

Chapter 100 SOLID WASTE*

***Editor's note:** Ord. No. 2007-17, adopted April 17, 2007, amended Ch. 100, §§ 100-1-100-10, in its entirety to read as herein set out. Former Ch. 100 pertained to the same subject matter and derived from Ord. No. 435, adopted Nov. 7, 1967.

Charter references: Municipal utilities, Ch. XIII.

Cross references: Buildings and building regulations, Ch. 30; fire prevention and protection, Ch. 45; mobile homes, Ch. 60; nuisances, Ch. 70; offenses, Ch. 75; parks and recreation, Ch. 80; sewers, Ch. 95; streets and sidewalks, Ch. 105; littering, § 5-9 et seq.; junk automobiles, § 115-76 et seq.

State law references: Municipal powers as to rubbish, § 31-15-401, C.R.S. 1973.

Sec. 100-1. Definitions.

For the purposes of this chapter, the following words and phrases are defined as follows:

Recycling materials means those materials, goods and items deemed as single-stream recycling by the city's designated recycling facility or those materials, goods and items deemed recyclable by other licensed collectors operating within the city.

Residential waste collection services means the collection and transportation of rubbish from sources other than industrial or commercial establishments or multifamily residences with eight (8) or more units or homeowner associations which provide their residents waste and recycling collection services.

Rubbish means any form of waste material, junk, garbage, trash, refuse, foreign substance or debris whatsoever.

Rubbish container means for those persons subject to the city's residential waste collection services a wheeled cart suitable for mechanical lifting with a lid for containing and setting out rubbish for collection in sizes of approximately 32-gallons, 64-gallons and/or 96-gallons. For all other persons "rubbish container" means a metal or other nonabsorbent container equipped with a tightly fitting metal or nonabsorbent lid.

Single-stream recycling collection services means the collection of single-stream recycling materials in a city provided single-stream recycling container. The collection, transport and deposit of the single-stream recycling materials at the city's designated recycling facility will be provided by the city, its contractor or city licensed operator.

Single-stream recycling container means a 96-gallon wheeled cart suitable for mechanical lifting with lid for containing and setting out single-stream recycling materials for collection.

Single-stream recycling means all forms of materials, goods and items that are approved for recycling at the city's designated recycling facility.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-2. Burial of rubbish.

It shall be unlawful for any person to bury rubbish anywhere within the city.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-3. Deposit of rubbish in water reclamation system.

It shall be unlawful for any person to deposit or cause to be deposited any rubbish in the city's water reclamation system and facilities as defined in the Code.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-4. Rubbish--Collection requirements.

(a) Prior to being deposited for collection, all rubbish shall be drained of liquid and be wrapped tightly and sealed in paper or plastic to prevent spillage.

(b) Rubbish containers for those subject to the city's residential waste collection services shall be provided by the city, its contractor or city-licensed operator as described in section 100-7.

(c) No person shall place, leave, deposit or dispose of any rubbish on any street, alley or other public place, or on any private property, unless the rubbish is wholly contained within a proper rubbish container for collection. Any accumulation of rubbish in violation of this chapter is declared to be a nuisance and is prohibited.

(d) Rubbish containers shall be kept off the street, curb, sidewalk and all other public ways, except on the scheduled day of collection, and then only for a maximum of twelve (12) hours before and twelve (12) hours after the scheduled time of collection.

(e) Household hazardous waste shall be disposed of as required by the Boulder County Household Hazardous Waste Collection Program.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-5. Recycling--Collection requirements.

(a) All recycling materials shall be drained of liquid before being deposited for collection.

(b) Single-stream recycling containers for those persons subject to the city's single-stream recycling services shall be provided by the city as described in section 100-8. Such containers shall be used only for collection of materials deemed recyclable by the city's designated recycling facility.

(c) No person shall place, leave, deposit or dispose of any recycling materials on any street, alley or other public place, or on any private property, unless the recycling materials are wholly contained within a single-stream recycling container or for those persons not subject to the city's single-stream recycling collection services a container approved by the collector. Any accumulation of recycling materials in violation of this chapter is declared to be a nuisance and is prohibited.

(d) Recycling containers shall be kept off the street, curb, sidewalk and all other public ways, except on the scheduled day of collection, and then only for a maximum of twelve (12) hours before and twelve (12) hours after the scheduled time of collection.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-6. Rubbish and recycling materials responsibility.

Rubbish and recycling materials shall be gathered, deposited, disposed of and placed in the manner provided for in this chapter by the owner, tenant, lessee or occupant of the property, or the agent or contractor of any of the foregoing, and each of the foregoing persons may be held jointly and severally liable for any violation of this chapter.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-7. City residential waste collection services.

- (a) The city, its contractors, or city-licensed operators shall furnish residential waste collection services as provided in this section for all residents within the city, except those specifically excluded in section 100-9.
- (b) All rubbish shall be placed in rubbish containers as provided in section 100-1 by the owner, tenant, or occupant of each residence. Containers shall be placed in the street or alley adjacent to each residence on a schedule as established by the city. If there is no adjacent alley, containers shall be placed on the street in front of the residence.
- (c) Bulk rubbish material as defined by the city shall be removed by private arrangement with the city's residential waste collection services provider or another licensed provider authorized to haul rubbish within the city, or by the resident in accordance with section 100-10. Neither the city, nor its contractors or licensed operators, shall have any obligation to collect or transport any rubbish not in a proper container or any containers not properly placed for collection.
- (d) It shall be unlawful for any person to set out or allow to be set out, deposited, or stored for collection any rubbish other than that which has accumulated from the regular residential use of the premises upon which such rubbish is set out, deposited, or stored for collection.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-8. City residential single-stream recycling collection services.

- (a) The city shall furnish residential single-stream recycling collection services as provided herein for all residents within the city, except those specifically excluded in section 100-9.
- (b) All single-stream recycling shall be placed in containers as defined in section 100-1 of this chapter by the owner, tenant, or occupant of each residence. Containers shall be placed in the street or alley adjacent to each residence on a schedule as established by the city. If there is no adjacent alley, containers shall be placed on the street in front of the residence.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-9. Premises excluded from service.

- (a) Except as otherwise provided in this chapter, the city shall not provide residential waste or single-stream recycling collection services to those premises requiring special equipment or containers.
- (b) All commercial, industrial, and multifamily premises containing eight (8) or more units are excluded from city residential waste collection service.
- (c) All homeowner associations that provide their residents waste and recycling collection services are excluded from the city residential waste and single-stream recycling collection services. Homeowner associations may, however, subject to the requirements set forth in this chapter, participate in the city's residential waste and single-stream recycling collection program.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-10. Rubbish hauling.

Nothing in this chapter shall prohibit any person from contracting for or hauling ones' own rubbish and recycling materials, providing it is collected and disposed of in conformity with all applicable city rules and regulations.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-11. Residential waste collection services fee.

(a) City council shall, by resolution, establish the fee to be imposed for residential waste collection services. The fee shall be imposed on all city residents receiving city water service not excluded from residential waste collection service pursuant to section 100-9, regardless of whether the city's residential waste collection services are actually utilized by such resident. The fee shall be billed in conjunction with the charge for city water service and such fee shall be due and payable at the same time and place as the charge for water service.

(b) The fee for residential waste collection services and the charge for water service are hereby declared to be parts of one (1) debt to the city insofar as the same affect any one (1) resident, and the refusal or failure to pay any part of such debt for any period of service shall be sufficient cause for the city to avail itself of any or all remedies as set forth and in accordance with the provisions of sections 120-61 and 120-62 of the Code.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-12. Residential single-stream collection services fee.

(a) City council shall, by resolution, establish the fee to be imposed for residential single-stream recycling collection services. The fee shall be imposed on all city residents receiving city water service not excluded from service pursuant to section 100-9, regardless of whether the city's residential single-stream recycling collection services are actually utilized by such resident. The fee shall be billed in conjunction with the charge for city water service, and such fee shall be due and payable at the same time and place as the charge for water service.

(b) The fee for residential single-stream recycling collection services and the charge for water service are hereby declared to be parts of one (1) debt to the city insofar as the same affect any one (1) resident, and the refusal or failure to pay any part of such debt for any period of service shall be sufficient cause for the city to avail itself of any or all remedies as set forth and in accordance with the provisions of sections 120-61 and 120-62 of the Code.

(Ord. No. 2007-17, § 1, 4-17-07)

Sec. 100-13 Residential waste collection services accounting and budgeting.

The finance director shall segregate residential waste and single-stream recycling collection service, expenses and revenues separate from the general fund expenditures and revenues and provide a general accounting for the expenditures and revenues. For each budget cycle, a projection of residential waste and single-stream recycling collection services expenditures and revenues shall be made as part of the city budget process.

(Ord. No. 2007-17, § 1, 4-17-07)