

## PROPOSED CODE REVISIONS

Below are the proposed changes to Sections § 52.15 and § 52.16 of the City Code.

### § 52.15 PREPARATION OF RESIDENTIAL REFUSE.

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

(A) *Mandatory trash containers and payment per each household.* Upon payment of a non-refundable fee in an amount set by the City, residential unit customers shall receive a City provided garbage container and/or a recycling container compatible with the rapid-rail collection system. All costs associated with replacing garbage and/or recycling containers shall be the responsibility of the residential unit customer. In the event garbage generated by commercial unit customers is compatible with the use of a rapid-rail garbage container and/or a recycling container, the City may elect to allow the commercial unit customer to make payment of a non-refundable fee in an amount set by the City, and the customer shall receive the use of a City provided garbage container and/or recycling container compatible with the rapid-rail collection system. All other commercial unit customers shall provide their own dumpster-type containers which must be compatible with the collection system then in use by the City. All 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 City for further use. Legal notice of a condemnation shall consist of a label or tag affixed to the container, which tag shall contain the following 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. This label is notice that the receptacle will be removed and destroyed by the city unless replaced or placed in a satisfactory condition within 15 days from its date. You may request a hearing as to the condition of the receptacle by calling telephone #\_\_\_\_, or by writing to \_\_\_\_ at the address noted. If you request a hearing, the receptacle will not be destroyed until completion of the hearing and a determination by the hearing officer. All costs associated with a hearing will be the responsibility of the non-prevailing party. If you do not request a hearing, the receptacle will be destroyed after 15 days from the date of this notice. Dated this \_\_\_\_ day of \_\_\_\_, 20 \_\_\_\_. City of \_\_\_\_, by \_\_\_\_ (authorized signature).”

(B) *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.

(C) *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.

(D) *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 the structure, including all lumber scraps, shingles, plaster, brick, stone, concrete, and other building material, and shall place the lot and all nearby premises utilized in the 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.

~~(E) By-products. Any commercial or manufacturing establishment which, by the nature of its operations, creates an unusual amount of by-product refuse may be required by the city to dispose of its own waste as opposed to having the city provide the service.~~ **Commercial Unit Customers.** All commercial unit customers shall provide their own dumpster-type containers using a commercial, licensed business which provides such service and arrange for regular collection pursuant to Arizona Administrative Code Title 18, Chapter 13. Dumpsters are required to have an enclosure as described in El Mirage Zoning Code §154.107(D).

(F) *Dangerous waste.* Dangerous wastes shall be placed in a proper container, plainly marked "DANGER". The city reserves the right to deny service for certain dangerous wastes and to require the customer to properly dispose of it by other means.

(G) *Soil and concrete.* Waste soil, concrete, masonry blocks, sod, and rocks shall be disposed of by the owner, tenant, or occupant of the premises.

(Prior Code, § 10-2-1) (Ord. O11-08-13, passed 8-25-2011)

## **§ 52.16 LOCATION FOR PICK UP.**

Containers used for residential garbage, rubbish, and recycling shall be placed for collection as follows:

(A) Containers set out for collection must be placed in the street in front of the house to which they are assigned, with the wheels adjacent to the rolled or vertical curb of the sidewalk, or where there is not sidewalk within 12 inches of the edge of the street, pavement, or right-of-way, and the lid opening toward the street. Containers shall be placed at least three feet from another container and at no time may containers be left on sidewalks or curbing in any manner as to be hazardous to pedestrians or vehicles.

(B) Containers may be set out after 6:00 p.m. of the day preceding regular collection and shall be removed from the curb by 6:00 a.m. of the day after collection. Containers shall be stored between collections on or in the premises in such a manner that they are not readily visible from the street.

(Prior Code, § 10-2-2) (Ord. O13-04-07, passed 4-16-2013; Ord. O19-12-17, passed 12-3-2019)