

ORDINANCE 400

AN ORDINANCE PROVIDING SPECIFIC RULES AND REGULATIONS CONCERNING TRASH PLACEMENT AND PICK UP WITHIN THE CITY OF STILWELL, REPEALING ORDINANCES 31 AND 376.

WHEREAS, Trash Service by the City of Stilwell is a purchased service; and

WHEREAS, the health and safety of both the citizens of Stilwell and municipal employees is of paramount importance; and

WHEREAS, it is the opinion of this Council that adequate guidelines are essential for the efficient and effective fulfillment of the purpose of the Stilwell Sanitation Department,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:

SECTION 1. Rules, Prohibitions, Special Pick Up

1. Rules to be in effect for the regular pick up of trash
 - a. All trash is to be cinched tightly in bags of sufficient tensile strength to allow lifting for placement in the trash vehicle. Clean up of trash from a bag that has ripped or tears will be the responsibility of the customer.
 - b. Maximum weight of a trash bag is 25 pounds.
 - c. All trash must be kept inside an approved lidded trash receptacle. An approved receptacle is a container designed commercially for holding trash with sufficient strength to prevent the trash from being accessed by animals, insects or other unwanted vermin. The container shall have sufficient weep holes to prevent the collection of water or other liquids from gathering inside the container. It shall also be maintained in a clean manner to prevent any health hazards.
 - d. Trash, trash cans or trash bins are not allowed to be placed by the curbside for pickup prior to 12 hours on the scheduled day of pick up. Trash cans and trash bins are to be removed from the curbside by the end of the day of the scheduled pickup.
 - e. Trash must be placed by the curbside no later than 6:30 am. the day of pickup.
 - f. Trash that is picked up in an alley can be left next to the alley on the residential property provided it does not obstruct vehicular traffic and is placed in a trash can or bin that is lidded and secure. It must also be maintained as outlined in section 1,1c of this ordinance.
 - g. All containers shall be kept in a safe and sanitary condition at all times.
 - h. All containers shall have proper fitting covers and the covers shall be in place at all times except when refuse is being put in or taken out of the container.
 - i. If one trash receptacle is insufficient to hold the amount of trash accumulated, then a second trash receptacle will need to be utilized. Loose trash around the containers will not be picked up, except for the special pick up procedure listed in this ordinance.
2. The following acts are prohibited by this ordinance:
 - a. Sanitation workers are not allowed to enter private property except where required for dumpster pick up. All non-dumpster trash must be accessible from public areas such as, but not limited to, streets, alleys, or public property.

- b. Boxed trash will not be accepted.
 - c. Loose trash will not be accepted.
 - d. Loose trash inside the trash receptacle will not be accepted.
 - e. No more than 10 total trash bags will be accepted on any given week. Excess trash will have to be handled through the special trash pickup guidelines.
3. Special trash pick-up:
- a. Any item unable to fit in a trash bag will require a special pick up.
 - b. The cost of the special pick up will be determined by the Street Department representative.
 - c. Payment for the special pickup will be made at the City Hall prior to the special pick up.
 - d. Arrangements for the special trash pickup can be made by contacting the street department.

SECTION 2: Burning of Trash

It is unlawful for any person, firm or corporation to burn trash or combustible refuse within the city.

SECTION 3: Ownership of Refuse

All trash placed in a city owned dumpster becomes the property of the city. No person is allowed to separate, collect, carry off materials within the dumpster without approval from the Street Department.

SECTION 4: Illegal Dumping

No person, firm or corporation can dump refuse of any kind in or around a dumpster or trash container not specifically assigned to the specific person, firm, or corporation. The dumpsters and containers are for the refuse of the specific location the containers and dumpsters are located. Any person, firm, or corporation in violation of this section shall be fined in accordance with current municipal code.

SECTION 5: Definitions

“Residential pick-up” is defined as curbside pick-up of bagged trash only. This does not include a city dumpster.

“Commercial trash” is defined as curbside pick-up for a business of bagged or boxed trash only. This does not include usage of a city dumpster.

“Dumpster rental” is defined as use of a particular dumpster at a specific location by the customer paying the rental fee. This can include residential or commercial customers.

SECTION 6: All utility customers to have trash pick up

All City Utilities customers living within the legal boundaries of the City of Stilwell shall be required to have trash pickup as a health and safety requirement.

SECTION 7: Enforcement

Violations of this ordinance can be handled through the City Police Department and/or Code Enforcement office. Persons, firms or corporations in violation of this ordinance can be fined and/or subject to abatement in accordance with §11-22-111.

SECTION 8: Repeal and Severability

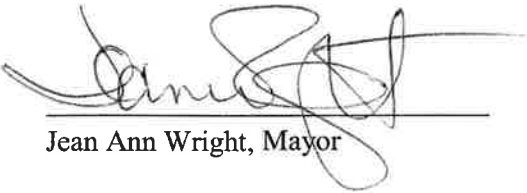
1. Existing Ordinance 31, 376 and 394 are hereby repealed.
2. Any and all existing ordinances or portions thereof in conflict herewith be and the same are hereby repealed.

3. The provisions of this ordinance shall be severable and, if any of the provisions shall be held in contravention of the Constitution and laws of the State of Oklahoma, the decisions of the court shall not affect the validity of the remaining portions.
4. It is the intent of this ordinance that the same would have been adopted had such unconstitutional or unlawful provisions, if any, not been included herein.

PASSED by the City Council this 4th day of May, 2020.

APPROVED by the Mayor this 4th day of May, 2020.

ATTEST:



Jean Ann Wright, Mayor



Larry A. Nettles, City Clerk-Treasurer