

ORDINANCE NO. \_\_\_\_\_ OF 2016

**ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 15 OF THE CODE OF ORDINANCES OF THE CITY OF RUSTON, LOUISIANA RELATIVE TO GARBAGE, WEEDS AND TRASH**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF RUSTON, LOUISIANA:**

§1. Sec. 15-1 of the Code of Ordinances of the City of Ruston, Louisiana (the “Code”) is amended to read as follows:

**Sec. 15-1. - Definitions.**

\* \* \* \* \*

Bulk Bag means a container that will hold approximately 3 cubic yards of trash.

\* \* \* \* \*

Recyclable Materials means solid wastes that are separated for recycling or reuse, such as papers, metals, plastic and glass.

\* \* \* \* \*

§2. The title of Article II of Section 15 of the Code is amended to read as follows:

**ARTICLE II. - RESIDENTIAL GARBAGE & RECYCABLE MATERIAL COLLECTION**

§3. Sec. 15-24 through Sec. 15-27 of the Code is amended to read as follows:

**Sec. 15-24. - Types of service.**

The following types of residential garbage and recycling service shall be provided:

(1) Basic service

- a. Basic service is the required minimum garbage, recyclable material, and trash collection from every dwelling unit. Such service may be provided by collection from multiple residential unit containers or dumpsters, or by curbside collection of wheeled containers. Customers with multiple residential unit containers or dumpsters shall ensure accessibility to the containers and dumpsters by the city equipment for pickup.
- b. Basic residential garbage will be picked up once per week on designated pickup days. If the scheduled pickup day falls on a holiday residential garbage will be picked up the next business day.
- c. Basic residential recycling material will be picked up twice per month on designated pickup days. If the scheduled pickup day fall on a holiday it will be picked up the next business day.
- d. Residents with curbside residential garbage service and/or residential recycling service from wheeled containers will, prior to collection, roll their containers to within two feet of the curb or street on pickup days. The containers shall be placed so that they are clear of parked vehicles, trees, utility poles, mailboxes and other obstructions. The handle and wheels of such containers are to be pointed away from the street. Containers are to be removed from the street within 24 hours after being emptied. Customers not complying with such requirement will receive two written warnings, and after each additional violation, a \$25.00 fine will be assessed.

- e. Containers or dumpsters for multiple residential units and high density areas shall be hidden from street view either inside, behind or beside a structure that is constructed and maintained by the Customer as approved by the Public Works Director.
- f. The city assumes no liability for the loss of items placed on or near the Containers; the owner and/or occupant assumes the risk of loss of such items. Further, the city assumes no responsibility for lost or stolen Containers.

(2) Back-door service.

- a. Back-door service is a supplemental service, offered at no additional charge, for qualifying customers who are unable, because of physical disability, to roll their container to the curb, provided, however, that no other individual in the residence is capable of rolling the container to the curb. Such customers may apply through the public works office for back-door service. The Public Works Director or his designee will review and determine the qualifying status of each applicant annually. The customer shall furnish to the city an annual certification from a medical doctor stating such disability and an annual affidavit stating that no other individual in the residence is capable of rolling the container to the curb.
- b. The Container must be kept in an open location visible from the street. The Container cannot be collected from inside a fenced area, inside a garage or carport, on a patio or inside any enclosure unless such enclosure is designed specifically for such container and is approved by the Public Works Director or his designee.
- c. Back-door collection of Trash, as defined in section 15-1, is not included in this service. The customer shall be responsible for having such trash placed appropriately for collection.

**Sec. 15-25. - Container use.**

- (a) Garbage and decayable trash (i.e., newspapers, small tree branches, grass clippings, etc.) may be placed in the Container.
- (b) Prohibited Items, as defined in section 15-1, shall not be placed in any Container or Dumpster.

**Sec. 15-26. - Costs.**

In order to defray the expenses of the collection and disposal of trash and to defray the expenses of the maintenance of the general cleanliness and sanitation of the city, every dwelling unit which has an active city utility account, whether individual or aggregated on a master meter, shall pay the basic service cost monthly. Residential garbage service shall be subject to the following costs:

- (1) Basic residential garbage service, including trash pickup, shall be \$6.00 per month.
- (2) Back-door residential garbage service for qualifying disabled customers, including trash pickup, shall be \$6.00 per month.
- (3) Basic residential recycling service shall be \$10.00 per month.
- (4) Basic residential garbage service outside the city shall be \$15.00 per month.
- (5) Basic residential recycling service outside the city shall be \$10.00 per month.

**Sec. 15-27 – Recycling**

- (a) Recycling of paper, cardboard, plastic, aluminum, and tin is encouraged.
- (b) Every dwelling unit which has an active city utility account is eligible for the service.
- (c) Dwelling units that are located within a three mile radius of the City of Ruston Corporate Limits is eligible for the service.

§4. The title of Sec. 15-36 of the Code is amended to read as follows:

**Sec. 15-36. – Placement, Size and Volume.**

§5. Sec. 15-38 through Sec. 15-39 of the Code is amended to read as follows:

**Sec. 15-38. - Debris to be removed by city.**

- (a) Bulk Bags will be provided at no charge upon request. Maximum of one per household. Bulk Bags will be picked up within 72 business hours upon notification to Public Works Department. Customers are allowed a maximum of two pickups per month.
- (b) Debris must be contained within the Bulk Bags.
- (c) Customers that elect to not utilize the Bulk Bags for trash will be allowed one pickup per month.
- (d) No more than one trailer load, or approximately 25 cubic yards, of tops and limbs from trees cut by private contractors, such as nursery personnel, tree surgeons, tree contractors and pulpwood cutters, will be removed monthly by the city from any lot or single parcel of property. The approximate capacity of the trailers being used by the city for such purposes is 25 cubic yards.

**Sec. 15-39. - Special trash collection fees.**

- (a) The following customers who require special trash pickups will pay a \$150.00 fee:
  - (1) Customers who need pickup of materials which are not normally picked up by the city, such as tires, construction materials, etc., and any materials which have been used for pulpwood or logs.
  - (2) Customers who request immediate pickup and require crews to leave the service route in order to service such special pickups.
  - (3) Tree surgeons, tree contractors, nurseries and pulpwood contractors may contact the city department of public works and make special arrangements in advance for their debris to be disposed of by city crews and equipment at a cost of \$150.00 per trailer load; however, priority will be given to residential pickups.
  - (4) Businesses who need more than one pick up per month.
- (b) New businesses during initial stocking will receive special pickup services free of charge.

§6. Sec. 15-54(a) of the Code is amended to read as follows:

**Sec. 15-54. - Collection charge.**

- (a) In order to defray the expenses of the collection and disposal of trash and of the maintenance of the general cleanliness and sanitation of the city, every commercial establishment which has an active city utility account shall pay a fee of \$12.50 per month.

\* \* \* \* \*

§7. Sec. 15-55(b) and (c) of the Code is amended to read as follows:

**Sec. 15-55. - Containers.**

\* \* \* \* \*

- (b) Unless otherwise provided, commercial garbage shall be kept in a 90-gallon wheeled container, such as the containers provided to residential customers, the business establishment will be allowed the opportunity to rent the container from the city for a fee of \$7.00 per month, plus \$15.00 per month for once-a-week collection.
- (c) Commercial businesses whose waste cannot be handled by the container methods set forth in this section, or because of the location of such business cannot accommodate a dumpster container, shall contact the department of public works for a special handling service.

§8. Sec. 15-57 of the Code is amended to read as follows:

**Sec. 15-57. - Dumpster service rates.**

Rates for commercial dumpster service shall be as follows:

Rent	Size	Pickups per Week	Collection Rate	Collection Rate Plus Rent
\$25.00 monthly	8 cu. yd.  1,616 gallons	1	\$ 50.00	\$ 75.00
		2	100.00	125.00
		3	150.00	175.00
		4	200.00	225.00
		5	250.00	275.00
		6	300.00	325.00
\$20.00 monthly	6 cu. yd.  1,216 gallons	1	40.00	60.00
		2	80.00	100.00
		3	120.00	140.00
		4	160.00	180.00
		5	200.00	220.00
		6	240.00	260.00
\$15.00 monthly	4 cu. yd.  800 gallons	1	30.00	45.00
		2	60.00	75.00
		3	90.00	105.00
		4	120.00	135.00
		5	150.00	165.00
		6	180.00	195.00
\$10.00 monthly	350 gallons	1	20.00	30.00
		2	40.00	50.00
\$7.00 monthly	90-gal.	2	15.00	22.00

§9. Sec. 15-73(b) of the Code is amended to read as follows:

**Sec. 15-73. - Removal of debris or garbage by the city.**

\* \* \* \* \*

(b) Nothing in this section shall be construed so as to prevent the imposition of a fine and/or imprisonment upon the tenant or owner for the failure to keep the garbage in a closed container, or to keep their respective premises free of garbage and other debris.

§10. Sec. 15-74 of the Code is amended to read as follows:

**Sec. 15-74. - Removal of weeds and grass by the city.**

- (a) Except where grass is grown for livestock or other commercial purposes, no person occupying any property within the city shall permit any grass or weeds exceeding a height of twelve inches to grow upon such property. If such weeds or grass are permitted to grow upon such property in excess of twelve inches, the city is authorized and empowered to cause the premises to be cleaned by cutting or destroying the weeds or grass. The charges, costs and expenses which may be incurred by the city for the cutting, destruction or removal of such growths shall be paid by the property owner. No such work shall be undertaken by the city until the owner of the lot, as shown on the last assessment roll of the city, has an opportunity to do the work himself within at least ten days after notice has been given to him by advertisement in the official journal of the city for two consecutive days, or after notice has been given to him by certified mail, addressed in accordance with the tax roll of the city.
- (b) If, after the cutting, destruction or removal of such weeds, grass or growths by the city and after due notice as provided in subsection (a) of this section, the costs or expenses of such cutting, destruction or removal has not been paid within ten days, the tax collector shall furnish the owner, as shown on the last assessment roll of the city, by certified mail, a written statement showing the costs or expenses incurred for the work, and the place or property on which the work was done. If the statement is not paid within one month, the amount of such statement shall be included in, and form part of, the taxes due by the owner of the property, and when such amount shall be collected, it shall be credited to the general fund of the city.

§11. Sec. 15-75 of the Code is amended to read as follows:

**Sec. 15-75. - Authority to fix cost.**

The Mayor and Board of Aldermen may from time to time fix or determine the amount to be charged an owner or occupant for services in keeping the premises free of garbage and other debris and/or cutting or destroying weeds or grass.

§12. Sec. 15-77 of the Code is amended to read as follows:

**Sec. 15-77. - Definitions.**

\* \* \* \* \*

Park means a park, reservation, playground, beach, recreation center or any public area within the city which is owned or used by the city and devoted to active or passive recreation.

\* \* \* \* \*

§13. Sec. 15-97(b) of the Code is amended to read as follows:

**Sec. 15-97. - Dumping of concrete and/or cement derivatives.**

\* \* \* \* \*

(b) No person shall clean a cement truck, thereby depositing concrete and/or cement derivative residue on the ground in or on any sewer drains, drainage canals, street gutters, culverts,

streets, roads, public rights-of-way, drainage ditches or any public property of the city, except in areas designated as a proper dumping site by the Public Works Director.

\* \* \* \* \*

§14. All other Ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance are hereby repealed. To the extent that any provision or provisions of this Ordinance are inconsistent or in conflict with any other provision of the Code of Ordinances or any regulations of the City, the provisions of this Ordinance shall be deemed to control.

§15. If any one or more of the provisions of this Ordinance shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance, but this Ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this Ordinance which validates or makes legal one or more of the provisions of this Ordinance, shall be deemed to apply to this Ordinance. To this end, the provisions of this Ordinance are hereby declared severable.

§16. This Ordinance shall become effective upon final adoption and publication of the same in the manner prescribed by law or on January 1, 2017, whichever last occurs.

This Ordinance was introduced on \_\_\_\_\_, 2016, by Alderman \_\_\_\_\_, Notice of Public Hearing was published on \_\_\_\_\_, 2016, and said public hearing having been held, the title having been read and the Ordinance considered, on motion to adopt, as amended, by Alderman \_\_\_\_\_, seconded by Alderman \_\_\_\_\_, a record vote was taken and the following result was had:

**YEA:**

**NAY:**

**ABSENT:**

**WHEREUPON**, the presiding officer declared the above Ordinance duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**ATTEST:**

\_\_\_\_\_  
**EMMETT GIBBS, CLERK**

\_\_\_\_\_  
**RONNY WALKER, MAYOR**