

TOWN OF PULASKI, VIRGINIA
CODE OF ORDINANCES

Chapter 68 - SOLID WASTE
Article I. - AUTHORITY

Sec. 68-01. - In General.

- (a) *Responsibility for Waste:* Every source of waste within the corporate limits of the town shall be responsible for all forms of their waste and shall contract with a legitimate 3rd party provider for appropriate waste collection and disposal services, unless otherwise specified in (a)(1) below. The town is not a provider nor is it responsible for the provision of industrial or commercial waste collection and disposal. "Every source" shall include but not be limited to all businesses, residences, property owners.
- (1) *Exception:* The town shall be the exclusive provider of solid waste collection and disposal within the the corporate limits of the town for curbside service to residential and small businesses. The town may contract with a vendor to provide the service under this provision. For purposes of this chapter, curbside service does not include dumpsters, rollofs, or any other form of trash collection and disposal other than the use of a town provided *trash receptacle*.
- (2) Any multifamily units or apartment complexes shall either utilize curbside service through the town for each and every separately leased unit, or shall be subject to the general provisions in (a) above.

Sec. 68-02. - Town Solid Waste Services.

- (a) *Town services in general:* The town shall provide, or cause to be provided, the solid waste services as indicated in 68-01(a)(1) on terms and conditions set out in this chapter to *solid waste account holders* with the town. Account holders may be landowners, tenants, small businesses, or any other qualified source of solid waste within the corporate limits of the town desiring curbside services. The following services are provided to account holders with the town:
- (1) Curbside disposal and collection services (Non Bulk). See 68-04
- (2) Curbside approved bulk item collection services. See 68-05
- (3) Curbside leaf removal. See 68-06 (published schedules)
- (4) Convenience Center. See 68-07

- (i) Approved solid waste
 - (ii) Recycling
 - (iii) Approved bulk items
 - (iv) Approved brush, leaves
- (c) *Requirement for residential and small businesses to establish solid waste account. All residential and small businesses in the corporate limits of the town are required to establish an account with the town for solid waste collection and disposal, pay the appropriate fees, and comply with the terms and conditions set out in this chapter.*
- (1) *Exceptions:*
- (i) *Source of solid waste already has contract for service other than curbside collection:* Residents that live in a multifamily unit or apartment complex, or a small business, where contract with a legitimate 3rd party provider for appropriate waste collection and disposal services exists for dumpster collection and disposal.
 - (ii) *Proof that there is no source of waste:* In order to be exempt from establishing an account, a party must provide documentation on an annual basis, along with an affidavit, to certify that no solid waste in any way is associated with the property for which the exemption is requested. Approval of the exemption is within, and at, the discretion of the town manager, must be confirmed by town manager in writing, and is only valid in one year increments.

Sec. 68-03. - Service charges for town solid waste collection and disposal services.

- (a) *Service Charges:* For a minimum fee, as set for herein or as established in the the town solid waste collection and disposal service fee schedule, which may be amended from time to time by town council, payable and billed along with water and sewer services, the town will provide the general services outlined herein.

Sec. 68-04. - Curbside collection and disposal services (Non Bulk).

- (a) *Trash receptacle:* The town will provide a uniform *trash receptacle* with each account. (Residential properties and small business only) The

provided *trash receptacle* shall be the only container utilized for the disposition of solid waste that is to be collected by the town.

- (b) *Time of placement for trash receptacles for collection:* Trash receptacles shall be placed out for trash collection no later than 6:00 a.m. on the day of scheduled collection. Trash receptacles shall not be placed out any earlier than 4:30 p.m. (November through March) and no earlier than 7:00 p.m. (April through October), of the day prior to the date of scheduled collection. Trash receptacles shall be removed from the front of the residence as soon as possible after collection, and in no instance shall they be permitted to remain adjacent to the street after 7:00 p.m. on the day of collection. Trash receptacles shall be stored between the dates of collection in a location no closer to the street than behind the front corner of the primary building. Where placement as indicated above is impractical or not feasible, the town manager may designate an alternative location.

- (c) *Location of trash receptacle placement for collection:* The account holder will be provided with written instructions for placement of the trash receptacle to allow appropriate collection.
 - (1) *Medical exceptions for residential accounts:* If all occupants of an account holders location are not physically capable of placing the provided trash receptacle at the designated location the account holder may submit an application for the town to consider collection from the residence of the account holder. The town reserves the right to deny any request through the application process without proper medical documentation regarding the inability of the account holder to handle the trash receptacle. Approvals of this status by the town manager are applicable in one year intervals.

- (d) *Collection frequency:*
 - (1) Curbside collection of solid waste will be provided once each week. A schedule of days for those collections performed will be available through the Town or the vendor upon request.
 - (2) Holidays: One collection per week will be made regardless of holidays, and during a holiday week alternative collection dates will be advertised. Holidays include New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.

- (e) *Care and condition of trash receptacles:* Account holders and authorized users shall place solid waste materials in plastic or polyethylene bags to

prevent seepage in the *trash receptacle*. The account holder shall be responsible for maintaining and washing the trash receptacles. The account holder shall ensure that the trash receptacles are not overfilled as it is important that solid waste remains in the trash receptacle until collected. In the event an account holder has more solid waste than a single trash receptacle will hold, an additional trash receptacle can be provided for the account at an additional fee.

- (f) Solid waste not located in the provided trash receptacle at the pick up location will not be collected by the town. Please note that solid waste not appropriately placed in provided trash receptacle is in violation of town ordinances, See Chapter 38 Article III Division 2.

Sec. 68-05. - Curbside collection and disposal services of approved bulk items.

- (a) *Bulk item service:* The town, through its vendor, will provide approved bulk item collection for the account holder of up to 3 bulk items once a month.
- (b) *Time of placement for approved bulk items for collection:* Permitted and approved bulk items shall be placed out for bulk item collection no later than 6:00 a.m. on the day of scheduled collection. Bulk items shall not be placed out any earlier than 4:30 p.m. (November through March) and no earlier than 7:00 p.m. (April through October), of the day prior to the date of scheduled collection. Bulk items shall be stored in compliance with town ordinances prior to placement for the scheduled bulk item collection.
- (c) *Location of bulk item placement for collection:* Items shall be placed as close as possible to the curb, or, if there is no curb, as close as possible to the street or rear edge of property in the alley. The account holder may be provided with written instructions for placement of future bulk items to allow appropriate collection.
- (d) *Condition of bulk item placement for collection:* To ensure the safety of the public, all doors on any appliances shall be removed before placement. The removed door shall not constitute a separate bulk item if placed with the appliance during the same collection. See Section 50-76
- (d) *Permissible bulk items:* Bulk items may include waste materials from a residential source, excluding construction debris, such as sofas, chairs, mattresses, other types of furniture, and appliances (which must have Freon removed prior to placement for collection).

Sec. 68-06. - Curbside leaf removal.

- (a) *Schedule*: The town will provide a leaf removal service during a specific time of the year, and will publish a schedule to notify all account holders.
- (b) *Location*: The town will advise of the appropriate location for leaf pickup in the published schedule.

Sec. 68-07. - Convenience Center for Solid Waste Disposal.

- (a) *Access*: The convenience center shall only be available to the following:
 - (1) town account holders for curbside solid waste collection.
 - (2) any town resident of a multifamily or apartment complex that has a current contract for appropriate waste collection and disposal services.
- (b) *Specific exclusions from access or disposal*:
 - (1) No prohibited items.
 - (2) No access by non-town residents or citizens.

Sec. 68-08. - Prohibited Items.

- (a) *Prohibited Items*: It shall be unlawful to place prohibited items in curbside trash receptacles, as curbside bulk items or at the convenience center.
 - (1) Any contractor-generated (for a fee) waste is deemed a prohibited item for the purposes of this chapter.
 - (2) Any waste not generated at the premises of the account holder is deemed a prohibited item for the purposes of this chapter. This includes but is not limited to waste, the source of which is a non account holder.
 - (3) Any of the following waste is a prohibited item for the purposes of this chapter: Hazardous waste, hazardous substances, household hazardous waste, biohazard waste, sludge, pharmaceutical waste, pressurized containers, combustible or explosive material, construction waste, electronic waste, hot ashes or embers, human excreta (excluding diapers), animal manure (excluding household pet manure), dead animals or portions of dead animals, automotive waste (including but not limited to fluids, tires and batteries), grease from restaurant or other business uses, liquids (including but not limited to poisons, acids, caustics, paints, thinners, other flammables and other chemicals), earth, tree stumps, asphalt, concrete, and similar material brick. The

individual or business which is the source of such prohibited materials shall be responsible for legal disposal of such items.

Sec. 68-09. - Violations, civil penalties.

- (a) *Civil Penalty for Violations:* Violations of this chapter shall result in the imposition by the town of a civil penalty of \$50.00 for each violation of this chapter to the respective violator. Each business day during which the same violation is found to have existed shall constitute a separate offense. The town shall send the notice of violation by first class mail and shall give the person 30 days to pay the assessed civil penalty. Should the person fail to pay the penalty within the time allowed, then a court summons will be initiated by the town.

If a person wishes to be heard on the issuance of any notice of violation or civil penalty, the person may request, in writing, a hearing from the town manager. Such request must be received by the town manager within five business days of the action sought to be reviewed and must state the reasons for the requested hearing. The town manager shall schedule the hearing within five business days of receipt of the request for a hearing, and any decision arising out of the hearing shall be set forth in writing within three business days after the hearing.

(Ord. No. xxxx)