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ORDINANCE NO.: 2009-080

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina,
Chapter 19, Solid Waste Management, Article II, Collection and Disposal,
Sec. 19-31 Definitions, Multiple residential unit and
Sec. 19-41 Restrictions on collection, (g) Bulk containers for multiple dwelling units*

BE IT ORDAINED by the Mayor and Council this 19th day of August, 2009, that the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 19, Solid Waste Management, Article II, Collection and Disposal, Sec. 19-31 Definitions, Multiple residential unit and Sec. 19-41 Restrictions on collection, (g) Bulk containers for multiple dwelling units, are amended as follows:

Sec. 19-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ashes means refuse resulting from the burning of wood, coal, coke and other combustible material which has no live embers.

Bulk container means a container of not less than two cubic yards or larger than eight cubic yards. The container is to be of tight construction in order to secure the waste materials to prevent littering.

Garbage means refuse of animal or vegetable foodstuffs resulting from the handling, preparation, cooking and consumption of food.

Hazardous refuse means materials such as poison, acids, caustics, infected materials and explosives.

Industrial waste means all waste generated from manufacturing plants, factories, lumber mills, wholesale stores, bottling works, printing establishments and garages.

Litter means any quantity of garbage or rubbish not properly containerized for disposal.

Multiple residential units means any duplex, condominium, apartment or group of apartments used for dwelling places of more than one family.

Recyclable materials include but are not limited to aluminum, newsprint, glass (clear, green and amber) and plastic (polyethylene terephthalate and high density polyethylene), and such other materials as the council may identify from time to time.

Recyclables container means a plastic receptacle carrying identification of the city and whose design, construction and capacity shall be designed by the city. Recyclables containers shall be furnished by the city. Their use shall be primarily for single-family and multifamily dwellings of six or fewer units. Recyclables containers remain the property of the city.

Retail and commercial mean any office, retail store, restaurant, hotel, religious, charitable or governmental offices, or private clubs.

Roll cart means a plastic, wheeled refuse receptacle having a tightfitting attached lid carrying identification of the city and a designated serial number and whose design, construction and capacity shall be designed by the city. Roll carts shall be furnished by the city. Their use shall be primarily for single-family and multifamily dwellings of six or fewer units. Roll carts remain the property of the city.

Rubbish means all refuse other than garbage, ashes or dead animals incident to the ordinary conduct of the household or of retail business.

Single residential unit means any dwelling place occupied by one family.

Small dead animals means dead cats, dogs and other animals of similar size.

Sec. 19-41. Restrictions on collection.

(a) *Receptacles on streets or sidewalks.* All receptacles for business or commercial establishments shall be made available to the collectors not later than 7:00 p.m. All receptacles placed on city streets or sidewalks shall be removed not later than 9:00 a.m. following collection, and no receptacles shall be placed on any sidewalk or street between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday or between the hours of 10:00 p.m. Saturday through 6:00 p.m. Sunday.

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(b) *Bulk containers.* All bulk containers shall have the words "No Parking--Towing Enforced" or words of similar import in letters of not less than four inches in height in contrasting color painted on the approach side of the container. Parking enforcement shall be the responsibility of the recipient of collection services.

(c) *Hazardous refuse.* No hazardous materials shall be collected.

(d) *Dead animals.* Small dead animals will be collected without charge between 8:00 a.m. and 4:00 p.m. upon notification to the solid waste division and provided the body is in a location accessible to the collector. Owners of large dead animals shall be responsible for their removal and disposal.

(e) *Lot clearing.* No materials such as trees, shrubbery or underbrush resulting from land being cleared, either by order of the health department or otherwise, or from construction or demolition either resulting from order by the building official or otherwise, will be collected by the city without charge.

(f) *Commercial cutting.* The city will not collect without charge materials such as trees, shrubbery, underbrush, chips or sawdust resulting from commercial cutting operations. Commercial cutters, such as tree surgeons and landscapers, are required to dispose of waste produced by their operations promptly at no expense to the city.

(g) *Bulk containers for multiple residential units.* The owners of multiple residential units containing more than six units shall be required to furnish bulk containers for private collection service except that the City of Columbia will continue to provide bulk container service to those multiple residential units currently receiving such service which contain more than six units if more than fifty percent of the total units within the multiple residential unit complex or group are owner-occupied legal residences of the owners and are taxed on an assessment equal to four percent of the fair market value of the property.

The owners or the owners' representative shall submit a written request for continuation of such service to the Director of Public Works along with sufficient documentation proving that more than fifty percent of the total units within the multiple residential unit complex or group are owner-occupied legal residences of the owner(s) and are taxed on an assessment equal to four percent of the fair market value of the property. Waste not placed in such bulk containers must be disposed of by the owners of the property or persons responsible for the waste. Each day of failure to comply with this section shall constitute a separate offense.

(h) *Bulk containers for commercial and industrial users.* Commercial and industrial users shall provide bulk containers as required by regulation for private collection service.

(i) *Waste injurious to collection equipment.* Any solid waste item that has demonstrated by experience that it has a high probability of inflicting damage to the collection equipment used by the city may be excluded from the collection process.

This ordinance is effective as of September 1, 2009.

Requested by:

Public Works Director


MAYOR

Approved by:

Interim City Manager

Approved as to form:

City Attorney

ATTEST:

City Clerk

Introduced: 8/5/2009

Final Reading: 8/19/2009