

ORDINANCE NO. B2015 – Solid Waste Management Amendments

AN ORDINANCE AMENDING AND ADOPTING AS AMENDED SECTION 51.01 DEFINITIONS; 51.02 STORAGE OF SOLID WASTE (D) and (E); SECTION 51.03 COLLECTION OF SOLID WASTE (A)(1), (D)(2), (F)(1), (J), and (K); SECTION 51.04 DISPOSAL OF SOLID WASTE; SECTION 51.08 PROHIBITED PRACTICES (B); AND SECTION 51.99 PENALTY OF CHAPTER 51: SOLID WASTE MANAGEMENT, OF THE CITY OF BARDSTOWN CODE OF ORDINANCES.

NOW THEREFORE, BE IT ORDAINED by the City of Bardstown, Kentucky, that Sections 51.01, 51.02, 51.03, 51.04, 51.08 and 51.99 be amended as follows:

§ 51.01 DEFINITIONS

“CONSTRUCTION AND DEMOLITION WASTE.” Waste, including **drywall, used lumber, rolls of carpet or padding,** plumbing fixtures, resulting from land development and the construction, remodeling, repair, and demolition of structures and uncontaminated solid waste consisting of vegetation resulting from land clearing and grubbing, utility line maintenance, and seasonal and storm related cleanup.

§ 51.02 STORAGE OF SOLID WASTE

(D) Standards for commercial storage containers. Commercial solid waste from a small producer shall be stored in solid waste containers as described in division (C). Commercial solid waste from a large producer shall be stored in a City provided garbage dumpster or such other container as may be approved by the city’s Director **of Public Works**. The containers shall be waterproof, leak proof and shall be covered at all times except when depositing waste therein or removing the contents thereof; and shall meet all requirements set forth pursuant to § 51.07. **In addition, the Director/Superintendent of Public Works hereby requires that dumpster areas shall be graded and paved in order to make the handling of dumpsters safe and accessible for the workers. Corrals or enclosures are required where feasible. Corral doors shall be hung and properly maintained to permit unobstructed access. Where enclosures are unfeasible, curbs may be required at the sole discretion of the Superintendent of Public Works to prevent the dumpsters from rolling off the dumpster pads. Refusal of service may be authorized upon 30 day written notice from the Superintendent or Director of Public Works where any unsafe or non-compliant condition exists in the service location. It is required that all liquid wastes and debris from spillage shall be cleaned in a timely fashion by the waste generator with an absorbent and properly disposed of to prevent the migration of wastes from the dumpster area.**

(E) Yard wastes and storage thereof. [~~Brush, tree limbs, and small pieces of lumber, less than four inches in diameter, may be stored by either securely tying them in bundles not larger than 48 inches long and 18 inches in total diameter or by storing them in solid waste containers. Other yard wastes shall be stored in containers so constructed and maintained as to prevent the dispersal of wastes placed therein upon the premises served, upon adjacent premises, or upon adjacent public rights of way. The weight of any individual bundle or container and its contents shall not exceed 40 pounds.~~] **Curbside collection described provides for two different acceptable ways to set out yards wastes in addition to yard wastes set out in cans for normal weekly collection. Disposable solid waste containers (plastic bags) may be used [only] for yard waste such as brush, tree limbs, leaves and small pieces of lumber, less than 4" in diameter or stored by securely tying them in bundles not larger than 48" long and 18" in total diameter. No loose material will be picked up. The weight of any individual bundle or container and its contents shall not exceed 40 pounds.**

§ 51.03 COLLECTION OF SOLID WASTE

(A) City responsibility defined. The city shall provide for the collection of solid waste as follows:

(1) The city provides [~~municipally owned solid waste collection service, including~~] normal **curbside** solid waste collection, special bulky item pickup, tree limb pickup, and [~~the pickup of large quantities of leaves in the fall~~] **leaf collection. Loose leaves are collected during a publicly announced and defined time period in the Fall, as needed. Recyclable cardboard is collected at three designated locations; Public Parking Lot on West Flaget Avenue, Farmer’s Market Lot on East Flaget Avenue and the Guthrie Opportunity Center on Nutter Drive during business hours.**

(D) City solid waste collection services and items that shall be placed at the collection point for each service.

(2) Special bulky rubbish and tree limb collection. **Customers must call City Hall to request tree limbs or bulky item pickup.** Tree limbs shall be no larger than six (6) inches in diameter and ten (10) feet long. [~~The weight of any one item per customer shall not exceed the weight of a normal~~

household appliance.] **Neither tree limbs nor bulky rubbish waste material shall be stacked in more than one pile that exceeds four (4) cubic yards which is approximately the size of a pickup load.** Such items shall be placed at the collection point only on the regularly scheduled day of the week for normal collection. **Bulky items or yard waste shall not be picked up from alleyways except where alleyways are wider than ten (10) feet.** In the event of a storm related emergency the Mayor may order an exception to the quantity and weight limits stated above. The duration of the emergency status shall be defined by the Mayor or by the City Council as necessary.

(F) Collection frequency. The following collection frequencies shall apply to collections of solid waste within the city:

(1) All residential solid waste, other than bulky rubbish in excess of 40 pounds, shall be collected one time each week. All multiple housing facility and commercial solid waste shall be collected at least once weekly and may be collected at such lesser intervals as may be fixed by/or approved by the Director or requested by the customer upon determination that such lesser intervals are necessary for the preservation of the health and/or safety of the public. All residential collections shall be made between 7:00 a.m. and 8:00 p.m. **If inclement weather endangers the safe collection of solid waste, services may be discontinued and will resume as weather permits.**

(J) Prohibitions. The following items shall not be deposited in solid waste containers and shall not be collected by the city:

- (1) Hazardous waste **such as syringes, used needles, vials or petroleum products;**
- (2) Liquid waste **such as paint, poisons, acids, explosives, caustics, infectious or biohazard waste materials;**
- (3) Tires **or car parts;**
- (4) Construction and demolition waste **of such size and weight that would cause damage to equipment, such as rolls of carpet or pads.;**
- (5) Batteries; and
- (6) Any burning or smoldering materials.

The Solid Waste Coordinator for Nelson County (502-348-1876) may be consulted for the proper disposal of all waste streams listed above and those prohibited by state and local regulations at the Nelson County Landfill.

(K) Solid waste subject to specific rules. Customers [~~shall~~] **may** themselves deliver to the county solid waste disposal facility, or privately contract for said delivery, any solid waste weighing in excess of [~~what the City can reasonably pick up,~~] **or of a greater volume than what the City has defined as exceeding the permissible solid waste streams to be collected by the City** [~~such as large appliances, tree trunks, and the like, and all construction and demolition waste~~]. **Certain appliances may be taken to the metal recycling center on Spencer Mattingly Lane.**

§ 51.04 DISPOSAL OF SOLID WASTE.

(A) Solid wastes shall be deposited at a processing facility or disposal area approved by the [~~county~~] **City** and complying with all requirements of the most recent KRS Chapter 224 and all applicable subchapters and the rules and regulations adopted there under.

§ 51.08 PROHIBITED PRACTICES.

It shall be unlawful for any person to engage in the following activities:

(D) **It is unlawful to** [~~B~~] **burn** solid waste unless an approved incinerator is provided or unless a variance has been obtained from the appropriate air pollution control agency[;] .

In the City of Bardstown it is illegal to burn garbage. Brush and woody debris may be burned during certain times of the year and only after receiving permission from the Bardstown Fire Department. Visit the Division for Air Quality Web site for more information.

§ 51.99 PENALTY

Any person who shall violate any of the provisions of this chapter, or any lawful rules or regulations promulgated pursuant thereto, upon conviction, shall be punished by a fine of not less than \$50 and not more than \$250; provided, that each day's violation thereof shall be a separate offense for the purpose hereof. Violators of this chapter may be issued a citation by the officer in [~~responsible~~] charge **of enforcement. In addition or in the alternative, any person determined to be in violation of this chapter may be assessed civil penalties or fines, those fines assessed through the Code Enforcement Board process as provided for in Ordinance B2015-28 in the amount of no less than \$100 nor more than \$200 for the first offense, no less than \$150 nor more than \$250 for the second offense and no less than \$200 nor more than \$300 for any subsequent offense.**

All ordinances or parts of ordinances in conflict are hereby repealed to the extent of that conflict. This ordinance shall be in full force and effect following publication in summary as required by law.

CITY OF BARDSTOWN

John R. Royalty, Mayor

ATTEST:

Barbara Bryant, City Clerk

Dated:_____