

**CHAPTER 15
REFUSE, RECYCLABLES AND LANDSCAPE WASTE COLLECTION**

LATEST REVISION: February 11, 2019 (Ordinance 2019-022)

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- 15.01 COLLECTION, PROCESSING AND/OR DISPOSAL OF REFUSE, RECYCLABLES AND LANDSCAPE WASTE.**
 - a) This section shall include refuse, recyclables and landscape waste collection regulations not included in the Street, Housing, Nuisances, Building and Food Codes. The purpose of this Section shall be to facilitate collection, provide for healthful conditions, support waste reduction and remove offensive views.

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b) Definitions: For the purpose of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section.

1. Approved Landscape Waste Container. Whenever the term “Approved Landscape Waste Container” is used herein, the term shall mean and include each of the following: (2005-060)
 - A. A container of standard, waterproof metal or plastic construction clearly marked YARDWASTE with handles, tight lid and a capacity of no more than thirty-two (32) gallons; or
 - B. Standard two (2)-ply disposable, biodegradable fifty (50) pound weight paper bag designed for landscape waste.
2. Approved Refuse Container. Whenever the term “Approved Refuse Container” is used herein, the term shall mean and include each of the following: (2005-060)
 - A. A container of standard waterproof, plastic, or metal construction with handles, tight lid and a capacity of no more than thirty-two (32) gallons; or
 - B. A standard disposable plastic bag with a .0015 gauge or larger; or
 - C. A standard two (2)-ply disposable, fifty (50) pound weight paper bag; or
 - D. A ninety-six (96) gallon container, rented from the Contractor, designed to utilize a hydraulic lift on Contractor’s collection vehicles.

Except for the noted ninety-six (96) gallon container, the contents of an “Approved Refuse Container” shall not exceed a total weight of fifty (50) pounds, when set out for collection.

3. Basic Service. Each service unit participating in the City Refuse, Recycling and Landscape Waste Collection, Disposal and/or Processing Programs shall be entitled to the following services on a weekly basis, year-round: one (1) collection of approved refuse container(s); and one (1) collection of official recycling container(s). Each service unit will also be entitled to one (1) collection of approved landscape waste container(s), on a weekly basis from April 1 to November 30, except for the collection of Christmas trees, as provided for herein. (2005-060)
4. Bulk Refuse Items. Bulk Refuse Items (also known as white goods or large household items) shall mean all discarded refrigerators, ranges, water heaters, freezers, air conditioners and other large appliances, including those containing chlorofluorocarbons (CFCs), switches containing mercury and polychlorinated biphenyls (PCBs), televisions, pianos, bookcases, sofas, tables and similar furniture. (2005-060)

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5. Contractor. Contractor shall mean the successful bidder who is awarded the contract by the City Council for the collection, processing and /or disposal of refuse, recyclables and landscape waste from service units in the City of DeKalb. (2005-060)
6. Garbage. Whenever the term “Garbage” is used herein, the term shall mean and include, but not be limited to, the putrescible animal and vegetable wastes resulting from the hauling, preparation and consumption of foods; all domestic, household and kitchen waste food, food residue and accumulations of normal food and vegetable matter attendant to the preparation, use, cooking and the serving of food. (2005-060)
7. Landscape Waste. Whenever the term “Landscape Waste” is used herein, the term shall mean and include, but not be limited to, grass clippings, weeds, leaves, small bushes, brush clippings, garden clippings, fruit tree droppings, branch clippings, Christmas trees, tree limbs, tree trunks, roots, stumps, or parts thereof, not greater than three inches (3”) in diameter, weighing fifty (50) pounds or less as individual units. (2005-060)
8. Official Recycling Container. Whenever the term “Official Recycling Container” is used herein, the term shall mean and include the approved bin provided by the Contractor in the City’s recycling program. The official City recycling program container shall be a plastic bin and shall have a capacity of eighteen (18) gallons. (2005-060)
9. Recyclables. Whenever the term “Recyclables” is used herein, the term shall mean and include, but not be limited to, newspaper, mixed paper (includes, but is not limited to junk mail, envelopes, magazines, cereal and cracker boxes, ledger paper, photo copy paper, computer paper, paper grocery bags, flyers, bulletins, frozen food boxes, paper board beverage cartons, chip board, etc.) corrugated cardboard and paper, aluminum products (cans, foil, pie tins), steel and tin cans, glass bottles and plastic six and twelve pack beverage rings and polycoated beverage containers (milk cartons, juice cartons and drink boxes). (2005-060)
10. Refuse. Whenever the term “Refuse” is used herein, the term shall mean and include, but not be limited to, all garbage, rubbish and landscape waste, but shall not include items such as tree limbs, tree trunks, stumps and root balls larger than three inches (3”) in diameter or weighing fifty (50) pounds or more as individual units. (2005-060)
11. Rubbish. Whenever the term “Rubbish” is used herein, the term shall mean and include, but not be limited to, both combustible and non-combustible general household material such as paper products (cardboard, corrugated paper, magazines, newspaper, etc.), wood, glass, cartons, crates, boxes, wrapping materials, carpeting, cloth materials (clothing, curtains, bedding, etc.), toys, small

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household appliances (blenders, irons, toasters, crock pots, etc.), and four (4) or less “approved refuse containers” full of material any given week, each less than fifty (50) pounds, of residential home remodeling, building and/or repair materials resulting from do-it-yourself or contracted construction projects. The term “rubbish” shall also include aluminum, steel and tin products (cans, lawn chairs, doors, etc.). (2005-060)

12. Service Unit. Whenever the term “Service Unit” is used herein, the term shall mean and include, but not be limited to, a single family residential building; or in the case of a two-family or multiple-family residential building (comprised of four (4) or less units not in a complex of units), each unit thereof; or, in case of dormitories, rooming houses and boarding houses, every three (3) boarders in the dormitory, rooming or boarding house shall count as one (1) unit. (2005-060)
13. Unacceptable Material. Whenever the term “Unacceptable Material” is used herein, the term shall mean and include, but not be limited to, radioactive material, liquid waste, acids, caustics, fifty-five (55)-gallon drums, or similar products, lead acid batteries, explosives, hot ashes, stone or brick material, dirt, motor vehicle parts (tires, engines, seats, radiators, fuel tanks, etc.) and significant amounts (more than four (4) “approved refuse containers” full of material on any given week, each less than fifty (50) pounds, of residential home remodeling, building and/or repair materials resulting from do-it-yourself or contracted projects. Dirt may be placed for collection in no more than two (2) approved refuse containers per collection day and may not exceed the fifty (50) pound weight limitation for each container. (2005-060)

15.02 CONSUMER REQUIRED TO CONTRACT FOR SERVICE OR SHOW MANNER OF DISPOSAL OF REFUSE GENERATED BY HOUSEHOLD.

- a) The City shall offer one complete weekly collection of all refuse, recyclables, and landscape waste to each service unit, as defined herein, located within the City limits. The City shall require each service unit to either receive the City's basic service, or submit written documentation to the City, on a form provided by the City, how said service unit is disposing of the refuse and landscape waste being generated on the site. A service unit shall not be allowed to use, or contract directly, another waste disposal contract to conduct disposal services. (2009-062)
- b) If a refuse disposal waiver is granted, the Director of Public Works shall require the property owner of said service unit to furnish evidence, such as landfill receipts, that said refuse is being disposed of in an appropriate manner (i.e. taken to a State permitted landfill) as defined by the City. If sufficient evidence is not provided by the property owner, the City will require the service unit to be automatically added to the City's basic service program. If said waiver is granted, the waiver shall be renewed annually thereafter, subject to the discretion of the Director of Public Works, upon receipt of approved disposal practices by the service unit. (2009-062)

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15.03 BASIC SERVICES.

- a) Refuse Collection. Each service unit may set out for collection, each week, an unlimited number of approved refuse containers. In addition, service units may set out for collection, each week, up to two bulk refuse items that are too large to be placed in an approved refuse container (refrigerator, stove, sofa, etc.). All refrigerators and freezers must have doors removed before being placed out for collection.
- b) Refuse containers will be collected on the scheduled pickup day of each week, which is customarily Wednesday, Thursday or Friday, depending on the location of the service unit. Holidays do cause an occasional adjustment in the collection schedule. Bulk refuse items shall be collected by the contractor either on or within one day of the regularly scheduled refuse collection day. (2005-060)
- c) Refuse containers and bulk refuse items must be placed for collection alongside alleys, if there is an alley; otherwise in the parkway, behind the curb prior to 6:00 a.m. on scheduled collection days, but no earlier than 6:00 a.m. the day before scheduled collection days. The City, or the City's Contractor, is under no obligation to collect and remove materials that are not placed for collection in compliance with this Chapter. (2005-060)
- d) All refuse containers must be removed from the public right of way and returned to the storage location on private property no later than midnight on the scheduled collection day. (2005-060)
- e) Landscape Waste Collection. Each service unit may set out for collection, each week between April 1 and November 30, an unlimited number of approved landscape waste containers. In addition to the approved containers, service units shall also be permitted to set landscape waste for collection in securely tied bundles, with string or baling twine, not to exceed four feet in length and fifty pounds in weight per bundle. Limbs and branches shall not exceed four feet in length and/or exceed three inches in diameter per limb or branch.
- f) Approved landscape waste containers will be collected on the scheduled pickup day each week, which is customarily Wednesday, Thursday or Friday, depending on the location of the services unit. Holidays do cause an occasional adjustment in the collection schedule. (2005-060)
- g) Approved landscape waste containers must be placed out for collection alongside alleys, if there is an alley, otherwise in the parkway behind the curb prior to 6:00 a.m. on scheduled collection days, but no earlier than 6:00 a.m. the day before scheduled collection days. The City, or the City's Contractor, is under no obligation to collect and remove materials that are not set out for collection in compliance with this Chapter. (2005-060)

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- h) All landscape waste containers must be removed from the public right of way and returned to the storage location on private property no later than midnight on the scheduled collection day. (2005-060)
- i) Recyclables Collection. Each service unit may set out for collection each week, an unlimited amount of recyclables in and/or along side of the City's official recycling container, or a container of similar design and capacity. If material is place for collection along side of the City's officials recycling container, or a container of similar design and capacity, the material must be placed in a container as described or in a paper bag/sack.
- j) Recyclables will be collected on the scheduled pickup day of each week, which is customarily Wednesday, Thursday or Friday, depending on the location of the service unit. Holidays do cause an occasional adjustment in the collection schedule. (2005-060)
- k) Recyclables must be placed for collection alongside alleys, if there is an alley; otherwise in the parkway, behind the curb prior to 6:00 a.m. on scheduled collection days, but no earlier than 6:00 a.m. the day before scheduled collection days. The City, or the City's Contractor, is under no obligation to collect and remove materials that are not placed for collection in compliance with this Chapter. (2005-060)
- l) All recycling containers must be removed from the public right of way and returned to the storage location on private property no later than midnight on the scheduled collection day. (2005-060)
- m) The City's Contractor shall collect automobile tires set out by service units, separately from other refuse. The Contractor shall be responsible for ensuring that all automobile tires collected are recycled.

15.04 FEES.

The following shall determine annual fees that will be charged to each service unit participating in the City's refuse, recycling, landscape waste collection and disposal programs.

- a) The per service unit refuse, curbside, alley, recycling, landscape waste collection and landfill disposal fee for the period of July 1, 2011 to June 30, 2012 shall be \$189.72. (1997-052, 1998-085, 1999-061, 2000-039, 2001-045, 2002-049, 2003-061, 2004-064, 2005-051, 2006-056, 2007-053, 2008-039, 2010-044, 2011-024)
- b) The per service unit administration and public service fee for the period of July 1, 2011 to June 30, 2012 shall be \$15.48. (1997-052, 1998-085, 1999-061, 2000-039, 2001-045, 2002-049, 2003-061, 2004-064, 2005-051, 2006-056, 2007-053, 2008-039, 2010-044, 2011-024)

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- c) Automobile Tire Collection and Processing Fee: Automobile tires shall be collected separately from other refuse for the purpose of recycling. From July 1, 2011 to June 30, 2012, the City shall allow the Contractor to charge service units up to \$5.00 per tire for the collection and processing costs associated with the tire recycling program. (1997-052, 1998-085, 1999-061, 2000-039, 2001-045, 2002-049, 2003-061, 2004-064, 2005-051, 2006-056, 2007-053, 2008-039, 2010-044, 2011-024)
- d) Bulk Refuse Items with CFCs Collection and Processing Fee: The Contractor shall be responsible for ensuring that bulk refuse items which contain chlorofluorocarbons (CFCs) and are set out for collection by service units have their CFCs removed by an individual or company certified to perform such removal. From July 1, 2011 to June 30, 2012, the City shall allow the Contractor to charge service units up to \$25.00 per bulk refuse item that contains CFCs. (1997-052, 1998-085, 1999-061, 2000-039, 2001-045, 2002-049, 2003-061, 2004-064, 2005-051, 2006-056, 2007-053, 2008-039, 2010-044, 2011-024)

15.05 PAYMENT OF FEES FOR REFUSE, RECYCLING, AND LANDSCAPE WASTE COLLECTION, PROCESSING AND DISPOSAL PROGRAMS.

- a) Each service unit shall pay fees outlined in Section 15.04 on a bi-monthly basis. The refuse, recycling, landscape waste collection and processing fees, as well as the administration and public education fee, shall increase based on the schedules listed in Section 15.04. The landfill disposal fee listed in Section 15.04 is the base rate from which all future adjustments will occur. The manner by which adjustments will be determined is outlined in the City's Refuse, Recycling, and Landscape Waste Collection, Disposal and or Processing Contract. (2016-036)
- b) Persons who are eligible for reduced water rates under the provisions of Section 7.18 b) of Chapter 7 “Water Service” of this Municipal Code shall be eligible for free refuse collection. (2016-036)

15.06 TITLES TO MATERIAL COLLECTED FROM THE REFUSE, RECYCLING AND LANDSCAPE WASTE COLLECTION, PROCESSING AND/OR DISPOSAL PROGRAMS.

- a) Refuse and Landscape Waste. All refuse and landscape waste set out for collection by service units shall become and be the property of the City's Contractor as soon as same is placed in the Contractor's collection vehicle.
- b) Recyclables - All recyclables set out for collection by service units shall become and be the property of the City's Contractor as soon as same is placed out for collection.

15.07 COLLECTION OF UNACCEPTABLE MATERIAL.

- a) The City's Contractor may refuse to collect, as part of a service units basic service, unacceptable material as defined herein.

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- b) No person or persons shall place or cause to be placed, in containers provided for removal of refuse, any highly flammable material or explosives.
- c) The Contractor shall not be required to collect landscape waste materials that are commingled with refuse. (2005-060)
- d) All unacceptable materials or other items not picked up by the City’s Contractor must be removed from the public right of way and returned to the storage location on private property no later than midnight on the scheduled collection day. All such materials shall be otherwise properly disposed of in compliance with this Municipal Code. (2005-060)

15.08 COLLECTION OF BULK REFUSE ITEMS CONTAINING CHLOROFLURO-CARBONS.

The Contractor shall be responsible for ensuring that bulk refuse items which contain chloroflurocarbons and are set out for collection by service units, have that product removed by an individual or company certified to perform said removal.

15.09 CHRISTMAS TREE COLLECTION AND RECYCLING.

The City's Contractor shall offer each service unit two separate opportunities to recycle Christmas trees. Residents living in service units will be allowed to recycle Christmas trees by setting out said trees for collection on one of the regular collection days for two consecutive weeks, starting with the first day of the second week following Christmas Day. The Contractor will recycle each tree collected from a service unit unless said tree has materials attached to it that make recycling impossible. The Contractor will be allowed to landfill Christmas trees from service units only if said trees cannot be recycled.

15.10 COLLECTION, PROCESSING AND/OR DISPOSAL OF REFUSE, RECYCLABLES AND LANDSCAPE WASTE IN THE BUSINESS DISTRICT.

- a) Business District - Businesses: It shall be the responsibility of all businesses maintaining refuse and/or landscape waste receptacles to have such receptacles emptied, and the material removed, at least twice each week. It shall also be the responsibility of all businesses maintaining recyclable material receptacles to have them emptied and the material removed, at least once each week. Such receptacle must be placed in alleyways or loading areas and must not obstruct traffic or pedestrian walkways by their placement. The container must be placed in a manner that will ensure it is not easily tipped over and scattered. Receptacles must not create fire hazards or jeopardize the safety of any persons or surrounding buildings.
- b) Business District - Residents: Refuse must be placed in approved containers located in a business district alleyway and must be placed in a manner that will ensure it is not easily tipped over and the contents scattered.

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- c) Downtown Central Refuse Program. Property located in 100-399 East Lincoln Highway, 122 North First, 110 and 122 South First, 100-135 North Second, 102-140 South Second, 106-155 North Third, and all of Palmer Court, shall be included in the Downtown Central Refuse Program. Refuse must be placed in the waste receptacles in the enclosed areas in each block unless other provisions are approved by the City. The City Manager shall be authorized and directed to determine monthly rates for imposition against all properties and parcels located therein, based upon the charges imposed under most-current approved solid waste hauling agreement maintained by the City and the nature and type of parcels as determined appropriate by the Manager. The City shall include such monthly rates and charges on the utility bills issued by the City for such area, and such charges shall be treated as a component of the City’s utility billing practices. Failure to pay such charges shall be treated as non-payment of utility costs. The City shall utilize such funds collected and shall directly pay the monthly costs incurred under the then-current solid waste hauling agreement to the solid waste hauler then contracted by the City. All properties shall be required to pay for such collection services. (1995-013, 2002-038, 2005-060, 2019-022)

15.11 LANDSCAPE WASTE DROP-OFF CONTAINERS.

- a) The City's Contractor shall be required to place not less than twelve (12), twenty (20) cubic yard collection containers at not less than three (3) sites throughout the City to be used by City residents of a “service unit” as defined in Section 15.01 for the disposal of residential landscape waste. The containers shall be located in areas approved by the City. (2004-064, 2005-060, 2006-100)
- b) Disposable of approved landscape waste placed in the drop-off containers shall be either loose or contained in biodegradable paper bags. No approved landscape waste deposited in the drop-off containers shall be encased in plastic bags or bundled with wire, nylon, or plastic-coated rope. Limbs and branches placed in the containers shall not exceed four feet in length or three inches in diameter per limb or branch. Tree stumps shall not be placed in drop-off containers. Disposal of approved landscape waste material outside or around the landscape waste containers and/or around or upon the landscape waste collection site is prohibited. (2006-100)
- c) It shall be unlawful to dispose of landscape waste, limbs, branches or tree stumps in excess of fifty (50) pounds in landscape waste containers or around or upon the landscape waste collection site. (2006-100)
- d) It shall be unlawful for any person to place landscape waste material in the drop-off collection containers unless such person is a resident of DeKalb living in service units as defined herein. (2005-060)
- e) It shall be unlawful for any person to place landscape waste material in the drop-off collection containers that was generated on property other than their own for monetary gain, including, but not limited to, professional landscape contractors.

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- f) Any person, firm or corporation violating any provision of this Section 15.11 shall be fined not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00) for each offense. (1998-067)

15.12 PENALTY.

Any person violating any provision of this Chapter 15 shall be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense, unless otherwise specified. (1991-094, 1991-118, 1998-067)