

## CHAPTER 9 – SOLID WASTE COLLECTION AND DISPOSAL

### Section 9.105 Definitions

- (a) “Commissioner” is the commissioner of the water and sewer system or his designee (See Chapter 8)
- (b) “Hazardous” or “Toxic waste” is waste that requires special handling to avoid illness or injury to persons or damage to property.
- (c) “Putrescible solid waste” is organic solid waste matter capable of being decomposed by microorganisms.
- (d) “Solid waste” is useless, unwanted, or discarded material with insufficient liquid content to be free flowing.
- (e) “Solid waste collection” is the act of removing solid waste from the central storage point of a primary generating source to a place of solid waste.
- (f) “Solid waste disposal” is the orderly process of finally disposing of solid waste.
- (g) “Solid waste storage” is the interim containment of solid waste, in an approved manner, after generation and prior to collection and disposal.

### Section 9.110 Policy and Purpose

It is hereby declared to be the purpose of Chapter 9 of this code to regulate the storage, collection, processing, recovery, and disposal of solid waste in order to protect the public safety, health and welfare, and to enhance the environment of the City of Nenana. In furtherance of this policy the City of Nenana shall provide for a system of solid waste collection and disposal.

[Reviser’s Note: Code of Ordinances 4.220 prohibits the accumulation of uncovered or unsightly refuse or garbage. AS 29.35.050 provides the general authority for this chapter.]

### Section 9.115 Solid Waste Collection Service Required

Every person residing in or occupying a building within that service area which comprises the area of the City of Nenana shall use the system of solid waste collection and disposal provided by the City. The commissioner may exempt a person from this requirement if it is determined that the person requires solid waste collection and disposal service which cannot be provided by the city system.

### Section 9.120 Nonresident Use of City of Nenana Land Fill Sites

Nonresidents shall have access to and use of the landfill sites subject to this chapter and regulations established under it by the commissioner. Regulations for the use of the landfill site by nonresidents may vary from those for residents.

### Section 9.125 Service Requests and Billing

- (a) It shall be the responsibility of the customer to apply for solid waste collection service by contacting the commissioner or his designee. All applications shall remain in effect until the customer requests the city to discontinue the service. It shall be the responsibility of the customer to notify the city of any changes that may affect the monthly charges.
- (b) Billings
  - (1) Billings for solid waste collection service will commence with the date of occupancy. The city shall have the right to determine how and to whom solid waste collection charges are to be billed. Failure to receive a bill or failure to apply for service does not relieve the customer of responsibility for the charges.
  - (2) All solid waste collection charges shall be the obligation of the owner of the property served by the city. Credit for vacant residential units may be extended if the period of vacancy exceeds one month and the customer notifies the municipality in advance of the scheduled vacancy.
  - (3) In the event of overcharges for solid waste collection services, credit adjustment will be limited to the most recent six-month period prior to discovery and notification of the error.

[Reviser's Note: Subsection (c) and (d) were added to Section 9.130 with the adoption of Ordinance 92-04 on 5/28/92.]

[Reviser's Note: Subsection (c) of Section 9.130 was amended and subsection (e) was added with the adoption of Ordinance 96-01 on 2/8/96. Effective 3/1/96.]

### Section 9.130 Rates, Fees and Charges

- (a) The city assembly shall by ordinance, prior to the start of operation of the solid waste disposal site, set the fees for city solid waste collection and for disposal site fees for solid waste hauled by residents and nonresidents. The rates charged residents and nonresidents may differ.
- (b) Rates set under (a) of this section shall be filed with and maintained by the city clerk and shall be open for inspection by the public at the office of the clerk and at the principal business office of the Solid Waste Division of the Water and Sewer System.
- (c) The City shall charge the following rates for disposing of solid waste hauled to the disposal site by residents and/or nonresidents:
  - (1) \$7 per cubic yard of uncompacted solid waste for residents.
  - (2) \$9 per cubic yard of uncompacted solid waste for nonresidents.
  - (3) \$10 per cubic yard of solid waste which has been compacted such that its uncompacted volume has been significantly reduced for residents.
  - (4) \$12 per cubic yard of solid waste which has been compacted such that its uncompacted volume is significantly reduced for nonresidents.
- (e) (1) Batteries will be charged \$ 5 per battery

(2) Refrigerators and freezers will be charged \$5 per item. The City Administrator shall establish reasonable procedures for estimating the volume of solid waste hauled to the disposal site. The fee charged for each load of solid waste hauled to the disposal site shall be calculated using the volume determined by the application of the City Administrator's procedure.

- (d) Three percent (%3) of the fees collected under subsection (c) shall be segregated and held in a reserve account for use in complying with requirements of "capping and closure" imposed upon the operation of the disposal site by the Alaska Department of Environmental Conservation, the United States Environmental Protection Agency, or other government agencies. The remainder of the fees collected shall be placed in the Municipal Utilities enterprise account.

[Reviser's Note: Section 4.320 prohibits the accumulation of uncovered or unsightly refuse or garbage.]

#### Section 9.135 Solid Waste Storage Prior to Collection

- (a) All putrescible solid waste shall be drained of surplus liquids and shall be securely wrapped in paper or placed in watertight bags before being placed in solid waste containers.
- (b) Where solid waste is collected from alleys, solid waste containers shall be kept in racks unless the customer places containers in the alley only on the day of collection, removes them. Racks shall be furnished and maintained by the customer and shall be of a type and specification prescribed by the commissioner by regulation. Racks shall be so placed as not to be visible from the street, where practicable.
- (c) No person shall deposit solid wastes upon any street, alley, city property, or upon any property, or upon any property or in any container owned by another unless he does so with the consent of the property owner.
- (d) No person having the care, as owner, lessee, agent or occupant, of any premises shall store solid wastes for collection purposes except in a clean and sanitary manner and in accordance with all other applicable federal, state and city statutes, ordinances, rules and regulations.
- (e) No person shall keep on or about their property any solid waste unless it is kept in a container of a type approved by the Commissioner. Metal and plastic containers shall be equipped with tightly fitting covers and suitable handles. They shall be so loaded that they can be conveniently handled without spilling the contents. Bags shall be leakproof, durable in quality and when offered for collection, shall be securely tied, or fastened at the top and shall not contain any rips, tears or holes. The bundles shall not be of a size greater than one-half cubic yards and shall not exceed four feet in any dimension. Bulky items, such as tree trimmings that will not conveniently fit inside a container, must be bundled, and securely tied or boxed. All containers shall be kept in a clean and sanitary condition by the owner or customer. Containers without handles or lids or with sharp edges or holes shall be considered solid

waste and, after written notice to the customer has been left with the container on the previous collection date, may without liability, be collected and discarded by the city.

- (f) Solid waste shall not be stored longer than the period between scheduled collections.

#### Section 9.140 Solid Waste Collection

- (a) In those areas without alleys, solid waste shall not, except on a scheduled collection day, be stored on or in view from any public street. The customer shall place the containers at the street for collection. Emptied containers shall be removed from view on the same day collection is made.
- (b) Solid wastes shall be collected pursuant to schedules established by the commissioner.
- (c) All solid wastes shall be collected and disposed of at intervals sufficient to protect the public health and well-being.
- (d) The City may by ordinance contract for the collection of solid waste.

#### Section 9.145 Hazardous and Toxic Wastes

- (a) Except as provided in this chapter:
  - (1) No person shall dispose of hazardous or toxic wastes within the city; and
  - (2) No person shall dispose of hazardous or toxic wastes generated within the city.
- (b) Hazardous and toxic wastes that the commissioner determines can be safely and efficiently disposed of at city disposal facilities shall be separately contained, clearly identified, and delivered to a designated disposal facility upon such reasonable notice as the commissioner may require.
- (c) Hazardous and toxic wastes which the commissioner determines cannot be both safely and efficiently disposed of at city disposal facilities shall be disposed of in such a manner as to prevent any hazard, damage or injury to persons or property, and shall, in addition be disposed of in accordance with any and all applicable federal, state, and city statutes, ordinances, rules, and regulations.

#### Section 9.150 Operation of Landfill Site

- (a) General. The sanitary landfill sites of the City shall be operated in a safe and sanitary manner, and according to standards that will make those sites as inoffensive as possible, consistent with their purpose.
- (b) Posting Information. A copy of the ordinances regulating use of the landfill, together with any rules and regulations issued by the commissioner under Section 9.160 shall be posted at all designated landfill sites, as well as any information required by State or Federal law.

- (c) Toxic and Hazardous Materials The commissioner shall not permit any unduly toxic, explosive, or corrosive substances, or otherwise dangerous materials, to be deposited at the landfill sites unless, in the commissioner's judgment, those materials will not create a substantial risk of injury to persons or property. The commissioner may under this part exclude materials from the landfill site or schedule the delivery of materials to the landfill site, by rules and regulations under Section 9.160.
- (d) Prohibited Conduct No person may enter or remain upon any designated landfill site for any purpose other than those necessary for the depositing of solid waste material in accord with ordinances and regulations; except that this section shall not apply to persons employed in the operation of the site or persons required by ordinance or law to inspect the site.

#### Section 9.160 Rules and Regulations

The commissioner shall have authority to issue rules and regulations in implementation of this chapter according to the procedures set out at Section 8.225.

#### Section 9.165 Offenses

- (a) Misdemeanors. It shall be a misdemeanor punishable by a fine of not more than \$500.00 and imprisonment for not more than 30 days for any person to knowingly:
  - (1) permit solid waste to accumulate on property within that person's control to an extent and degree that it constitutes a menace or threat to the health and safety of any person;
  - (2) deposit or dispose of toxic or hazardous substances in violation of Section 9.145(b); or
  - (3) enter onto or remain upon a landfill site in violation of Section 9.145(c)
- (b) Violations It shall be a violation punishable by a fine of not more than \$300.00 for any person to negligently, recklessly, or knowingly:
  - (1) deposit solid waste in a manner prohibited by this chapter;
  - (2) store solid waste in a manner prohibited by this chapter;
  - (3) deposit materials in a landfill site in a manner prohibited by this chapter;
  - or
  - (4) violate any rule or regulation issued by the commissioner under Section 9.160.