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## CHAPTER 941

## Solid Waste Collection

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## CROSS REFERENCES

- Collection and disposal of garbage - see Ohio R.C. 715.43, 717.01  
 Employment of scavengers - see Ohio R.C. 3707.39  
 Disposal and transportation upon public ways - see Ohio R.C. 3767.201  
 Vehicle loads dropping, sifting, leaking - see TRAF. 339.08  
 Dumping garbage or rubbish in City waters prohibited - see TRAF. 381.39(b)  
 Littering and deposit of garbage, rubbish, etc. - see GEN. OFF. 521.07, 521.08  
 Noxious or offensive odors - see GEN. OFF. 521.09  
 Conditions conducive to harboring rats prohibited - see GEN. OFF. 521.10  
 Garbage disposal required - see BLDG. Ch. 1345

## 941.01 INTENT AND PURPOSE.

It is the intent and purpose of this Chapter to provide a sanitary and satisfactory method of collection and disposal of garbage, rubbish and refuse, commonly referred to as solid waste, and the maintenance of public and private property in a

clean, orderly and sanitary condition for the peace, health and safety of the City.  
(Ord. 9-74. Passed 5-13-74.)

#### 941.02 RULES AND REGULATIONS.

The Director of Public Safety-Service is hereby charged with the enforcement of the provisions of this Chapter and the Director is hereby empowered to adopt, promulgate and enforce rules and regulations necessary to carry out the intent of this Chapter. However, such rules and regulations shall not be in conflict with this Chapter or any other City ordinance.  
(Ord. 9-74. Passed 5-13-74.)

#### 941.03 REGULAR AND SPECIAL COLLECTIONS.

(a) Regular Collections. The City shall collect solid waste from all residential and/or business premises within the City on regularly scheduled collection days. Such regular collections shall not be more frequent than once per week. Delays in such regular collections may occur occasionally due to inclement weather or official holidays. In such cases, the Director of Public Safety-Service may provide for alternate methods of collection.

(b) Garbage and rubbish containers shall not be placed for pick up before 7:00 p.m. of the day preceding the scheduled collection day. Hard sided garbage containers and blue bag recyclables shall not be placed on the tree lawn for pick up but shall be placed at an accessible position near the driveway.

(c) Items, such as biodegradable kraft grass bags, newspapers properly bagged (brown grocery bag), appliances, tree, hedge and shrubbery trimmings, limbs in four (4) foot, bundled sections should be placed on the tree lawn not before 7:00 p.m. of the day preceding the scheduled collection day.  
(Ord. No. 112-05. Passed 9/12/05.)

#### 941.04 CLASSIFICATION OF STRUCTURES.

All residential and business structures within the City for purposes of this Chapter shall be divided into the following classes:

Class	Type of Structure
I	Single-family Two-family Townhouses (attached single-family) Class A and Class B
II	Apartments Golden age center Senior citizen housing
III	All other building structures

941.05 FREE COLLECTION LIMITATION; FEE FOR EXCESS OR SPECIAL COLLECTION.

(a) Regular Collection. There shall be no charge for solid waste collected on regularly scheduled collection days based upon the following schedule:

Class	Type of Building Structure	<u>Schedule of Limitations</u>	
		By Volume (Cubic Yard)	By Weight (Pounds)
I	Per dwelling unit	1	300
II	Containing 4 to 12 dwelling units	3	800
	Containing 13 to 36 dwelling units	5	1200
	Containing 37 to 72 dwelling units	7	1600
	Containing more than 72 dwelling units	9	1800
III	Per building structure	2	600

For solid waste collected in excess thereof, there shall be a charge of Ten Dollars (\$10.00) per cubic yard (Thirteen Dollars (\$13.00) per cubic meter) or fraction thereof by volume, or Two Dollars (\$2.00) per hundred weight (forty-five point five (45.5 kilograms) or fraction thereof, whichever is the greater.

(b) Special Collection. For solid waste collected on those special collections requested of and approved by the Director of Public Safety-Service, there shall be a charge of Fifteen Dollars (\$15.00) per cubic yard (Nineteen Dollars and Fifty Cents (\$19.50) per cubic meter) or fraction thereof by volume, or Three Dollars (\$3.00) per hundred weight (forty-five point five (45.5 kilograms) or fraction thereof by weight, whichever is the greater, but in no event shall the charge be less than Fifteen Dollars (\$15.00) for any special collection.  
(Ord. 9-74. Passed 5-13-74.)

941.06 SPECIAL ITEMS AND EVENTS.

(a) Recyclable newspapers properly bagged (brown grocery bag), grass clippings in biodegradable bags, hedge and shrubbery trimmings and cut tree limbs shall be collected from the tree lawn without charge on regularly scheduled collection days. If collection is desired on other than the regularly scheduled collection day, the application and collection charge provisions for special collections shall be complied with.  
(Ord. No. 113-05. Passed 9/12/05.)

(b) Hot water tanks, refrigerators, stoves and other household furniture and appliances shall be collected without charge. Such items shall be placed on the tree lawn and if collection is desired on other than the regularly scheduled collection day, application shall first be made to and approved by the Director of Public Safety-Service as to scheduling thereof.

(c) Earth, rocks, tree stumps, broken concrete, building material, automobile parts, liquid and industrial waste shall not be collected.

(d) On those days properly announced and scheduled as special clean-up events, all solid waste, except those items listed in Subsection (c) hereof, shall be collected without charge if placed on the tree lawn. (Ord. 9-74. Passed 5-13-74.)

#### 941.07 PACKAGING, BUNDLING AND OTHER STANDARDS.

The City reserves the right to refuse to collect any solid waste that does not meet the following standards and under no circumstances shall City employees enter basements, garages or other buildings for the removal of solid waste. For safety reasons, no garbage/rubbish container shall be placed on the tree lawn for collection.

(a) The items to be placed on the tree lawn for curbside collection include: biodegradable kraft lawn waste bags, trimmings from trees, hedges and shrubbery, newspapers properly bagged (brown grocery bag), appliances, non-contractor building materials or tree limbs cut in four foot lengths.

(b) Garbage shall be kept in waterproof containers equipped with lifting handles and tight-fitting, vermin-proof covers. Containers shall be maintained in a sanitary and clean condition at all times. Containers shall not exceed a weight of more than fifty (50) pounds when filled. Containers shall not be filled above the brim so as to avoid spillage in handling.

(c) Rubbish may be placed in containers weighing not more than fifty (50) pounds when filled. Rubbish containers shall be of such size and shape so as to be conveniently handled and readily loaded on City trucks. Cartons, boxes, cardboard drums, wooden barrels, paper bags or plastic bags shall not be used as permanent garbage containers since they may be blown away, scattered by animals or broken down during bad weather.

(d) Newspapers and magazines shall be properly bagged (in brown grocery bags).

(e) Large boxes or crates shall be collapsed and tied into bundles weighing not more than fifty (50) pounds and not more than four (4) feet in length.

(f) Lumber, tree and hedge trimmings shall be cut and bundled so that bundles are not longer than four (4) feet or greater than two (2) feet in diameter.

(g) Christmas trees shall be placed on the tree lawn and shall have all nails and metal stands removed there from.

(h) Leaves shall be placed in containers except in the fall season, when they may be deposited in piles on the tree lawn. No person shall place any leaves or grass clippings in the street.

(i) The City shall collect only the rubbish produced from that residence.

(j) Medical waste containing radioactive product or radioactive human by-product is prohibited in residential garbage. Other medical waste, appropriate for general garbage collection, must be placed in proper containers prior to pick-up. (Ord. No. 114-05. Passed 9/12/05.)

#### 941.08 REGISTRATION.

Those structures, other than a Class I structure desiring collection, whether regular or special, shall first register with the Director of Public Safety-Service on forms prescribed by him. (Ord. 9-74. Passed 5-13-74.)

#### 941.09 TRANSFER STATION.

(a) Any business, firm, corporation or individual providing services for hire, bringing residential solid waste to the City of Rocky River's Transfer Station shall first pay an annual license fee of \$25.00 per year. The Transfer Station License shall be obtained from the Director of Public Safety-Service. The Rocky River Transfer Station will only accept solid waste originating from the City of Rocky River. No other community's waste will be accepted; failure to adhere to this requirement shall result in the revocation of the license by the Director of Public Safety-Service. All licenses shall expire on December 31 of the year of issue.

(b) A charge of One Hundred Twenty dollars (\$120.00) per ton shall be collected for such solid waste brought directly to the Transfer Station. (Ord. No. 203-02. Passed 12/16/02.)

(c) Any individual resident of the City, desiring to bring solid waste originating as part of said individual's residence or of any appurtenances thereof to the City Transfer Station, shall make the necessary arrangements with the Director of Public Safety-Service, who may refuse to accept all or any part thereof. No charge shall be collected for such solid waste. (Ord. 91-97. Passed 4-28-97.)

#### 941.10 COMMERCIAL HAULERS; LICENSE, FEE AND CONDITIONS.

(a) No person, firm or corporation shall engage in the business of collecting, hauling and/or disposing of any rubbish, refuse or garbage within the City limits unless he shall first obtain a license therefor from the Director of Public Safety-Service. The fee for any such license shall be as set forth in Section 1321.06 of

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the Codified Ordinances. All licenses shall expire on December 31 of the year of issue.

(b) This Section shall not apply to any private individual hauling garbage, rubbish or refuse from his own premises, nor to the City or any person who has contracted with the City to provide such services.

(c) A condition of any license issued shall be that the licensee agrees to collect, transport and dispose of any garbage, rubbish or refuse in a sanitary manner so as not to create a nuisance.

(d) Any vehicle conveying or carrying such matter shall be so constructed and operated that its contents shall not spill or scatter over any public or private property. Any person hauling any garbage, refuse or rubbish in any open vehicle, such as a truck or trailer, shall provide that the load thereof shall be covered with an adequate tarpaulin or canvas so as to prevent any spillage or scattering of its contents. (Ord. 9-74. Passed 5-13-74).

#### 941.11 HOURS OF COLLECTION AND TRANSPORTATION.

No person owning or driving a vehicle hauling solid waste shall cause the collection, transportation or transfer of such solid waste other than between the hours of 7:00 a.m. and 7:00 p.m. No collection, transportation or transfer shall occur on Saturdays after 4:00 p.m. or at any time on Sundays. Application for exceptions to this provision may be made to the Director of Public Safety-Service, on a form provided by the Director. Such exceptions shall be granted only where the applicant is able to demonstrate circumstances of great practical difficulty in the collection and transportation of solid waste in areas where there is a heavy daytime vehicular and pedestrian traffic and a concentration of commercial activity.

(Ord. No. 41-91. Passed 5-13-91)

#### 941.99 PENALTY.

Whoever violates any provision of this Chapter shall be guilty of a minor misdemeanor for the first offense. Whoever violates any provision of this Chapter shall be guilty of a fourth degree misdemeanor for the second offense or subsequent offenses.

(Ord. 7-82. Passed 2-8-82.)