

ARTICLE I. IN GENERAL

Sec. 82-1. Disturbing contents of containers.

It shall be unlawful for any person to pick from or disturb the contents of any garbage container or vessel or other containers provided by the city's solid waste management contractor.

(Code 1966, § 12-3)

Sec. 82-2. Removal of container an offense except when done by authorized person.

When a garbage container provided by the city's solid waste contractor is placed outside of any premises, it shall be unlawful and a violation of this chapter for any unauthorized person to remove garbage therefrom or to remove the cover from such garbage container. It shall also be a violation of this Code to throw such garbage container on the street or sidewalk.

(Code 1966, § 12-6)

Sec. 82-3. Littering of streets and sidewalks; penalty for violation.

(a) It shall be unlawful for any person to place or deposit on the streets or on the sidewalks of the streets in the city any garbage, trash, leaves, shrubbery prunings and tree prunings of any kind.

(b) Violation of this section shall, upon conviction, be punished as provided in section 1-8.

(Code 1966, § 12-10)

Sec. 82-4. Solid waste collection charges.

Charges and fees for residential, business and professional establishments shall be as set forth in the schedule of fees and charges.

(Code 1966, § 12-22; Ord. No. 256, 12-17-90)

Sec. 82-5. Due date of charges; delinquencies.

(a) Fees and charges for solid waste collection and disposal shall be paid within 15 days of the mailing date of the month of incurrence.

(b) The charges provided in the schedule of fees and charges shall be collected when in default in the same manner as taxes due the city are collected.

(Code 1966, § 12-23)

Sec. 82-6. Building debris excepted from city collection.

Any building debris such as plaster, roofing, concrete, brickbats and other such rubbish resulting from repairs, remodeling or construction of any building or private property will not be removed by the city's solid waste contractor. The owner of the premises or the contractor, professional landscaper, builder or the person doing the repairs, remodeling or construction shall be required to haul away and dispose of all such debris, including stumps, trees and limbs.

(Code 1966, § 12-24)

Sec. 82-7. Disposal of trash or debris in county landfill.

(a) *Payment by persons doing work for profit.* Anyone doing work for profit for a city resident or commercial building will pay for disposing trash in the city landfill.

(b) *Procedures.* Upon entering the gate, persons disposing of debris or trash shall report to a county employee, who will take their name, address, type of vehicle, and will determine the quantity of trash to be disposed of. A statement will be mailed from the city for disposing of the debris at the end of each month.

(c) *Fee for disposal.* Cost for disposing of material in the city landfill will be as set forth in the schedule of fees and charges.

(d) *No fee for city residents.* Citizens of the city who pay a garbage fee at their home or at their business will not be billed when they take their own debris to the county landfill. The same procedure will be followed upon entering the area, but no statement will be mailed to the city resident or commercial establishment.

(Code 1966, § 12-26; Ord. No. 229, 1-23-89)

Secs. 82-8—82-30. Reserved.

ARTICLE II. RECYCLING

Sec. 82-31. Required; enumeration of items.

All residents of the city are required to separate the following items of trash into a designated bin for curbside pickup:

- (1) Newspapers;
- (2) Aluminum cans and aluminum and bi-metal cans which shall have been emptied of all contents, both liquid and solid;
- (3) Glass products which shall have been emptied of all contents, both liquid and solid; and
- (4) Plastics which shall have been emptied of all contents, both liquid and solid.

(Ord. No. 270, 6-15-92)

Sec. 82-32. Distribution of bins; deposit for additional bin.

A recycling bin will be distributed to each residential dwelling unit for use by the inhabitants thereof. A deposit as set forth in the schedule of fees and charges shall be charged to each resident for each additional bin issued, refundable upon the return of the bin in good condition. (Ord. No. 270, 6-15-92)

Sec. 82-33. Penalty for violation.

Residents of the city shall, upon conviction, be punished in the municipal court as provided in section 1-8 for failing to comply with the terms and conditions of this article. (Ord. No. 270, 6-15-92)

Sec. 82-34. Fee and pickup schedules.

Current fee schedules and pickup schedules will be kept on file in city hall and are subject to change at the discretion of the city. (Ord. No. 270, 6-15-92)

Secs. 82-35—82-60. Reserved.

ARTICLE III. YARD TRIMMINGS AND DEBRIS DISPOSAL REGULATIONS*

Sec. 82-61. Definitions.

Commercial solid waste. All types of solid waste generated by stores, offices, restaurants, warehouses and other non-manufacturing activities, excluding residential and industrial wastes.

Composting. The controlled biological decomposition of organic matter into a stable, odor-free humus.

Leachate collection system. A system at a landfill for collection of the leachate which may percolate through the waste and into the soils surrounding the landfill.

Municipal solid waste. Any solid waste derived from households, including garbage, trash and sanitary waste in septic tanks and includes solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds, and day use recreation areas. The term includes yard trimmings and commercial solid waste but does not include solid waste from mining, agricultural or silvacultural operations or industrial processes or operations.

Municipal solid waste disposal facility. Any facility or location where the final deposition of any amount of municipal solid waste occurs, whether or not mixed with or including commercial or industrial solid waste, including but not limited to municipal solid waste landfills.

Municipal solid waste landfill. A disposal facility where any amount of municipal solid waste, whether or not mixed with or including commercial waste, industrial waste, nonhazardous sludges or small quantity generator hazardous waste, is disposed of by means of placing an approved cover thereon.

Yard trimmings. Leaves, brush, grass clippings, shrub and tree prunings, discarded Christ-

***Editor's note**—Ord. No. 456, adopted December 13, 2004, repealed the former article III, §§ 82-61—82-63, and enacted a new article III as set out herein. The former article III pertained to yard trimmings disposal regulations and derived from Ord. No. 337, § 1, adopted September 26, 1996.

mas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping maintenance.
(Ord. No. 456, 12-13-04)

Sec. 82-62. Placement and disposal of yard trimmings and refuse; prohibitions.

(a) It shall be unlawful to place yard trimmings with household garbage. Yard trimmings, such as leaves, grass trimmings and pine straw shall be placed at curbside for collection. Plastic bags shall not be used for yard trimmings and shall not be collected by the city.

(b) Tree branches, heavy brush or vines shall be cut in lengths not exceeding five feet in length and no more than three cubic yards in volume.

(c) The city shall not collect trees, stumps, bushes or limbs resulting from the performance of commercial tree trimmers, landscapers, general contractors, land clearing operations or building contractors.

(d) Items placed on vacant lots by property owners or others shall not be collected by the city. The city may determine the specific location for placement of debris for reasons of topography, efficiency or safety. Debris shall not be placed on property owned by someone other than the residence where the debris is generated.

(e) Items placed for collection shall not encroach upon any street, sidewalk or drainage way.
(Ord. No. 456, 12-13-04; Ord. No. 460, 3-24-05)

Sec. 82-63. Sorting, storing, composting and collecting yard trimmings and debris.

(a) The City of Barnesville provides residential curbside trash collection for the convenience of its residents and to keep the community clean and attractive.

(b) The service is provided by the City of Barnesville Public Works Department. The schedule is determined by the public works department so as to facilitate the safe and efficient operation of debris collection.

(c) The service is limited to three cubic yards except for leaves, grass clippings and pine straw.

(d) The service is explicitly for residents and is not meant to relieve commercial operations or contractors of their responsibility to provide clean up and debris removal for construction, demolition or maintenance projects.

(e) All organic or vegetative material must be separated from other material.

(f) Organic composting is encouraged.

(g) Dirt, rocks, cinder blocks, bricks, concrete, gravel or sand shall not be collected by the city.
(Ord. No. 456, 12-13-04; Ord. No. 460, 3-24-05)

Sec. 82-64. Other household refuse, storage for collection; prohibitions.

(a) Rubbish such as metal or plastic pipes, discarded household items such as lamps, small appliances or miscellaneous junk shall be packaged or bundled and tied securely and separate from yard trimmings and shall not exceed 100 pounds.

(b) The city shall not collect discarded building materials, dirt, broken concrete, brickbats, rock, carpet, carpet remnants, duct pipes, insulation, plaster, roofing, drywall or such other debris resulting from repairs, remodeling or construction on private property. The owner of the premises or the contractor, builder or persons doing the repair, remodeling or construction shall be required to haul away and dispose of all such debris at an approved landfill.

(c) Large bulky items such as furniture, appliances, mattresses and other similar items require a special pick up. The resident must call city hall to schedule the pick up before they are placed curbside and then can only be placed for pick up after 5:00 p.m. the day before the scheduled pick up date. The schedule will be determined by the City of Barnesville Public Works Department.

(d) It shall be a violation of this chapter to place, or cause to be placed, any hazardous waste, including, without limitation, any acid, explosive material, inflammable liquids, or dangerous or corrosive material of any kind for collection by the city.

(e) The city shall not collect refrigerators or air conditioners that contain freon. A scheduled pick up can be arranged if the refrigerant is withdrawn and properly tagged by a certified technician.

(f) Trash, debris, junk, furniture, mattresses or other household items generated as the result of cleaning or clearing a rental residential unit or property pursuant to a dispossessory action by the owner or in preparing the unit for new occupancy is considered commercial activity. The city shall not collect such debris, furniture or other household items or refuse and it shall be the responsibility of the owner or its agent. In the case of a dispossessory action, it is the responsibility of the property owner to remove the debris in a timely manner after satisfying the requirements under Georgia law regarding such actions. (Ord. No. 456, 12-13-04)

(b) In extreme cases of hardship or emergency, the city manager or director of public works may make an exception to the limitations and restrictions contained in this chapter when it is deemed to be in the best interest of the safety and welfare of the City of Barnesville and its residents. (Ord. No. 456, 12-13-04)

Sec. 82-65. Collection and disposal fees.

Every residential unit within the city is required to subscribe to the services described herein. The collection and disposal charges shall be billed monthly at the time other utility charges are billed. Partial month of occupancy shall be calculated and collected as full month occupancy. The fees charged shall be as determined by the city council and approved in the schedule of fees, charges and rates.

(Ord. No. 456, 12-13-04)

Sec. 82-66. Enforcement and penalties for violation.

(a) Whenever a public officer or his/her delegate issues a notice to a property owner or tenant of a violation of this chapter, and the property owner or tenant fails to respond by taking necessary action to correct the situation within five working days of the service of the notice, the city shall cause a citation to be issued to appear in the municipal court. The city may remove the debris, material or object any time after the five days notice and submit the cost of removal to the municipal court to be collected upon conviction of a violation. Violations of this chapter shall be a misdemeanor and upon conviction, punished as provided for in the municipal court.