

ORDINANCE NO. G-1150

AN ORDINANCE RELATING TO COLLECTION OF REFUSE AND SPECIAL PICK-UPS WITHIN THE IN THE CITY OF JUNCTION CITY, KANSAS BY REPEALING DEFINITIONS WITHIN SECTION 240.020, ENTITLED "BUNDLES", "SPECIAL PICK-UPS" AND "UNUSUAL, HEAVY, BULKY MATERIALS", SECTION 240.030(A), "COLLECTION OF REFUSE", 240.080(A), "AUTHORIZED RESIDENTIAL CONTAINERS", 240.090, "AUTHORIZED CONTAINERS – NUMBER AND PLACEMENT", SECTION 240.101, "CONFISCATION OF UNSUITABLE CONTAINERS", SECTION 240.105, "SERVICE OF ORDERS BY THE INSPECTIONS DEPARTMENT", 240.120, "HAZARDOUS OR RESTRICTED MATERIALS", 240.160, "CHARGES FOR SERVICE", 240.180, "CHARGES FOR SERVICE—SPECIAL PICKUP SERVICE BILLING" OF THE CODE OF ORDINANCES OF THE CITY OF JUNCTION CITY, KANSAS; AND BY ADDING DEFINITIONS WITHIN SECTION 240.020, ENTITLED "BUNDLES", "SPECIAL PICK-UPS" AND "UNUSUAL, HEAVY, BULKY MATERIALS", NEW SECTION 240.101, "CONFISCATION OF UNSUITABLE CONTAINERS", NEW 240.105, "SERVICE OF ORDERS BY THE BUILDING AND CODES DEPARTMENT", 240.160, "CHARGES FOR SERVICE", 240.180, "CHARGES FOR SERVICE—SPECIAL PICKUP SERVICE BILLING" TO CHAPTER 240, REFUSE, TITLE II, PUBLIC HEALTH, SAFETY AND WELFARE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

**SECTION 1.** Section 240.020, Definitions, of the Code of Articles of the City of Junction City, Kansas is hereby amended to replace definitions for "Bundle", "Special Pick-ups", "Unusual, Heavy, Bulky Materials" to read as follows:

For purposes of this Article, the following words or terms shall have the meanings given herein:

*BUNDLE(S)*: Items of refuse such as trimmings from bushes and trees and other items which are too large for storage in standard containers must be tied into bundles which shall not exceed seventy-two (72) inches in length, shall not exceed eighteen (18) inches in diameter and are of a weight not in excess of fifty (50) pounds.

*SPECIAL PICKUPS*: A Special Pickup shall be for any trash, solid waste, unusual, heavy and bulky materials which are beyond the normal polycart issued by the City and items which are outside of a four (4) foot by foot (4) foot area in and around the polycart and/ or more than four (4) – 30 gallons bags and/ or more than seventy (75) pounds in combined weight. The pickup of these items will be provided as an added charged service which will be picked-up on ones regularly scheduled collection days.

*UNUSUAL, HEAVY, BULKY MATERIALS:* All materials which cannot be collected by regular residential collection service because of dimension, density, weight or the harmful or potentially harmful nature of such material. Such materials shall include, but not be limited to, trees, tree limbs, tree branches, heavy brush, sod, turf, appliances (Freon) removal stickers must be affixed to all air-conditioning and refrigeration units), furniture, playground equipment, moving packing crates, roofing material or refuse, bricks, concrete blocks, any and all other remodeling or construction materials or refuse generated by a commercial contractor, concrete, asphalt, rocks, dirt, lumber, pipes and pallets. Items within this area which exceed the definition of Bundle(s) item(s) of refuse in size and weight shall be considered under Special Pick-ups Section.

**SECTION 2.** Section 240.030 (A), 240.060, 240.080 (A), 240.090, 240.101, 240.105, 240.120, 240.160 and 240.180 of Chapter 240 of Title II of the Code of the City of Junction City Kansas are hereby amended by repealing said Sections and enacting in lieu thereof the following:

**SECTION 240.030: COLLECTION OF REFUSE**

- A. All refuse generated within Junction City, Kansas, shall be removed from the premises on which it was generated as often as necessary to prevent nuisance conditions from occurring. This shall be accomplished by use of a regularly scheduled collection service. Such collection service can, at the option of the owner or occupant of the premises, be either by the City of Junction City or duly contracted private firm or by a private licensed collector selected and paid for by the owner or occupant.

The City shall not collect commercial building materials such as rubbish from a commercial construction enterprise. Nor will they collect any materials that are not as outlined within the definition of Bulky Materials and Section Charges for Service – Special Pick-up Service Billing. They will not collect any items that are listed on the hazardous or restricted materials list (Section 240.120). They also will not pick up loose rubble or miscellaneous items that are on the ground which could be bagged, bundled or placed in a container.

**SECTION 240.060: FREQUENCY OF COLLECTION**

- A. It shall be the policy of the City of Junction City to collect from City sanitation contracted residential units all refuse as defined above on a once per week schedule or at other frequencies as deemed appropriate by the City Manager and/ or their designee.
- B. Further, all special pickups of garbage and trash will be collected upon request of the City Manager and/ or their designee for the fees hereinafter set out.

## **SECTION 240.080: AUTHORIZED RESIDENTIAL CONTAINERS**

- A. *Containers Required.* Such container shall be constructed of metal or solid plastic materials, strong and durable, not readily corrodible, cat, dog, rodent, vermin and insect proof. Containers shall have a maximum capacity of thirty-two (32) gallons. Such containers shall be equipped with handles to facilitate emptying and shall be equipped with tight-fitting lids or covers constructed of the same material of such design as to preclude the free access of flies and other insects and to prevent the container from collecting water during rains and/or snow. The lid or cover shall be kept in place at all times except when refuse is being deposited therein or removed therefrom by an official collector. Such storage containers should be placed in a convenient accessible location for trucking as may be designated by the City Manager or their designee. Containers shall be maintained in a clean and sanitary condition.

## **SECTION 240.090: AUTHORIZED CONTAINERS—NUMBER AND PLACEMENT**

All refuse may be placed in the same container but shall be drained and wrapped before being placed in the container. Said containers shall be placed so as to be accessible to the collectors outside, at the curb, or rear of the lot accessible to the collectors, but not on any street, alley or public place. Said containers must also be so arranged that they cannot be turned over inadvertently by animals or vehicles. In case of dispute as to the place where such containers shall be placed, then such location is to be determined by the City Manager or their designee. All refuse, as defined above, excluding unusual, heavy and bulky materials, and non-commercial building materials, and items of trash which cannot be practically placed in an authorized container, shall be by the owners, tenants, managers and producers thereof placed in such containers and said containers shall at all times be kept clean and in a sanitary condition by the respective owners, tenants, managers or producers of such garbage, trash and other refuse materials.

## **SECTION 240.101: CONFISCATION OF UNSUITABLE CONTAINERS**

The official refuse collection agency of the City is herein authorized to confiscate or to remove unsatisfactory storage containers from the premises of residences when, at the discretion of the Building and Codes Department, such containers are not suitable for the healthful and sanitary storage of refuse substances. Such unsatisfactory containers shall be removed and disposed of at a place and in a manner designated by the official collecting agency only after the owners of such containers have been duly notified of such impending action.

## **SECTION 240.105: SERVICE OF ORDERS BY THE BUILDING AND CODES DEPARTMENT**

It shall be the duty of the Building and Codes Department to issue orders requiring the proper handling of garbage, trash and refuse on private and public premises to owners, occupants, tenants or lessees or such properties where violations of this Chapter are known to exist. Such orders shall provide that such violations be corrected within the time specified by the Building and Codes Department.

## **SECTION 240.120: HAZARDOUS OR RESTRICTED MATERIALS**

No person shall deposit in an authorized container or otherwise offer for collection any hazardous garbage and trash. Hazardous or restricted material shall include:

1. Explosive materials;
2. Rags or other waste soaked in volatile and flammable materials;
3. Chemicals;
4. Poisons;
5. Radioactive materials;
6. Highly combustible materials;
7. Soiled dressings, clothing, bedding and/or other waste contaminated by infection or contagious disease;
8. Household appliances that contain chemical refrigerants regulated by the Environmental Protection Agency such as refrigerators, freezers and air-conditioners unless they have certification that the chemical refrigerant has been removed;
9. Automobile, truck or equipment tires;
10. Paint in a liquid form;
11. Any other materials which may present a special hazard to collection or disposal personnel, equipment or to the public.
12. Non-containerized tree trimmings, trees and tree limbs that are over seventy-two (72) inches long (Special pickup shall apply);
13. Any item that is over seventy-two (72) inches long (Special pickup shall apply);
14. Excavated earth, rocks, concrete, asphalt, roofing wastes and other commercial building materials. (Special pickup shall apply.)

**SECTION 240.160: CHARGES FOR SERVICE**

- A. The following rate, to be paid in advance as directed by the City Commission shall be charged for the collection of refuse from each residential unit as herein provided to be collected:

Refuse collection as defined in this code shall be charged a minimum rate of seventeen dollars and forty cents (\$17.40) per dwelling unit per month. An owner or occupant may request an additional cart and will be charged an additional eight dollars and sixty-nine cents (\$8.69) per cart per month.

In the event refuse is not in place for removal prior to sanitation crews completing pickup in an area, sanitation will return for the pickup once per calendar year at no cost. Additional return service for late pickup by sanitation crews will be charged at a rate of nine dollars and forty-eight (\$9.48) per return pickup.

Each year commencing with 2014, on the first day of August, the above refuse rates shall be adjusted by the amount of the increase in the Consumer Price Index, as published, for the preceding twelve (12) months.

- B. Charge for dumpsters shall be as shown:

FREQUENCY	DUMPSTER FEES		
	2 YD	4 YD	6 YD
Temporary Rental (excluding demolition): >Once per week	\$132.06	\$179.33	\$221.53
Twice per week	\$237.36	\$327.03	\$406.15
Residential Complex Rental: Once per week	\$100.21	\$110.76	\$126.59
Twice per week	\$174.06	\$200.44	\$221.53

The appropriate volume (size) of dumpster will be determined by the Director of Public Works based on the number of residences being serviced.

**SECTION 240.180: CHARGES FOR SERVICE—SPECIAL PICKUP SERVICE BILLING**

- A. All fees incurred pursuant to the customer's use of the special pickup service shall be collected by the City Treasurer.
- B. Charge for Special Pick-up shall be as shown:

	SPECIAL PICK-UP FEES
Special Pick-up (Bulky Materials – Small Pick-up Item) Exceeds 72 inches in length, and/ or 18 inches in diameter or less than 50 pounds	\$15.00 per Each Item
Special Pick-up (Bulky Materials – Large Pick-up Item) Exceeds 72 inches in length, and/ or 18 inches in diameter or larger than 50 pounds in weight	\$30.00 per Each Item
Blight Special Pick-ups.	Actual Costs (Labor, Equipment, Landfill Fees plus 10% Administrative Fee)

**SECTION 3.** This ordinance shall become effective upon publication in the Junction City Daily Union as required by law.

PASSED AND ADOPTED THIS 7<sup>th</sup> DAY OF October, 2014.



Tyler Ficken  
City Clerk

*Michael L. Ryan*

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Mayor