

CHAPTER 10 – SOLID WASTE

Sec. 10-1. - Definitions.

Building debris. Any debris, including scrap lumber, plaster, roofing concrete, brickbats, sand, and spoil, resulting from site preparation, construction, repair, remodeling, or demolition of any building or appurtenances on private property.

Bulky wastes. Items of solid waste that due to their large size or weight are not or cannot be handled by the general collection service.

Collection service fee. A monthly charge or fee for all solid waste collection services rendered at a particular residential, commercial, industrial, or institutional location.

Collector, professional private. A private business engaged in the collection and disposal of refuse for a profit.

Construction and demolition waste. Construction and demolition waste consists of all types of rejected, damaged, or discarded building materials, surplus earth spoil, vegetation, or other solid waste matter resulting from site preparation, construction, repair, remodeling, or demolition of any building or structure.

Containers. Containers are locally-approved metal or plastic receptacles used for the temporary storage of solid waste awaiting collection.

Director. The director of the public works department for the City of Greenwood.

Garbage or food wastes. Rejected vegetable, fruit, and animal matter resulting from the handling, preparation, cooking, and serving of foods.

Hazardous waste. Rejected chemical, compounds, mixtures, substances, or articles which may constitute a hazard to health or may cause damage to property by reason of being explosive, flammable, poisonous, corrosive, unstable, irritating, radioactive, or otherwise harmful. This category specifically includes pathological wastes, herbicides and pesticides.

Incinerator. Any device used for the burning of solid wastes where the factors of combustion, such as temperature, retention time, turbulence, and combustion air can be controlled.

Industrial solid waste. All solid waste created by or resulting from manufacturing operations or machinery, heavy equipment, vehicle repair or modification, or other industrial operations.

Litter. Any quantity of uncontainerized paper, metal, plastic, glass or miscellaneous solid waste which may be classed as trash, debris, rubbish, refuse, garbage, or junk.

Office of pollution control. The Office of Pollution Control of the Mississippi Department of Environmental Quality.

Person. Any individual, firm, partnership, association, corporation, company, or organization of any kind.

Putrescible matter. Wastes capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisances from odors, gases, and other objectionable conditions. Food wastes, offal, and dead animals are examples of putrescible components of solid waste.

Refuse or solid waste. Comprises all useless, unwanted or discarded materials of the community and includes semi-liquid or wet wastes with insufficient liquid content to be free-flowing.

Rubbish. A general term for solid waste from residences, commercial establishments, and institutions that does not contain food waste or ashes.

Yard rubbish. The grass clippings, hedge cuttings, limbs, leaves and other discarded materials from yards and gardens.

Sec. 10-2. –Exclusive collection.

It shall be unlawful for any person other than the City of Greenwood to engage in the business of collecting, removing and disposing of garbage and rubbish in the City of Greenwood, for others, except those private collectors specifically authorized by a permit issued by the city, with the following exception: Any person may collect and transport any or all solid waste exclusive of hazardous waste originating on his own property or resulting from the operation of his business or the service he renders to an approved disposal site without securing a private collectors permit.

Sec. 10-3. - Jurisdiction of director of public works department.

The removal, disposition, and management of all solid waste disposal in the city shall be under the jurisdiction of the director of the public works department.

Sec. 10-4. - Rules and regulations to implement articles.

The director of the public works department, subject to the approval of the mayor, may make such rules and regulations as are not inconsistent with the provisions of this chapter as may be necessary or desirable to aid in the administration of and obtaining compliance with the provisions of the chapter which shall be on file in the office of the city clerk.

Sec. 10-5. - Collection and disposal of hazardous wastes, pathogenic wastes, and biohazardous wastes.

- (a) *Hazardous wastes.* All hazardous wastes shall be disposed of by the industry, manufacturer, processing plant, laboratory, or institution generating such wastes under such methods and conditions as shall be approved by the bureau of pollution control.
- (b) *Pathogenic, radioactive, and infectious medical wastes.* All pathogenic, radioactive, and infectious medical wastes shall be disposed of by the hospital or institution generating such wastes under such conditions as shall be approved by the Office of Pollution Control.

- (c) *Biohazardous and medical wastes.* All biohazardous and medical wastes shall be disposed of in a manner approved by the Office of Pollution Control.

Sec. 10-6. - Solid waste storage containers.

- (a) *Low Density Residential.* The City of Greenwood will provide municipally owned solid waste storage containers to low density residential households, including single family dwellings and two-family dwellings. Containers will be designed to be emptied mechanically by specially designed and constructed vehicles and will be available in either a 95-gallon or 65-gallon capacity. Users of municipally owned solid waste storage containers shall be responsible for placing all bagged solid waste in the containers and removal of all litter from the vicinity of the container. Lids shall remain closed and secured at all times, except while the container is being emptied. Any container furnished by the City of Greenwood shall remain the property of the city and may be removed from any premises when its use in that location is no longer considered advantageous to the city. Users of municipally owned solid waste storage containers shall pay a replacement fee equal to the actual cost of the container if it is lost or stolen from the user's property.
- (b) *High Density Residential.* The City of Greenwood may, at its own option, elect to furnish a container or containers for the storage of solid waste at apartment houses, tenements, trailer parks, or other high density residential developments. Any container furnished by the City of Greenwood shall remain the property of the city and may be removed from any premises when its use in that location is no longer considered advantageous to the city. Users of municipally owned bulk containers shall reduce all solid waste placed in bulk containers to the smallest volume readily attainable by hand (i.e., all cartons, boxes, or other containers shall be dismantled, cut apart, or otherwise broken down and flattened). All food waste and other putrescible matter deposited for collection in bulk containers must be placed in wet proof paper or plastic bags or containers.
- (c) *Commercial, industrial, institutional.* The City of Greenwood will provide municipally owned solid waste storage containers to commercial, industrial, and institutional establishments when requested to do so. Containers will be designed to be emptied mechanically by specially designed and constructed vehicles. Users of mechanically emptied solid waste storage containers shall be responsible for placing all solid waste in the containers and removal of all litter from the vicinity of the container. Commercial, industrial, and institutional establishments may choose to provide their own containers. Any such containers shall conform to the requirements for commercial or residential solid waste storage containers, and be compatible with the equipment in use by the City of Greenwood.
- (d) *Assignment and use of municipally owned solid waste storage containers.* The director of the public works department is authorized and responsible for the assignment of municipally owned solid waste storage containers for the exclusive use of residential, commercial, industrial, and institutional entities. The use of such containers by any person or corporate entity other than the designated user or users is prohibited and is a violation of this chapter and subject to the penalties provided herein.

Sec. 10-7. - Location of storage containers.

- (a) *Front of residence.* Where collection of solid waste is made from the front of residence or place of business, solid waste storage containers shall be placed within five (5) feet of the curb line in front of the residence or place of business, but not in the street or gutter. All solid waste storage containers shall be removed from the front of residence or place of business within twenty-four (24) hours of the time of collection.
- (b) *Alley.* Where collection is made from the alley, solid waste containers shall be placed within five (5) feet of, but not within, the traveled portion of the alley, unless otherwise directed by the director of the public works department. Solid waste containers placed along or adjacent to an alley shall be located so as not to interfere with maintenance or drainage of the alley or roadway.
- (c) *Time of placement, protection from animals.* Solid waste containers shall be placed for collection on mornings when collection are scheduled or on the night preceding a scheduled collection. Lids must be remain closed and secured, and suitable protection must be provided to deter scavenging by animals.
- (d) *Back or side of residence.* Where collection of solid waste is made from the back or side yard of a residence or place of business further than five (5) feet from the property line in front of the residence or place of business, solid waste containers shall be placed in such a manner as to not require the opening of any door or gate. Such location shall be at a higher fee than normal residential collection.

Sec. 10-8. - Preparation of household solid waste for collection.

Garbage and other household refuse shall be drained of excess fluids and placed within refuse storage bags, or other containers, and these bags or containers shall be securely tied or fastened so as to prevent spillage, entry by animals or the seepage of water into them.

Sec. 10-9. - Yard rubbish.

Grass cuttings, hedge cuttings, leaves and other yard rubbish shall be placed within refuse storage bags or other containers and securely tied or fastened to prevent spillage or other entrance of water into the containers. Heavy or bulky items such as discarded furniture or appliances, tree trimmings, large accumulations of hedge cuttings, or other yard debris shall be cut, where appropriate, into lengths not to exceed four (4) feet and placed within five (5) feet of the traveled portion of a street or alley in a uniform and even manner in a single pile so that the same may be conveniently collected with a boom mounted mechanical grapple. It shall be unlawful for such waste matter to be placed in side drain ditches, gutters, or on the traveled portion of a street or alley.

Sec. 10-10. - Schedule of collections.

Household solid waste, including garbage and yard rubbish, will be collected in residential areas on designated collection days. Additional collections may be made where considered necessary by the

director of the public works department. Collection of solid waste from commercial, industrial, and institutional locations shall be made at such frequency as is determined to be appropriate by the director of the public works department according to the needs of each individual business, industry, or institution.

Sec. 10-11. - Sanitary landfills and other places of disposal.

The city may establish public sanitary landfills and or other disposal sites as may be necessary, and no person shall use or be permitted to use any sanitary landfill or other disposal site except with the approval of the director of the public works department in accordance with the rules and regulations promulgated under this chapter.

The director of the public works department shall be authorized to promulgate reasonable rules, regulations, and fees for the collection at landfills, incinerators, or other disposal sites. The director of the public works department shall also make reasonable rules and regulations that shall be necessary to carry out the inspection, supervision, and enforcement of use fees.

Dirt, gravel, broken bricks, concrete, rock, asphalt, and similar material deemed by the director of the public works department to be suitable materials for landfill use may be exempted from the use fee by the director of the public works department.

Sec. 10-12. - Solid waste collection fee schedule.

The following fee schedule is hereby adopted by the city for the collection of solid waste.

(a) Residential.

1. Street or alley boundary collection shall be seventeen dollars and fifty cents (\$17.50) per dwelling unit per month for up to two (2) containers.
2. On-premises collection, not curb side or alley side collection, but not inside any gate or enclosure, shall be twenty-two dollars and fifty cents (\$22.50) per dwelling unit per month for up to two (2) containers.
3. Additional containers in excess of the two (2) provided for in the base fee shall be five dollars (\$5.00) per additional container per dwelling unit per month.

(b) Commercial.

1. Mechanically emptied bulk container rate schedule.

Container Size (cu. yd.)	No. of Pickups Per Week						Extra Pickup (ea.)
	1	2	3	4	5	6	
2	\$49.49	\$74.81	\$99.88	\$125.23	\$150.57	\$175.91	\$38.47
4	67.98	107.16	145.80	185.00	223.76	262.96	57.56
6	86.46	138.94	191.56	244.18	297.10	349.73	86.46
8	102.12	168.46	234.94	301.13	367.31	433.69	96.01

2. Hand loaded commercial collection. The fee for curbside or alley boundary collection for hand loaded commercial containers shall be twenty-five dollars and thirty-four cents (\$25.34) per business establishment per month for up to two (2) containers. The fee for on-premises collection, other than curbside or alley collection, shall be thirty-four dollars and twenty-four cents (\$34.24) per establishment per month for up to two (2) containers. Additional containers in excess of the two (2) provided for in the base fee shall be five dollars (\$5.00) per additional container per business establishment per month. If there is an increase in the frequency, volume, or time required for collection, there shall be a surcharge based and computed on the same percentage of cost as the rate schedule for mechanical emptied bulk containers. In such cases, individual businesses shall be notified of the charge by the director of the public works department. The fee for special pickup shall be one hundred twenty-five dollars (\$125.00) per hour with a sixty-two dollars and fifty cents (\$62.50) minimum charge for labor and equipment plus the actual cost of dumping fee.

Sec. 10-13. - Billing of service fee.

The service fee for the removal of residential solid waste by the director of the public works department is mandatory for residential utility customers and shall be included as a separate item each month on the bills rendered by Greenwood Utilities. Where said fees are payable, said charges shall be rendered on the first bill of the division sent on and after the first day of the month following the adoption of this chapter, and for each month thereafter.

All persons receiving solid waste disposal service by the city who are not customers of Greenwood Utilities shall be billed separately by the city. The service fee for removal of commercial, industrial, and institutional solid waste shall be billed monthly. Checks should be made payable to the City of Greenwood. The service fee for commercial, industrial, or institutional solid waste may be included in Greenwood Utilities bills. Failure to pay the service fee within thirty (30) days after the due date of the utility statement or service fee bills shall be grounds for suspension of solid waste disposal services or the city may proceed to recover the amount of any such delinquency, with interest, in a civil action, or both.

Sec. 10-14. - The responsibility for collection charges.

In the case of premises containing more than one dwelling unit or place of business, and each is billed separately for utilities by Greenwood Utilities, such fees shall be billed to the person in possession, charge, or control who is the customer of Greenwood Utilities. In the case of premises containing more than one dwelling unit or place of business which are served by a single utility bill, so that the occupants or tenants cannot be billed separately by Greenwood Utilities, such fees as are prescribed by this chapter shall be billed by Greenwood Utilities to the customer of the single utility bill who shall be liable for the service fee for said premises.

Sec. 10-15. – Lawn service provider; duty to remove yard rubbish.

Every person who cuts trees, trims shrubs, cuts grass, or collects leaves, as an independent contractor shall remove or cause to be removed all such rubbish from the premises serviced by him. An independent contractor is considered to be any person who performs a service for a fixed price or fee.

Sec. 10-16. - Building debris, industrial solid waste; responsibility for removal.

Building debris and industrial solid waste shall not be removed by the public works department, and the owner shall cause such materials and waste to be privately removed. In the event the public works department is required to remove such building debris or industrial solid waste, the cost of such removal shall be charged back to the individual property owner.

Sec. 10-17. - Transportation of solid waste.

Any vehicle used for the transportation of solid waste matter on the streets of the City of Greenwood or to any municipal disposal site shall be enclosed at the sides and back or equipped with a tarpaulin or other methods established by the director of the public works department so as to reasonably avoid spilling garbage or waste, disseminating odors, and attracting insects.

Sec. 10-18. - Private collection permits.

(a) *Generally.* When private collection services are considered to be in the public interest, upon application by prospective collectors, the director of the public works department may recommend to the mayor that such service be provided by a private collector in accordance with rules and regulations established by the mayor for private collection permit holders.

There shall be a charge of two-hundred and fifty dollars (\$250.00) per year for a permit. Applicants for private collection permits shall apply to the city clerk's office.

(b) *Payment bond.* The City of Greenwood shall require of each private collector a bond to secure the payment fees, inspection fees, and sanitary fill or use fees. Said bond shall be in an amount determined by the director of the public works department.

Sec. 10-19. - Nuisances prohibited, compliance with chapter required.

It shall be unlawful for any person in possession, charge of, or control of any premises to keep, cause to be kept, or allow the keeping on any premises within the corporate limits of the City of Greenwood of any solid waste, in such a manner that will become offensive or deleterious to health or likely to cause disease or injury and the same is hereby declared a public nuisance. The depositing or causing to be deposited of any manner of solid waste or litter upon the paved portion of the city streets and the travelled way of alleys or on other public areas is likewise declared a public nuisance. The Office of Pollution Control, police department, department of community development, and supervisory

employees of the public works department are hereby authorized to inspect any premises in the City of Greenwood and its police jurisdiction for the purpose of enforcing the requirements of this chapter.

Sec. 10-20. - Employees and vehicles of the public works department not to be impeded in their duties.

It shall be unlawful for any person to impede or interfere with any of the employees or vehicles of the public works department engaged in the performance of services and duties of that department under the provisions of this chapter. Vehicles or other objects which block access of the public works department employees or equipment to solid waste containers or to free passage along collection routes shall be removed at the request of the public works department employees at the expense of the property owner.

Sec. 10-21. - Place or disposal of waste materials.

It shall be unlawful for any person to dispose of or cause to be disposed of any garbage, rubbish or other waste materials upon any property other than a sanitary landfill or other disposal site so designated by the city, except that special permits may be issued by the public works department for the depositing of waste materials at other approved locations.

Sec. 10-22. - Littering prohibited.

It shall be a misdemeanor for any person to place any garbage, straw, dirt, chips, shells, nails, iron, glass, vegetable materials, paper, or other rubbish or noxious substance on any street, sidewalk, alley, public park, or other public place in the city or on the property of another person, or to violate any of the requirements of this chapter which relates to littering.

Sec. 10-23. - Dead animals.

Dead animals, such as cats, dogs, or other of similar size will be picked up once daily on regular weekdays in response to calls made to the Animal Control Officer. Dead animals must be placed adjacent to a street or alley for collection. Animals weighing in excess of seventy (70) pounds shall be removed to the city disposal site by the owner.

Sec. 10-24. - Fish and poultry houses.

The city sanitation department will not collect refuse from fish and poultry handling and vending establishments or from egg or poultry hatcheries. Operators of these establishments shall transport such refuse to the sanitary landfill or other disposal site during hours of operation of the disposal site and effect disposal of it as directed. Such refuse may be otherwise disposed of by the owner in a manner so as not to create a nuisance upon written approval of the director of the public works department.

Sec. 10-25. - Occupant's responsibility for cleanliness, sanitation and fire prevention.

All occupants of residences and business places shall be held responsible for the cleanliness of their premises and of sidewalks and alleys immediately adjacent to the premises. It shall be unlawful for any person, firm or corporation to burn any solid waste matter within the corporate limits of the City of Greenwood, except in incinerators that have been first approved for such purposes by the director of the public works department of the City of Greenwood and after a permit for use of same has been issued by the director of the public works department. Such incinerators must also receive approval of the bureau of pollution control or its successor.

Sec. 10-26. - Hazardous waste.

Any hazardous waste, as defined herein, approved for disposal in a disposal site operated by the city, shall be transported by its owner or agents of its owner to the city sanitary landfill or other authorized city disposal site and disposed of in the manner specified by the city employee in charge. Some hazardous wastes may be excluded from the city's sanitary landfill. Disposal of such waste shall be in accordance with section 10-25.

Sec. 10-27. - Sanitation services subject to office of pollution control regulations.

The handling, collection and disposal of all solid wastes shall be subject to the regulations of the Office of Pollution Control which is charged with the duty of insuring that the public health shall not be endangered in the handling, storage, or disposal of such refuse matter.

Sec. 10-28. - Penalties.

Any person who fails, neglects, or refuses to comply with the terms and provisions of any section, subsection, or part of this chapter or who in any way violates any of the terms or provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) or be imprisoned in the city jail for not more than fifteen (15) days or be sentenced to pay both such fine and serve such term of imprisonment at the discretion of the committing magistrate or judge. Each twenty-four hour period after receiving notification such person shall fail to comply with any terms or provision of any section, subsection, or part of this chapter shall constitute a separate violation.

Sec. 10-31. - Non-typical sewer rates.

The following rate structure for liquid wastes hauled to and disposed of at the city waste water treatment plant or other approved location in the sanitary sewer system is established:

A volumetric charge for all non-typical liquid waste disposed of at the city sewage treatment plant or other approved location shall be established as follows:

- (a) For all liquid waste permitted by the Mississippi Department of Environmental Quality, tested prior to discharge, from a single source, hauled to and discharged at the sewage treatment plant or a location in the sanitary sewer system known approved by the public works director, and a sewage treatment plant manifest completed for each load, a rate of five cents (\$0.05) per gallon.
- (b) For all liquid was not permitted by the Mississippi Department of Environmental Quality, tested prior to discharge and determined by sewage treatment plant personnel to be nonhazardous to the operation of the sewage treatment plant, from a single source, hauled to and discharged at a location known and approved by the public works director, and a sewer treatment plant manifest completed for each load, a rate of five cents (\$0.05) per gallon.

DRAFT