

CHAPTER 11 REFUSE COLLECTION

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Section 11-101. Title. This chapter will be know as "Refuse Collection ."

Section 11-102. Purpose and Policy. The purpose of this chapter is to set regulations concerning refuse collection in the City of Mount Rainier.

Section 11-103. Definitions.

A. "Apartments" means properties zoned as apartments (use code 004) by Prince George's County.

B. "Bulk trash" means miscellaneous, bulky household trash, such as upholstered chairs or sofa, bed or mattress, table, chest, door or wood scraps, windows, metal scraps, bathtubs, fuel oil tanks, water heaters, stoves, sinks, washers, and dryers. Air conditioners, freezers, and refrigerators are picked up as part of bulk trash collection for a fee of twenty-five dollars (\$25.00). Wood and metal scraps cannot exceed 4 feet in any dimension. Bulk trash cannot exceed three (3) cubic yards in volume per pick-up. Tires are picked up for a five dollar (\$5) fee with a rim and seven dollars (\$7) without a rim.
(Ord. 11-2009)

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- C. “Commercial refuse collector”. Any person who regularly removes, collects, purchases, or accepts, or offers to remove, collect, purchase, or accept any refuse, solid waste, trash, or recyclables of any kind or description, for a fee, from any business, non-residential premises, or rental facility.

- D. “Construction waste” includes, but is not limited to, soil, loam, stones, roofing, and concrete.

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(Ord. 11-20009)

E. "Dumpster" means a container for refuse or solid waste collection or storage with a volume at least 90 gallons or one-half cubic yard.

F. "Garbage" means all organic waste materials resulting from the preparation, cooking, handling or storage of food.

G. "Hazardous household waste" means corrosive, reactive, ignitable, and toxic materials that can be hazardous to the environment and to human health if not disposed of properly. Examples include latex paint that has not been allowed to evaporate, oil-based paints, insecticides (chlordane, DDT, malathion, sevin, arsenic), herbicides, other pesticides (for the control of rodents, fungi, snails, mites, etc.), fertilizers with herbicides, paint thinners and solvents, swimming pool chemicals, unwanted fuels (gasoline, kerosene), used motor oil, chemistry sets, photographic chemicals, brake fluid and antifreeze, car batteries, asbestos.

H. "Impervious surface" means a hard surface, area, such as concrete, asphalt, brick or stone, placed on land that prevents or substantially impedes the infiltration of water into the underlying soil.

I. "Loose leaves" means the leaves that fall from trees in autumn and are not bagged.

J. "Multi-family residential dwelling" means properties that are zoned as single-family residential dwellings (use code 001) by Prince George's County and divided into more than one unit.

K. "Public trash receptacles" means the steel containers that are placed by the City on sidewalks throughout the City for use by pedestrian traffic.

L. "Recyclables" means containers made of plastic, glass and metal, and paper such as newspapers, cardboard (flattened, 2' by 4' maximum), magazines, telephone books, junk mail, press board (i.e., gift boxes), cereal boxes (with plastic or foil removed), school papers, office paper, etc.

(Ord. 9-96, 6/4/96)

M. "Refuse" means all waste materials and debris, combustible or noncombustible, including garbage, yard wastes, trash, rubbish, ashes, offal, industrial waste and commercial waste materials. For purposes of this definition, refuse includes those materials which are defined or designated as recyclable materials.

N. "Regular trash" means usual residential household refuse. Regular trash does not include bulk trash, hazardous household waste, loose leaves, recyclables, remodeling waste, construction waste, special bulk trash or biodegradable yard waste) and Poison Ivy, Poison Oak, and Poison Sumac (which are not biodegradable yard waste).

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O. "Remodeling waste" means substances accumulated from remodeling or building repairs, e.g., wall board, flooring, sheet rock, and lumber (2' x 4' and 4' x 4' sizes)..

P. "Special bulk trash" means large or voluminous miscellaneous, bulky household items in quantities greater than the normal three (3) cubic yards of bulk trash, or picked up on a non-regular bulk trash day. Special bulk trash requires a payment of a fee (*see* Section 11-111).

Q.. "Yard waste" means biodegradable material such as grass cuttings; leaves; small branches from shrubs, vines (except poison ivy, poison oak, and poison sumac), trees, not more than three (3) cubic yards in volume. Yard waste in excess of 3 cubic yards is treated as "special bulk trash". Large limbs, logs, and stumps are not picked up by the city.
(Ord. 11-2009)

Section 11-104. General Provisions.

A. If the City collection day for regular trash or recyclables falls on a holiday or inclement weather prohibits collection, then this material will be picked up the next regular work day following the holiday or inclement weather. If the City collection day for bulk trash or yard waste falls on a holiday or if inclement weather prohibits collection, then this material will be picked up on the next scheduled collection day for bulk trash or yard waste. The City shall at least monthly provide a collection schedule (e.g., via the newsletter, Web site, cable television channel, etc.)

B. Private contractors collecting trash and refuse from apartments, non-residential premises, rental facilities, and businesses shall not collect or haul trash or refuse without first obtaining a commercial refuse collection permit from the City.

C. All dumpsters and refuse containers shall be maintained in good condition, shall be durable and waterproof, shall not have rusted-through areas, tears or fractures and shall be equipped with tight-fitting lids at all times. Lids to dumpsters and refuse containers shall be in place and kept closed when not in actual use.

D. The owner and occupant of non-residential premises, including business, commercial, or industrial properties, must screen from view at street level any dumpster or refuse container storage area if the dumpster or refuse container can be seen from the street level of any residential property. The owner of multi-family residential rental facilities must screen from view at street level any dumpster or refuse container storage area if the dumpster or refuse container can be seen from the street level of any residential unit on the property or the street level of any other residential property. Dumpsters and other refuse storage areas shall be enclosed on at least three sides by a screening fence or wall constructed of wood, brick, or other approved material. Screening shall be constructed of a material that is sightly, maintained in

good condition, and obscures the container or dumpster from public view. This paragraph does not apply to temporary dumpsters or other temporary refuse containers at construction sites;

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E. Dumpsters and refuse containers located at non-residential premises, including business, commercial, or industrial properties, shall be placed on a pad constructed of an impervious surface, such as concrete, asphalt, stone or brick, inside the screening fence or wall and such pad shall provide adequate support and drainage. Existing dumpsters and other refuse containers located at non-residential premises shall comply with the above impervious surface pad placement requirement on or before **December 1, 2013**.

F. Each owner and occupant of residential, non-residential premises, and businesses, and each owner or apartments and other rental facilities, must provide a sufficient number of refuse containers and/or dumpsters for the safe and sanitary storage of refuse normally accumulated between the regularly scheduled collections and to prevent overflow.

G. Refuse containers for apartments, non-residential premises, rental facilities, and businesses shall not be located immediately adjacent to any single-family residential property and shall not be located so as to create a nuisance or public health hazard. Refuse containers shall not be located or placed for collection on any public street, sidewalk, or other public space except with the permission of the City Manager or his or her authorized representative.

H. The City does not pick up construction waste or hazardous household waste.

I. The presence of refuse, trash, or other waste in place other than inside proper disposal containers, the presence of sour odors, and the presence of insects, rodents, or other vermin, or evidence of their presence, shall constitute improper maintenance or lack of maintenance and the need for more frequent removal. The City may remove such refuse, trash or other waste, upon written notice to the owner, occupant, lessee or agent at his or her last known address, and then bill the cost of such removal to such owner, occupant, lessee or agent. If the bill is not paid within 30 days, then the cost of the removal of such refuse, trash or other waste shall be a lien on the real property and collected in the same manner as City real property taxes.

J. *Penalty.* Violations of this section shall be a municipal infraction with a fine of Two Hundred Fifty Dollars (\$250.00) for the first offense and Five Hundred Dollars (\$500.00) for repeat offenses within a 1-year period. Each day that a violation continues may be deemed a separate offense.

(Ord. 2-2013)

Section 11-105. Regular Trash Collection from Single-Family Residential Dwellings.

A. Schedule. Regular trash will be collected every Wednesday starting the week of February 16, 1998.

(Ord. 8-96, 5/21/96), (Ord. 31-97, 12/16/97)

B. Single-family residential regular trash --

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1. must be placed in water tight and rodent-proof containers (with tight-fitting lids) that are commonly used for residential trash collection,
2. must not exceed five (5) cans, each container can be up to thirty-three (33) gallons but not more than thirty-five (35) pounds each collection day.
3. must not be mixed with bulk trash, hazardous household waste, recyclables, remodeling and building waste, special bulk trash, or biodegradable yard waste,
4. must also be in a bag in the container if it includes poison ivy, poison oak, or poison sumac, and
5. must be set out for pick-up no sooner than 7:00 p.m. the day before the scheduled trash pick-up and no later than 7:00 a.m. the day of the scheduled pick up. The empty container must be removed no later than 7:00pm of the day of the scheduled trash pick-up.
(Ord. 11-2009)

C. Penalty. The occupant and/or owner of a single-family residential dwelling who violates any of the foregoing sections may be issued a citation for a municipal infraction with a fine of twenty-five dollars (\$25) for each offense. Each day that a violation continues shall be deemed a separate offense.

Section 11-106. Regular Trash Collection from Multi-Family Residential Dwellings.

A. Schedule. Regular trash will be collected every Wednesday starting the week of February 16, 1998.
(Ord. 8-96, 5/21/96), (Ord. 31-97,12/16/97)

B. Multi-family residential regular trash --

1. must be placed in water tight and rodent proof containers (with tight-fitting lids) that are commonly used for residential trash collection,
2. must not exceed five (5) cans, each container can be up to thirty-three (33) gallons but not more than thirty-five (35) pounds, per unit each collection day.
(Ord. 11-2009)
3. must not be mixed with bulk trash, hazardous household waste, recyclables, remodeling and building waste, special bulk trash, or biodegradable yard waste, and
4. must also be in a bag in the container if it includes poison ivy, poison oak, or poison sumac, and

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5. must be set out for pick-up no sooner than 7:00 p.m. the night before the scheduled trash pick-up and no later than 7:00 a.m. the day of the scheduled pick up. The empty container(s) must be removed no later than 7:00 p.m. of the day of the scheduled trash pick-up.

C. Penalty. The occupant(s), manager(s), agent(s), and/or owner(s) of a multi-family residential dwelling who violates any of the foregoing sections may be issued a citation for a municipal infraction with a fine of twenty-five dollars (\$25) for each offense. Each day that a violation continues shall be deemed a separate offense.

D. Fees. There shall be no collection fee for one rental unit in a multi-family residential dwelling. For additional rental units in a multi-family residential dwelling, there will be a collection fee of \$100.00 (One Hundred Dollars) per unit per year. Multi-family residential dwellings will be billed annually in advance for these services. Unpaid collection fees shall be a lien against the real property which may be collected and enforced by the City in the same manner as are taxes.

(Ord. 3-2014), 06/03/2014

Section 11-107. Regular Refuse Collection from Apartments.

A. Apartments are responsible for arranging to have their trash and refuse collected on a regular basis no less frequently than once each week and shall not allow its refuse containers, dumpsters, or other trash receptacles to overflow. Apartments shall not place their trash in public trash receptacles.

B. The management of each apartment facility must provide the City Manager, or his or her authorized representative, with satisfactory proof for a written contract or other regular arrangement for the removal of trash and refuse generated by the apartment facility. The commercial refuse collector must have a permit per Chapter 7 of this Code of Ordinances. The management of the apartment facility must notify the City of any changes in or termination of its agreement. The commercial refuse collector shall not pick up trash and refuse before 7:00am or after 5:00pm

Cross reference: Health and Nuisances, Sec. 6-109F.

C. Penalty. Any violation of this section shall be a municipal infraction with a fine of \$100 for the first offense and \$500 for repeat offenses within a 1-year period. Each day that a violation continues shall be deemed a separate offense.

(Ord 1-2005, 01/18/2005)

Section 11-108. Regular Trash Collection from Businesses.

A. Businesses in commercial and industrial properties are responsible for arranging to have their trash and refuse collected on a regular basis no less frequently than once each week, and

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shall not allow its refuse containers, dumpsters, or other trash receptacles to overflow. Apartments shall not place their trash in public trash receptacles.

B. Businesses must provide the City Manager or his or her authorized representative with satisfactory proof of a written contract or other regular arrangement for the removal of trash and refuse generated by the business. The commercial refuse collector must have a permit per Chapter 7 of this Code of Ordinances. The business must notify the City of any changes in or termination of its agreement. The commercial refuse collector may not pick up trash and refuse before 7:00 am or after 5:00 pm.

C. Churches, religious organization, and other private nonprofit organizations must comply with provision of this section in the same manner as businesses.

D. Penalty. Any violation of this section shall be a municipal infraction with a fine of \$100 for the first offense and \$500 for repeat offenses within a 1-year period.. Each day that a violation continues shall be deemed a separate offense.

(Ord 1-2005, 01/18/2005)

Section 11-109. Bulk Trash Collection.

A. Schedule. Bulk trash will be picked up by prior appointment_ from single-family and multi-family residential dwelling units the first and third Monday of each month starting February 16,1998. Notwithstanding this starting date, because February 16, 1998 is a_holiday, the collection will occur Tuesday, February 17, 1998, pursuant to section 11-104).

Appointments must be made by noon on the Friday prior to the scheduled collection day.

Appointments may be canceled over the weekend.

(Ord. 31-97, 12/16/97)

B. Bulk trash must be set out for pick up no sooner than 48 hours before the scheduled trash pick up and no later than 7:00 a.m. on the day of the pick up.

C. The limit shall be three (3) cubic yards per household, six (6) times in a 12-month period. If there is any excess bulk trash, an extra charge pursuant to Section 11-111, Special Bulk Trash, shall be due. (Ord. 31-97, 12/16/97)

D. Fees.

1. Each refrigerator, freezer, and air conditioner will be removed at a cost of twenty-five dollars (\$25) each.

2. Tires will be removed at a cost of five dollars (\$5) per tire without a rim and seven dollars (\$7) per tire with a rim.

E. Penalty. Any person, persons, firm corporation or stock company violating any of the foregoing sections may be issued a citation for a municipal infraction with a fine of twenty-five dollars (\$25) for each offense. Each day that a violation continues shall be deemed a separate offense.

(Ord. 11-2009)

Section 11-110. Yard Waste Collection.

A. Schedule. Biodegradable yard waste will be picked up from single-family and multi-family dwelling units every Monday from March through November (without prior appointment) and the second Monday in December, January and February by prior appointment only. In December, January, and February appointments must be made by noon on the Friday prior to the scheduled collection day. Appointments may be canceled over the weekend.

(Ord. 31-97, 12/16/97)

B. Biodegradable yard waste:

1. must not include poison ivy, poison, oak, or poison sumac (which are treated as regular trash, per Sections 11-105.B.4 and 11-106B.4),

2. must be set out for pick-up no earlier than 48 hours before the scheduled trash pick-up and no later than 7:00 a.m. on the day of the pick-up, and

3. must be placed in proper containers (e.g., up to a 33 gallon container, leaf or lawn paper bags, or a sturdy cardboard box) or tied securely with string or twine into compact bundles not more than 4' in length and 50 pounds. Wire must not be used to tie bundles of yard waste.

(Ord. 11-2009)

C. Penalty. Any person, persons, firm, corporation or stock company violating any of the foregoing sections may be issued a citation for a municipal infraction with a fine of twenty-five dollars (\$25) for each offense. Each day that a violation continues shall be deemed a separate offense.

Section 11-111. Special Bulk Trash

A. Special bulk trash and remodeling and construction waste in the public view or right-of-way must be removed and disposed of by the owner, contractor, or building management within 24 hours.

(Ord. 10-99, 6/1/99)

B. Single-family residential dwellings, multi-family residential dwellings, apartments, and businesses may make arrangements with the City to have a special pick up for a fee. The fee shall be paid in advance, except that if the special bulk trash is so voluminous that it is the only load the City picks up and disposes of, a deposit of fifty dollars (\$50) shall be paid in advance and then complete payment shall be made after the City disposes of the trash and determines the exact fee.

(Ord. 10-99, 6/1/99)

C. Fees.

1. Special bulk trash will be removed at a cost based on the City's cost per ton plus a reasonable amount for labor and equipment and administrative costs, with a fifty dollar (\$50) minimum charge.

(Ord. 10-99, 6/1/99)

2. Remodeling waste will be removed at a cost based on the City's cost per ton plus a reasonable amount for labor and equipment and administrative costs, with a fifty dollar (\$50) minimum charge.

(Ord. 11-2009)

3. Yard waste in excess of three cubic yards in volume will be removed at a cost based on the City's cost per ton plus a reasonable amount for labor and equipment and administrative costs, with a fifty dollar (\$50) minimum charge.

(Ord. 11-2009)

D. Penalties. Any person, persons, firm, corporation or stock company violating any of the foregoing sections may be issued a citation of municipal infraction with a fine of twenty-five dollars (\$25) for each offense. Each day that a violation continues shall be deemed a separate offense.

A. Recyclables will be collected from single family residential and multi-family residential dwellings every Friday. Recyclables must be set out for pick up no sooner than 7:00 p.m. the day before the scheduled collection day and no later than 7:00 a.m. the day of the scheduled pick-up. If a collection day falls on a holiday or if the weather is such to prohibit collection, the next recyclable collection will be the next regular work day following the holiday or inclement weather prohibiting collection.

(Ord. 6-14, 11/5/14)

B. Loose leaves will be vacuum-collected by the City at the curb through a City-wide program each fall and recycled at an appropriate facility. The schedule of vacuuming will be publicized in the City newsletter in advance. Residents are to rake their leaves to the curb for this collection to meet the City's published schedule for vacuuming. The City will make every effort to adhere to such schedule conditions permitting.

C. Penalty. Any person, persons, firm, corporation or stock company violating any of the foregoing sections shall be issued a citation of municipal infraction with a fine of twenty-five dollars (\$25) for each offense. Each day that a violation continues shall be deemed a separate offense.

Section 11-113. Tax liens

A tax lien may be created on real property for monies expended by the City for the abatement of violations of this Chapter where the responsible party refuses or fails to comply with the lawful order of the City after due notice thereof. The amount of such lien shall be collected from the property owner, regardless of whether the responsible party is the property owner or a tenant, by the Prince George's County Director of Finance in the same manner as other City real estate taxes.

(Ord. 31-97, 12/16/97) (Ord. 14-96, 6/18/96)