



Legislation Details (With Text)

File #: 08-0510 **Version:** 1 **Name:** 061608- Chapter 26 - Assessment of Unpaid Charges

Type: Ordinance **Status:** Second Reading

File created: 6/2/2008 **In control:** City Council

On agenda: 6/16/2008 **Final action:** 7/7/2008

Enactment date: 6/2/2008 **Enactment #:** ORD-08-21

Title: An Ordinance to Amend Section 2:5 (Solid Waste Containers) of Chapter 26 of Title II of the Code of the City of Ann Arbor - Assessment of Unpaid Charges and Allowing Grass Clippings in Compost Carts (ORD-08-21)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD-08-21 Approved, 2. Rev 1 -Chapter 26 Ord Briefed.doc

Date	Ver.	Action By	Action	Result
7/7/2008	1	City Council	Adopted on Second Reading	Pass
6/16/2008	1	City Council	Approved on First Reading	Pass
6/2/2008	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Section 2:5 (Solid Waste Containers) of Chapter 26 of Title II of the Code of the City of Ann Arbor - Assessment of Unpaid Charges and Allowing Grass Clippings in Compost Carts (ORD-08-21)

City Council approval is requested to amend Section 2:5 of Chapter 26 of Title II of the Code of the City of Ann Arbor. This ordinance was previously approved at first reading. However, in an effort to amend Section 2:5 as quickly as possible to allow grass clippings to be placed in the compost carts, we have revised the amendment accordingly for your consideration. Because this is a substantive change from the original version of the ordinance, which addressed only the assessment of unpaid charges, this ordinance is being brought back again for first reading.

The request includes the following:

Previously requested:

The current ordinance allows unpaid refuse cart charges to be assessed against the property. The proposed changes will allow refuse dumpster charges and compost cart purchases to also be assessed against the property if left unpaid.

Newly requested:

It is proposed that grass clippings be allowed in compost carts. The language in Chapter 26 banning grass clippings has been removed. The Solid Waste Regulations currently allow grass clippings to be collected in compost carts.

This ordinance is recommended to take effect ten (10) days after legal publication.

Prepared by: Tom McMurtrie, Systems Planning Unit
Reviewed by: Sue F. McCormick, Public Services Area Administrator
Approved by: Roger W. Fraser, City Administrator
ORDINANCE NO. ORD-08-21

First Reading : June 16, 2008
Public Hearing : July 7, 2008
Approved: July 7, 2008
Published: July 13, 2008
Effective: July 23, 2008

SOLID WASTE CONTAINERS

AN ORDINANCE TO AMEND SECTION 2:5 (SOLID WASTE CONTAINERS) OF CHAPTER 26 OF TITLE II OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 2:5 of Chapter 26 of Title II of the Code of the City of Ann Arbor be amended to read as follows:

2:5. Solid waste containers.

- (1) No person shall deposit or remove solid waste in the solid waste container of another person without permission of the owner or property manager. Proof of violation of this section must be based on evidence showing the deposit of at least 1 cubic foot of material into or removal of any material from another person's solid waste container.
- (2) Residential Curbside Containers
 - a. Refuse
 - i. The City mandates the use of curbcarts for residential refuse service. Refuse curbcarts are provided by the City in a manner described in the Regulations.
 - ii. All refuse must be stored within the curbside cart.
 - iii. The weight of the refuse inside the curbcarts must not exceed 224 pounds for a 64 gallon curbside cart or a pro-rated amount for a different sized curbside cart.
 - iv. Applicable fees for the collection of refuse from the curbcarts shall be set by City Council by resolution. If the charges are not paid, they may be assessed against the property pursuant to section 1:292 of Chapter 13 of the City Code.
 - v. A resident or property owner who obtains a replacement curbside cart shall pay for the replacement curbside cart. This requirement shall be waived administratively if the curbside cart has been stolen or the curbside cart is more than ten years old.
 - b. Recycling
 - i. Residential recyclables shall be separated in a manner determined by the City Administrator through the Solid Waste Regulations.
 - ii. Recyclable containers and bundles must not exceed 50 pounds.
 - c. Compostables

- i. Compostables shall be separated in a manner determined by the City Administrator through regulations and applicable state law. ~~Grass clippings will not be collected by the City, either as compostables or as refuse.~~
- ii. Paper yard waste bags and bundles are acceptable for the collection of compostables. City approved compostable curbcarts are also acceptable.
- iii. The weight of compostable bags or bundles shall not exceed 50 pounds. The weight of compostables inside a 96 gallon curbcart shall not exceed 336 pounds.
- iv. ~~The purchase price for compostable carts available from the City shall be set by City Council by resolution. If the charges are not paid, they may be assessed against the property pursuant to section 1:292 of Chapter 13 of the City Code.~~

(3) Multi-Family Containers

- a. Every multi-family dwelling unit shall be provided with refuse and recycling container space. Each unit shall be equipped with approved refuse and recycling containers stored outside of the dwelling unit, sufficient to contain the refuse and recycling generated by that location until collected. The city administrator may adopt regulations for the minimum specifications for the containers.
- b. Multi-family dwellings with 10 or more units must use dumpsters to meet the container requirements for refuse.
- c. Recycling containers will be provided by the City in accordance with the Regulations; refuse curbcarts will be provided to multi-family structures with less than 10 units in accordance with the Regulations.
- d. A certificate of occupancy may be revoked for dwellings not meeting the requirements of this subsection, but the City shall not decline to collect refuse because a location has failed to provide recycling containers.

(4) Commercial Containers

- a. Refuse: Commercial locations must be equipped with sufficient containers to contain the refuse generated by the locations until collected. ~~Applicable fees for the collection of refuse shall be set by City Council by resolution. If the charges are not paid, they may be assessed against the property pursuant to section 1:292 of Chapter 13 of the City Code.~~
- b. Recycling: Commercial recyclables shall be separated in a manner determined by the City Administrator through the Solid Waste Regulations.

Section 2. That this Ordinance take effect ten days after legal publication.