

CITY OF SPRINGFIELD, FLORIDA

ORDINANCE NO.: 377

IN ORDER TO PROVIDE FOR THE HEALTH, SAFETY AND WELL BEING OF THE CITIZENS OF SPRINGFIELD, FLORIDA; AN ORDINANCE AMENDING ORDINANCE 110, DELETING CERTAIN SECTIONS, ESTABLISHING DEFINITIONS, NEW GARBAGE COLLECTION STANDARDS AND REQUIREMENTS AND ESTABLISHING ENFORCEMENT PROCEDURES AND POLICIES; PROVIDING EFFECTIVE DATE AND REPEALER.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF SPRINGFIELD, FLORIDA that:

SECTION I. DEFINITIONS:

For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words immediately in the present tense include the future, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. **GARBAGE CONTAINER**- Shall mean a plastic or galvanized metal container of no more than thirty (30) gallon capacity specifically manufactured for and intended for use in discarding residential or commercial garbage and trash and including a lid or cover designed for securely closing and covering the base of the container.
- B. **GARBAGE**- Shall mean any waste accumulation of animal, fruit or vegetable matter used or intended for food or that accompanies the preparation, use, cooking, processing, handling or storage of meat, fish, fowl, fruit or vegetables or any other matter which is subject to decomposition, decay, putrefaction and the generation of offensive and noxious gases or odors or which, during or after decay may serve as breeding areas or feeding material for flies, insects or animals.
- C. **RESIDENTIAL GARBAGE**- Any waste defined as GARBAGE in this ordinance produced or accumulated and normally associated with a residence as commonly produced and accumulated by a residential household but excluding all body and animal excretion.
- D. **COMMERCIAL GARBAGE**- Shall mean all putrid and non putrid solid waste, including but not limited to garbage, trash, paper, boxes, rubbish, yard and garden trash and industrial garbage emanating from a commercial establishment but excluding all body and animal excretion.
- E. **TRASH**- Shall mean accumulations of paper, wooden or paper boxes

or containers, sweepings and all other accumulations of a nature other than garbage or yard trimmings, which are usual to housekeeping and the normal operation of stores, offices residences and business places.

- F. **TRIMMINGS**- Shall mean residue from trimming limbs from trees, shrubs, tree trunks, stumps, bark, grass and weeds not to exceed four (4) feet in length and/or four (4) inches in diameter.
- G. **BULKY YARD AND GARDEN WASTE**- Shall mean large tree or shrubbery cuttings, including but not limited to, limbs, logs, stumps, palm fronds, grass and weeds exceeding four (4) feet in length and/or four (4) inches in diameter.
- H. **BULK GARBAGE CONTAINER OR DUMPSTER**- Shall mean a factory-built, leak-proof, steel or aluminum bulk container for covered storage, capable of being handled as a unit by a hoist truck.
- I. **EXCAVATION, CONSTRUCTION AND DEMOLITION WASTES**- Shall mean shall mean building materials and rubble including, but not limited to, earth, stone, brick, concrete, cement blocks, flooring, lumber, plaster and other wastes resulting from construction, remodeling, repair or demolition of any building, pavement, structure, land clearing or excavation.
- J. **LITTER**- Shall mean all garbage, waste materials, sand, gravel, slag, bricks, concrete, cement blocks, rubbish, tin cans, bottles, trash, debris, dead animals, or any other discarded, used or unconsumed substance which is not handled in accordance with the provisions of this ordinance.
- K. **NUISANCE**- Shall mean the violation of any provision, in part or whole, of this ordinance. Such violations are hereby declared to be public nuisances and subject to abatement in accordance with this ordinance or any other existing or later created Springfield City Ordinance.
- L. **REFUSE**- Shall mean garbage and trash, all rubbish, paper, glass, metal and discarded matter which the last owner intends to abandon to the City for disposal, excluding dead animals, industrial wastes, body or animal wastes or abandoned vehicles.
- M. **RESIDENCE**- Shall mean structure of no more than four (4) dwelling units designed for occupancy of more or less permanent tenure including single family homes, garage apartments, duplexes, triplexes and quadruplexes. No distinction shall be drawn between dwelling units, the occupancy of which will be based on ownership, rental, lease, cooperative venture or any other means.
- N. **COMMERCIAL RESIDENCE**- Shall mean two or more multi-family

residential units including, but not limited to, multi-family units, apartments, townhouses, condominiums, public housing units, mobile home parks and mobile home lots geographically located on the same property.

- O. **RUBBISH**- Shall mean any nonputrescible solid wastes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, yard clippings, glass, crockery, excelsior, cloth or similar materials.
- P. **SANITARY NUISANCE**- Shall mean a condition created by a person, or the keeping, maintaining, propagation, existence or permitting of anything by a person which the health or lives of individuals may be threatened or impaired, or by which disease may be caused or transmitted.
- Q. **SPECIAL WASTES**- Shall mean those wastes which require extraordinary handling and management. They include but are not limited to abandoned vehicles, large appliances, tires, waste oil, sludge, dead animals, agricultural and industrial wastes, septic tank pumping, furniture and infectious and hazardous wastes.
- R. **UNAUTHORIZED ACCUMULATION**- Shall mean the accumulation of litter or garbage on residential or commercial properties in violation of the provisions of this ordinance or any Springfield City Ordinance. This shall not include building materials used in construction or repairing a structure or stored for future use in construction or repairs as long as the materials are stored in a reasonable manner and do not qualify as a nuisance under any Springfield City Ordinance.
- S. **HAZARDOUS WASTE**- Shall mean a solid waste identified by the Florida Department of Environmental Regulation as a hazardous waste in F.A.C., Ch. 17-30 including but not limited to: explosives, pathological wastes, radioactive materials, acidic, caustic, toxic, highly flammable chemicals, solutions or substances; infected materials; offal, fecal matter; or, sewage sludge.
- T. **INDUSTRIAL WASTES**- Shall mean all solid wastes which result from industrial processes and manufacturing operations such as factories, processing plants, repair and cleaning establishments, refineries and rendering plants.
- U. **INFECTIOUS WASTES**- Shall mean those wastes which may cause disease or which are reasonably suspected of harboring pathogenic organisms. Included are wastes resulting from the operation of medical clinics, hospitals and other facilities producing wastes which may consist of, but are not limited to diseased human or animal parts, contaminated bandages, pathological specimens, hypodermic needles, contaminated clothing and surgical gloves.

V. **WASTE OIL**- Shall mean all types of waste oils, including waste automotive lubricants, industrial waste oils and petroleum compounds.

W. **WHITE GOODS**- Shall mean inoperative and/or discarded refrigerators, ranges, washers, dryers, water heaters, residential air conditioners and other similar domestic and commercial appliances.

X. **WHITE GOODS WASTE**- Shall mean:

1. Discarded White Goods.
2. Discarded furniture, including, but not limited to, sofas, chairs mattresses, box springs and other household or commercial furniture and accessories.

Y. **VEHICLES, DERELICT**- Shall mean, in addition to abandoned or discarded; any vehicle that has been partially dismantled, is nonoperative or, being required by State law to be properly registered and licensed, is not so registered and licensed.

1. **Partially dismantled** shall mean; any doors removed, trunk lid, hood, tires (except temporarily for repair), all side windows, windshield or rear window removed; engine or transmission removed.

2. **Nonoperative** shall mean the vehicle cannot be operated under it's own power, without push or tow, excluding an empty gas tank, or that the vehicle cannot be operated on the streets of Florida under State, County or City laws or ordinances.

3. **Abandoned** shall include discarding or placing aside from it's intended use on private or public property, in view of the public or out of view.

4. **Antique or Collectable Vehicle** shall mean any vehicle which, under Florida Statute, qualifies for antique or collectable tags.

Z. **STOP ORDER**- Shall mean a written order by the City of Springfield to any and/or all parties concerned or involved in any actions which are reasonably believed to cause or lead to the violation of any City ordinance which presents a serious threat to the public health, safety or welfare or the violation is irreparable or irreversible in nature. Such notice shall serve as an order to immediately cease such actions and a violation of the Stop Order is hereby declared to be a violation in itself and separately from the original cause of it's issuance.

SECTION II NUISANCES, PROHIBITED ACTIVITIES AND MISCELLANEOUS.

MATTERS:

- A. No person shall dump or place or cause the dumping or placing of any garbage, trash, debris or any other discarded items or materials **from outside the City of Springfield** onto public, private or commercial property of Springfield, Florida or private or commercial property, with or without the permission of the property owner or occupant. The City of Springfield, in it's function of official City business, shall be exempt from this provision. Violation of this subsection is hereby declared to present a serious threat to the public health, safety and welfare, irreparable and irreversible in nature.
1. No resident, private or commercial, shall give **permission** to any person or business, from outside the City limits of Springfield, to dump or place any garbage, trash, debris or any other discarded items or materials on public or private property inside the City limits of Springfield with or without the intent to have the Public Works Department collect the materials for disposal.
  2. The *Code Inspector*, upon finding probable cause to believe that such violation has occurred, shall be authorized to proceed against the individuals responsible after reasonable attempt to give notice of intent to do so as per F.S. 162.06 (4), or by any other means as prescribed by law or Springfield City Ordinance.
- B. The placement or scattering of yard clippings, tree limbs and/or any other garbage or trash in or upon street gutters and/or street surfaces, whether paved or unpaved, is hereby declared to be a nuisance and a danger to storm drainage control and shall be prohibited. No person shall place any garbage or trash containers or receptacles over, in or near any storm drain or drainage ditch so as to cause or have the potential to cause interference with such drainage or result in any way to cause damage to such facility.
- C. No person shall dispose of, discard or cause to be disposed of or discarded, any hypodermic syringe, needle or any instrument or device for making hypodermic injections before first breaking, disassembling, destroying or otherwise rendering inoperable or incapable of reuse, such hypodermic syringe, needle, instrument or device and without safeguarding the disposal thereof, by wrapping or securing same in a suitable manner so as to avoid the possibility of causing injury to the collection personnel.

- D. It shall be unlawful for any person to remove, handle or otherwise disturb the garbage container or the contents which have been placed on City property for servicing by the sanitation Division, provided this section does not apply to the owner, occupant, lessee or tenant of the residence or dwelling so placing the container and contents.
- E.. **Collection personnel will not collect materials from private property or collect materials not properly placed for collection** as prescribed by this ordinance nor will they clean up, pick up or otherwise collect overflowed garbage from containers which were overfilled or improperly covered. This type of cleanup will be the responsibility of the resident.
- F. It shall be unlawful for any person to leave outside any building, in a place accessible by children, or inside any structure unattended and accessible to children, **any appliance, refrigerator or other container which has an airtight snap lock or similar device without first removing therefrom the lock or door.** This section shall not apply to any appliances, refrigerators or containers which have been placed on or adjacent to the rear of the building or private property and which has been crated, strapped or locked so as to make it impossible for a child to obtain access to any compartment thereof.
- G. **Scavenging-** No person other than the owner thereof or an agent or employee of the City on official business shall disturb or interfere with any container use for the purpose of storing garbage pending it's collection, or remove any contents therefrom or remove such container from it's location.
- H. **WHITE GOODS:**
1. **Appliances-** shall be collected separately from all other wastes and according to a schedule determined by the Public Works Director or his designee. A reasonable fee for collection of appliances considered outside the scope of normal household sanitation services may be charged. (See Section IV, B for price list.)
  2. **Appliances** will be placed for collection only after arrangements are made by contact, either in person or by phone, with the Department of Public Works for scheduling. Appliances will be collected within seven (7) days after scheduling arrangements have been made, at the location and as arranged. Appliances will be placed according to paragraph "F" above. Appliances improperly placed for collection are hereby declared a public nuisance

and are prohibited.

3. **Household furniture**- shall be placed for collection procedurally the same as appliances as stated above. An abnormal amount of furniture being placed for collection may also be subject to charges by the City as per Sect. IV, B.
- K. No person shall deposit on or bury in, or cause to be deposited on or buried in, any land, public square, street, alley, sidewalk, bridge or other public passageway, or any storm sewer, vacant or unoccupied lot or any lake, canal, creek or watercourse, any noxious, filthy, malodorous or offensive liquid or solid materials, garbage or rubbish. Nor will any person keep or cause to be kept any materials, garbage or rubbish anywhere within the City limits in any vessel, container or receptacle other than approved commercial or residential garbage containers which are collected regularly. Nothing in this provision shall prohibit private, backyard, nuisance free composting practices for home gardening purposes. No person shall burn or cause to be burned any garbage or waste anywhere within the City limits except as otherwise provided by law.
- L. Where strict application of this article is impossible or would create an undue hardship, the Director of Public Works may, at his discretion, authorize a variance from the strict application of this ordinance, subject to periodic review by his office.
1. The *Director of Public Works*, his designee or the *Code Inspector* may enter or go upon any premises for the purpose of making inspections for enforcing the provisions of this ordinance and state law, upon presentation of proper credentials in connection herewith.

SECTION III. COLLECTION PROCEDURES:

A. Residential collection:

1. Collection schedule and placement:

- a. Residential garbage shall be collected according to a schedule established by the Director of Public Works.
- b. Holiday collections will not be made on the following holidays or days on which they are observed:

New Years Day  
Fourth of July

Labor Day  
Thanksgiving Day  
Christmas Day

or other holidays specified by the Director of Public Works.

- c. State of emergency- If declared by a person authorized collections will be made according to emergency plans.

2. Preparation of residential garbage:

- a. Types of containers approved will be those defined under the "Definitions" section of this ordinance, "Garbage Container".

- b. Prohibited items in garbage containers:

1. Hazardous wastes
2. Paint and/or paint cans
3. Petroleum products
4. Combustible liquids
5. Liquids
6. Garbage containing liquids
7. Metals, excepting canned food containers
8. Commercial garbage
9. Bulky yard and garden wastes
10. Excavation, construction and demolition wastes
11. Special pick-up wastes

3. Placement for collection:

- a. All garbage, including garbage containers, rubbish, tree trimmings, hedge cuttings, etc. to be collected from residential areas shall be placed on the City right-of-way no more than three (3) feet from the street. No portion of the containers or other materials will be placed so as to be upon any street, paved or unpaved, in the traffic right-of-way. No containers or materials will be placed in such a manner as to cross the property line of one residence onto another.
- b. Any property, residential or commercial, not providing reasonable access by City equipment for the collection of trash, garbage or debris will be denied pick up unless such trash,



garbage or debris is placed at location accessible to the equipment. The driver of the equipment shall not enter property which does not provide adequate turn around space.

- c. Garbage, trash and other materials placed for collection will not be placed except immediately prior to collection, in no case more than six (6) hours prior to midnight the day before collection. Empty containers shall be removed from the street side before midnight of the day of collection.
- d. Garbage containers, when not placed for collection of garbage, must be stored on the side or rear of the residence, as much out of sight as possible. It shall be a violation of this ordinance to leave garbage containers sitting, fallen over or scattered about the premises of the owner in an "unsightly manner".
- e. Empty garbage and trash containers placed other than the times and manner prescribed in this ordinance are hereby declared to be a nuisance and the practice is prohibited.

#### 4. Containers:

- a. Occupants shall provide and maintain their own containers in good, serviceable condition. A maximum of three (3) containers of no more than thirty (30) gallon capacity each is permitted for each household. Split or broken and damaged containers which allow leakage or access by animals must be replaced immediately. The City of Springfield reserves the right to refuse collection from improper or unserviceable containers.
- b. All persons will be required to place all garbage into approved containers, as described in this ordinance. The containers must be covered with a lid as defined in this ordinance and the lid must be tightly fitted on the container.
- c. Plastic bags are not suitable containers for household garbage and if used must be placed inside an acceptable container.

- 1.) Plastic bags of appropriate durability

may be used and placed for pick up of yard trimmings such as short clippings, leaves and grass and chipped or shredded yard materials too volumous for garbage containers. No more than twelve(12) 30 gallon plastic bags containing acceptable waste will be collected.

2.) Leaves and grass placed for collection must be containerized or in closed plastic bags. The City will not pick up leaves and grass placed beside the street in piles.

d. Commercial residences shall be required to contract commercial dumpster service.

**SECTION IV. SPECIAL SERVICES:**

A. Although it is understood and acknowledged by the City that periodically citizens will replace items of appliances and household furniture and discard what has been replaced, it is imperative that the City establish some kind of control over the repeated necessity of collecting these type of items from the same addresses. *Special Services* procedures are hereby established in order to accomplish such controls and to provide for the handling of items defined as *White Goods* and *White Goods Wastes*.

**B. PROCEDURES FOR SPECIAL SERVICES:**

1. Whenever an occupant of a residence or commercial establishment has a need for collection of white goods or other special pick up items or materials they must first contact the Department of Public Works in person or by phone to make arrangements for such pick up.

a. The Department supervisor must be furnished with information describing the items or materials needing collection and the address involved. If it is necessary for the supervisor to visit the address in order to furnish a cost estimate he will do so as soon as practicable. A cost estimate may be necessary if the collection is beyond the normal scope of City collection.

b. A date will be established for the placement of the items or materials to be collected. Collection will be accomplished according to the arrangements made. Any placement of special services items or materials contrary

to this ordinance is declared a violation to the City and a violation of this ordinance.

2. Collections beyond the scope of normal City collection will be assessed charges according to the following schedule:

DEBRIS.....\$50.00 PER TON,  
\$50.00 MINIMUM

APPLIANCES:

Washer	5.00
Dryer	5.00
Dishwasher	5.00
Refrigerator	10.00
Freezer (no coolant)	10.00
Stove	5.00
Microwave	5.00
Water heater	5.00
TV's	5.00
Big screen TV's	20.00
Air conditioners, window, (no coolant)	10.00
Air conditioners, central, (no coolant)	20.00

MISCELLANEOUS ITEMS:

Waterbed mattress, any size	10.00
Box springs and mattress, twin size	5.00
Box springs and mattress, full size	10.00
Box springs and mattress, queen size	10.00
Box springs and mattress, king size	15.00
Sofa sleeper	10.00
Household furniture, per piece	5.00
Tires and rims, each	5.00

Rates may be changed by resolution of the City Commission. The City reserves the right to refuse any Special Service items.

*Items or materials placed for collection must be Separated into categories of:*

1. Construction/demolition debris such as Concrete, bricks, etc.
2. Wood and other grindables
3. Metals and items containing metals.

3. Whenever the Director of Public Works or his designee or the Code Inspector locates or finds a residence or commercial establishment in violation of this ordinance concerning the placement of special services items or materials for collection

notice will be served upon the violator by personal contact or written notice placed at the location in a conspicuous manner. The notice will advise the violator of the charges to be assessed by the City for collection of the items or materials in question.


- a. The occupant will have twenty-four (24) hours to remove the items or materials from the location and properly dispose of them or to accept the stated charges, whereupon the City will collect the items or materials and, if the violator is in good standing in payment of his/her utilities, shall bill the violator through his/her utilities. If the violator is not in good standing in payment of his/her utility bills the charges for the City collecting the items or materials must be paid in advance of such collection.
- b. After the twenty-four hour notice period has expired and having received no response from the violator the City will abate the nuisance at the owner's expense and bill such person through their utilities.
- c. Failure to pay such charges shall be deemed non payment of utilities and will result in disconnection or termination of utility services after proper notification by the Utilities Department.

**SECTION V. EFFECTIVE DATE AND REPEALER:**


This ordinance shall become effective upon passage. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict

**PASSED, APPROVED AND ADOPTED** in regular session of the City Commission this the 2nd, of NOVEMBER, 1998.

CITY OF SPRINGFIELD

  
\_\_\_\_\_  
JERRE DEASON, MAYOR

ATTEST:

  
\_\_\_\_\_  
CHARLES A. YAUTZ, CITY CLERK

First Reading: OCT 5, 1998  
Second Reading: NOV 2, 1998  
Date Published: \_\_\_\_\_

# Florida Freedom Newspapers, Inc.

PUBLISHERS OF THE NEWS HERALD  
Panama City, Bay County, Florida  
Published Daily

## State of Florida County of Bay

Before the undersigned authority appeared \_\_\_\_\_

KEN CARPENTER, who on oath says that (s)he

is ADVERTISING DIRECTOR of the News Herald, a daily

newspaper published at Panama City, in Bay County, Florida; that the attached copy

of advertisement, being a 2x10 retail display ad

in the matter of CITY OF SPRINGFIELD - ORDINANCE

#376

In the \_\_\_\_\_

Court, was published in said newspaper in the issues of SEPTEMBER 11 & 18, 1998

Affiant further says that the News Herald is a direct successor of the Panama City News and that this publication, together with its direct predecessor, has been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays), and that this publication together with its said predecessor, has been entered as a second class mail matter at the post office in Panama City in said Bay County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement, all in accordance with the provisions of section 49.03, Florida Statutes; and affiant further says that (s)he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

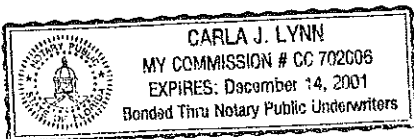
State of Florida  
County of Bay

Sworn to and subscribed before me this 1 day of OCTOBER,

A. D., 1998 by KEN CARPENTER, Advertising Director of The

News Herald, who is personally known to me or has produced \_\_\_\_\_

as identification.



Carla J. Lynn  
Notary Public, State of Florida at Large