refuse, recyclable materials, rubbish, or solid waste as defined in Section 6.04.010 upon any lot, land, street, alley, water or waterway, either with or without intent to later remove same.

B. Solid waste may not be buried on any lot in the City. This Section shall not be interpreted to prohibit composting of yard waste. (Ord. 6875 § 2, 2006; Ord. 5928 § 1, 1991; Ord. 4599 § 2, 1978; Ord. 4189 § 1 (part), 1975)

**Section 6.04.090 Unsightly solid waste deemed nuisance.**

Solid waste, which by reason of its location and character is unsightly and interferes with the reasonable enjoyment of property by neighbors, is a public nuisance within the meaning and subject to the provisions of this Code. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.100 Property owner alley clearance duties.**

No person owning, leasing or occupying property adjoining any public alley in the City shall fail, refuse or neglect to keep that portion of such alley between the centerline thereof and the property line of such property free from solid waste. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.110 Care of animal habitation.**

Every owner, lessee, tenant or occupant of any lot, place or premises within the City on which any horse, cow, barnyard fowl or other animals are kept, or of any place where manure or urine from such animals accumulates, shall at all times keep or cause to be kept the lot, premises or place, and the appurtenances thereof, in a clean and wholesome condition. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.120 Manure removal from premises.**

Unless all manure accumulating on any premises is removed daily, boxes or receptacles of a design and construction acceptable to the Riverside County Health Officer shall be provided by each owner, lessee, tenant or occupant of such places, and the boxes or receptacles shall be used only for the purpose of containing the accumulation of manure and shall be kept tightly closed at all times except when manure is being placed therein or removed therefrom, and in no instance shall manure be so placed in such boxes or receptacles in such a manner as to prevent the tight closing of the lid. The boxes or receptacles shall be maintained to prevent access to the contents thereof by flies. The contents of the boxes or receptacles shall be removed as often as filled, or more often if so required by the Health Officer or his authorized representatives, except that the provisions of this section shall not apply to premises located in the RA Zone as now bounded and defined or may be hereafter bounded and defined by the

Zoning Ordinance and other ordinances of the City and amendments thereto. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.130 Accumulation of waste matter restricted.**

No person owning or occupying any building, lot or premises in the City shall suffer, allow or permit to collect and remain upon such lot or premises any solid waste; provided, however, that this provision shall not be construed as interfering with building under a building permit, or wood neatly piled for kitchen or household use. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.140 Restraint of animals to protect collectors.**

Any occupant owning or possessing an animal on the premises which may bite or attempt to bite a solid waste hauler while engaged in collecting refuse shall be required to secure the animal(s) or place the receptacles in such manner that such animal shall not constitute a hazard or to endanger a solid waste hauler. In addition to any criminal penalties specified in this code, failure to adhere to the requirements of this section shall be cause for suspension of collection service during such time as there exists any such danger or hazard. Suspension of service pursuant to this section shall not relieve any person or firm of the duty to pay solid waste collection charges during such period of suspension. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.150 Regulation-making powers.**

The Public Works Director is authorized to make such rules and regulations not inconsistent with the provisions of this chapter so as to effect efficient collection and removal of waste material by the City or its duly authorized contractors. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.160 Collection areas.**

For purposes of defining the areas of the City in which the City's contractors will operate and in which areas City personnel will collect residential solid waste, a map of the City is on file in the office of the City Clerk. Five areas are identified thereon. The type of service: residential or commercial; exclusive or non-exclusive; City personnel or contractor; are identified in the contracts with City's contract solid waste collectors. Upon a determination by the Public Works Department and at the direction of the Public Works Director that good cause exists or that an annexation has been completed, that map may be modified. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.170 Collection charges.**

The City Council shall by resolution fix and from time to time amend the various charges to be made and paid for solid waste collection. (Ord. 5954 § 7, 1991; Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.180 Inspection of premises--chapter enforcement.**

The duly authorized representative of the Health Officer or Public Works Director shall visit all premises within the City from time to time to examine the sanitary conditions of the premises to determine whether the provisions of this chapter and state laws are being complied with. The Public Works Director shall enforce the provisions of this chapter and properly notify any owner or occupant of any violations of this chapter. Such notice whenever possible shall be affixed to a receptacle or delivered in person. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.190      Alternate enforcement.**

Notwithstanding the provisions of this chapter prescribing specified action in the event of a violation, any other appropriate criminal or civil action may be maintained against the violation and against any person maintaining or permitting the violation. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)

**Section 6.04.200      Severability.**

If any section, subsection, sentence, clause or phrase of this chapter is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The City Council declares that it would have passed this chapter and each section, subsection, clause or phrase hereof irrespective of the fact that any one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional. (Ord. 5928 § 1, 1991; Ord. 4189 § 1 (part), 1975)