

## CHAPTER 11 REFUSE COLLECTION SERVICE

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

**Section 11-102. Purpose and Policy.** The purpose of this chapter is to set regulations concerning refuse collection service 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, not more than three (3) cubic yards in volume.
  - B.1."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 kine or description, for a fee, from any business, non-residential premises, or rental facility.
- C. "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.

- D. "Loose leaves" means the leaves that fall from trees in autumn and are not bagged.
- E. "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.
- F. "Public trash receptacles" means the steel containers that are placed by the City on sidewalks throughout the City for use by pedestrian traffic.
- G. "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)
- G.1. "Refuse" means all waste materials and debris, combustible or noncombustible, including garbage, yard wastes, trash, rubbish, ashes, offal, industrial refuse, and commercial refuse. For purposes of this definition, refuse includes those materials which are defined or designated as recyclable materials.
- H. "Regular trash" means usual residential household refuse (i.e., not including bulk trash, hazardous household waste, loose leaves, recyclables, remodeling and building waste, special bulk trash, or biodegradable yard waste) and poison ivy, poison oak, and poison sumac (which are not biodegradable yard waste).
- I. "Remodeling and building waste" means substances accumulated from remodeling or building repairs, e.g., dirt, loam, stones, wall paper, wall board, roofing, flooring, broken concrete.
- J. "Special bulk trash" means large or voluminous miscellaneous, bulky household items such as large appliances (e.g., washers, dryers, water heaters), sinks, and large furniture, in quantities greater than the normal three (3) cubic yards of bulk trash, pursuant to section 11-103.B. above.
- K. "Yard waste" means biodegradable material such as grass cuttings; leaves; small branches from shrubs, vines (except poison ivy, poison oak, and poison sumac), trees, usually not more than three (3) cubic yards in volume.

#### **Section 11-104. General Provisions.**

- A. If the City collection day for regular trash or biodegradable yard waste falls on a holiday, this material will be picked up the next regular work day following the holiday. If the City collection day for bulk trash falls on a holiday, appointments will be made to pick

up bulk trash on the next regular work day following the holiday. If the City collection day for recyclables falls on a holiday, this material will be picked up on the next scheduled recyclables collection day. The City shall at least monthly provide a collection scheduled (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 refuse containers shall be maintained in good condition, shall be durable and watertight, and shall not have rusted-through areas, tears or fractures. Lids shall fit properly so as to secure the refuse. Dumpsters, except those temporarily placed on private property due to construction, renovation or rehabilitation, and any other commercial, industrial or multi-family property refuse container or refuse storage area shall be enclosed on three sides and screened from public view at street level. Screening shall be constructed of a material that is sightly, maintained in good condition, and obscures the container or dumpster from public view.
- D. 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.
- E. 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.  
(Ord. 1-2005, 01/18/2005)

#### **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 --
  - 1. must be placed in water tight and rodent-proof containers (with lids) that are commonly used for residential trash collection,

2. must not exceed five (5) cans, each thirty-three (33) gallons or thirty-five (35) pounds each collection day.  
(Ord. 11-96, 6/4/96)
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.

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 lids) that are commonly used for residential trash collection,
  2. must not exceed five (5) cans, each thirty-three (33) gallons or thirty-five (35) pounds, per unit each collection day.,  
(Ord. 11-96, 6/4/96)
  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
  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 the first unit in a multi-family residential dwelling. For the other units, there will be a monthly collection fee based on the prevailing cost to the City. Multi-family residential dwellings will be billed quarterly in advance for these services. In the event that a multi-family residential dwelling is occupied by only one family, a special exemption may be granted by the City Manager. Unpaid fees shall be a lien against the real property which may be collected and enforced in the same manner as are taxes. This [monthly trash collection] fee will be \$15 starting August 1, 1998.  
(Ord. 18-98, 7/7/98)

#### **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 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. 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. 12-96, 6/4/96)

**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., a 33 gallon water tight container, 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. Plastic bags shall not be used to hold yard waste.

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 building waste in the public view or right of way must be disposed of by the owner or building 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. Each refrigerator, freezer, and air conditioner will be removed at a cost of twenty-five dollars (\$25) each.

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

3. Used tires will be removed at a cost of five dollars (\$5) per tire.

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

4. Remodeling and building 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. 10-99, 6/1/99)

5. Yard waste in excess of the usual volume (i.e., three cubic yards) or in the form of private trees 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)

- 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.

### **Section 11-112. Recycling.**

- 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 Friday.

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

- 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)