

ORDINANCE NO. 564

AN ORDINANCE OF THE CITY OF SPRINGFIELD, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF ORDINANCES OF THE CITY FOR SOLID WASTE; AMENDING DEFINITIONS AND COLLECTION AND DISPOSAL STANDARDS; PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the types of trash and solid waste set out for collection relates to the health, safety, and welfare of the citizens of the City of Springfield; and

WHEREAS, the City Commission of the City of Springfield desires to amend Chapter 66 of the Springfield Code Ordinances, relating to solid waste.

NOW, THEREFORE, BE IT ENACTED by the people of the City of Springfield, Florida that:

SECTION 1. Amendment. Chapter 66 of the Code of Ordinances, City of Springfield, Florida, is hereby amended to read as follows (new text **bold and underlined**, deleted text ~~stricken~~):

ARTICLE I. - IN GENERAL

Sec. 66-1. - Purpose.

This article, adopted under the provisions and authority of the general laws of Florida, and the provisions hereof and all sections contained herein, shall be construed as having been adopted in the interest of the public health, safety and general welfare of the people of the city.

Sec. 66-2. - Definitions.

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

Appliance. Some examples are, but not limited to: clothes washers and dryers, dishwashers, water heaters, residential furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, freezers.

Bulky waste.

- (1) *Yard waste:* Large tree or shrubbery cuttings, including, but not limited to, tree limbs and logs exceeding ten inches in diameter and/or four feet in length, and ~~small all~~ tree stumps up to ten inches in diameter regardless of size.
- (2) *White goods waste:* Discarded appliances, including, but not limited to, stoves, refrigerators, washing machines, dryers, bathtubs, commodes and toilets.
- (3) *Household items:* Televisions, computers, small appliances, furniture, e-waste, white goods, etc.

(4) *Trash bags:* Plastic trash bags regardless of size, color and/or contents.

Cardboard means cardboard, paperboard or pasteboard boxes that have been broken down flat with all packing material removed and placed adjacent to the trash container.

Commercial establishment means any public or private place, building and/or enterprise devoted in whole or in part to a business enterprise, whether nonprofit or profit-making in nature including, but not limited to, hotels, motels, office buildings, stores, markets, theatres, hospitals, medical clinics, or other institutional buildings, but excluding any structure which constitutes a single-family dwelling unit as defined in this section. For the purposes of this article, "commercial establishment" shall include structures including ~~three~~four (4) or more dwelling units.

Commercial residential: Condominiums, patio houses, apartments four (4) or more units and other such facilities used for residential purposes are classified as commercial establishments unless declared otherwise by the city.

Commercial hauler means any person who owns, operates, or leases vehicles for the purpose of contracting to collect or transport solid waste and/or source-separated materials from residential, commercial, or industrial properties.

Commercial bulk container is commonly referred to as a dumpster, and means a container that is provided and/or authorized by the city for commercial garbage and trash disposal services.

Common area means any area used for placement of yard debris by one or more residents not on their own property.

Construction and demolition (C&D) waste means building materials and rubble including, but not limited to, earth, stone, brick, flooring, lumber, plaster, roofing and any other waste resulting from construction, remodeling, repair or demolition of any building, pavement or other structure. Such waste materials include trees; tree limbs and tree stumps generated by tree surgeons, landscape, and lawn maintenance contractors.

Contaminated yard and garden waste pile means any yard and garden waste pile containing material other than grass and leaves, tree limbs, palm fronds, and shrubbery cuttings incident to the care of lawn

Sec. 66-3. - Collection and disposal standards of private collectors and outside collectors.

- (a) *Requirements during construction.* Prior to the issuance of a building permit by the city building official for the extensive renovation or modification of a structure, or the construction of a new structure, provisions must be made for the on-site storage and handling of refuse. [The ~~e~~Director shall make the determination for on-site refuse handling due to a structure renovation or modification.]
- (b) *Procedures for removal of construction and demolition wastes.* Homeowner and/or property owners, builders, building contractors and construction tradesman and other contractors shall use city ~~provided~~franchised services when possible for removing from the site all excavation, construction and demolition wastes as defined in section 66-2 emanating from their work.
- (c) *Responsibility for removal of waste by producer.* It shall be unlawful for any person upon vacating or moving from any dwelling, storeroom or any other building situated within the corporate limits to fail to remove all garbage, rubbish and debris from such building and premise and grounds appurtenant thereto or to fail to place said waste in an approved sanitary container for disposal in accordance herewith. Failure of a renter, lessee, and/or tenant to comply with this requirement shall obligate the property owner of record or his designee to fulfill the responsibility of compliance with this article.
- (d) *Transportation over town streets.* Collectors of commercial refuse and collectors of refuse collected from outside the city desiring to haul over the streets of the city may do so provided they use vehicles designed or outfitted so as to prevent the refuse carried therein from being blown, dropped or spilled from said vehicle.

Sec. 66-4. - Prohibitions.

- (a) *Waste hazards.* Hazardous wastes, infectious wastes, septic tank wastes, or dead animals, shall not be placed in garbage cans, bags, or dumpsters for collection by the city.
- (b) *Unauthorized placement.* The placement or scattering of yard clippings, tree limbs and/or other refuse in or upon street gutters and/or the street surface, or drainage canal banks is hereby declared a nuisance and a danger to storm drainage control and shall be prohibited.
- (c) *Unauthorized accumulation.* Any accumulation of garbage, trash, and/or recyclable material on any premises in violation of this article is declared to be a nuisance and is prohibited. Failure to remove any such existing accumulation of garbage, trash, and/or recyclable material within 48 hours after due notice thereof shall be deemed a violation of this article. Upon repeated violations by a property owner using a ~~64~~96 gallon container, in addition to any other actions permitted by this chapter, Code Enforcement and/or Public Works Director~~the director~~ may require the property owner to add and additional~~switch to a~~ 96 gallon container.
- (d) *Public places.* No garbage, trash, recyclable material and/or yard and garden waste shall be stored in any public place at any time. No garbage, trash, recyclable material, or lawn and garden waste shall be stored upon any private property other than that owned or occupied by the individual. No common dumping areas are allowed on the public right-of-way.
- (e) *Location of residential garbage or trash container.* No residential garbage, trash, and/or recyclable material container shall be placed or maintained upon or adjacent to any street, sidewalk, parkway, front yard except as allowed by this article for the purposes of collection thereof. Disabled residents can receive "backdoor/walkup service" at regular curbside rates, provided that an able bodied person does not reside in the same residence. Proof of disability, age or infirmity must be presented at ~~e~~City ~~H~~Hall and the resident must be approved before this service is available.
- (f) *Burying.* No refuse, waste matter, rubbish or garbage, including, but not limited to, old buildings and structures, whether or not such materials are biodegradable, shall be buried on any parcel of private property within the city unless properly permitted by required agencies and the City of Springfield.

- (g) *Burning.* No person shall burn or cause to be burned any refuse or waste anywhere within the city limits, except as otherwise provided by law.
- (h) *Pilfering.* It shall be unlawful for any person not authorized to do so to open, remove, untie, or to interfere with the orderly and legitimate collection of any refuse container or to disturb or scatter refuse stored in containers placed for collection and disposal.
- (i) *Dead animals.* It shall be the responsibility of any person occupying property within the city upon which a dead animal is found, to notify the city director of public works immediately upon discovery of the dead animal. However, in no event will any person allow a dead animal to remain undisposed of on his/her premises for more than 12 hours.

Sec. 66-5. - Waste collection fees set by resolution of city commission.

The monthly bill for utility services sent to each utilities consumer for city water shall include a charge for solid waste removal (residential – 1 time per week service). This service shall include trash and garbage removal and shall be charged to the consumer at a rate prescribed by resolution of the city commission. If the utilities customer is a lessee of the premises serviced, or one other than the record owner thereof, the property owner of record shall be jointly responsible for the payment of the utilities that will include the fees for waste removal. if the property is commercial (business, trailer park, apartment 4 units or more) the owner of record shall be responsible for payment.

ARTICLE II. - RESIDENTIAL COLLECTION SERVICES

Sec. 66-6. - Exclusive collection by city.

The city or its contractors exclusively shall provide for the collection and disposal of all residential solid waste, garbage, trash, yard rubbish and cardboard.

Sec. 66-7. - Mandatory service.

Every single-family dwelling, duplex, and multifamily dwelling and all commercial establishments within the city, as defined in this chapter, shall subscribe for garbage, trash, yard and garden waste collection and disposal services from the city.

Sec. 66-8. - Provision of containers; location; collection schedule.

- (a) The city or its approved contractor shall provide each residential occupant with a 96 gallon container in which to deposit household garbage. The container shall be located at a point suitable to the occupant, but on collection days the occupant shall place the container curbside in the right-of-way of the ~~alley or roadway along the usual~~ collection route. The city shall notify all occupants of the collection days along the route. The occupant shall remove the container from the ~~alley or~~ roadway within 24 hours of collection by 5pm of the day of collection.
- (b) *Residential garbage.* The city, or its contractor, will collect garbage under the following conditions:
 - (1) Residential garbage shall be collected as set according to the current contract.
 - (2) Customers will utilize a ~~64 or~~ 96 gallon can and only those cans provided by the city or its contractors will be collected. Extra containers can be obtained but an extra monthly fee will apply.
 - (3) Garbage can may consist of paper, boxes, plastic, crockery, household and or kitchen waste.

- (4) Garbage must be placed into bags if the can is full.
- (c) *Yard rubbish/debris.*
- (1) Limbs must not exceed four feet in length and ten inches in diameter.
 - (2) Bushy limbs must be trimmed to lay flat.
 - (3) Yard rubbish piles may not exceed four foot wide by four foot high and eight foot long.
 - (4) Persons exceeding these limits must contact the city public works department to schedule a pick-up date and time for removal as a "special service" pick-up as provided herein.
 - (5) Yard rubbish must be placed on the right-of-way for pick up. But not upon the paved street, sidewalk, storm gutter or canal bank. The city will not be responsible for damage to sprinkler systems, sprinkler heads, water meters and other objects, including fences, gates and hedges, other plants and trees damaged due to yard trash being placed over or piled on or against such items as a result of being placed there for collection by the occupants and/or owner of the property.
 - (6) Yard rubbish or trash placed for collection in violation of any section of this chapter, including contaminated yard rubbish, shall receive a written notice posted at the residence stating that the occupant of the premises must remove same within 48 hours; if the occupant fails to remove the yard and garden wastes or trash, the city will pick up this accumulation which is in violation of this article and the occupant will be charged for a special pickup, including the cost of any sorting of materials/wastes which must be done. This special pickup fee will be added to the occupant's monthly utility bill. If there are no city utilities connected to the property an invoice will be sent to the owner.
 - (7) The city may collect yard rubbish following a storm or hurricane upon a schedule to be determined by the city.
- (d) *Bulky wastes.* (For example television, furniture (i.e. couches, mattresses, etc.) white goods, e-waste and any other large items).
- (1) Bulky wastes shall be collected separately from all other wastes. It is the responsibility of the person or business disposing of bulky wastes to request a special pick-up. Bulky wastes may not be placed on the right-of-way for pick up more than 24 hours prior to scheduled special pickup. If these items are placed for collection at any other time it will considered a violation and the owner will be subject to fines. Collection of bulky wastes is by special pick-up only.
 - (2) No refrigerator or freezer shall be placed for collection without removal of its door.
- (d) *Special pickups.* Special pickups must be coordinated with the resident and the public works department as to time, place, date and items to be picked up. A reasonable fee shall be charged for all special pickups, which fee shall bear a reasonable relationship to the volume, difficulty of collection, and other relevant factors.
- (1) Special pickup fees: To be set by contractor/city.

ARTICLE III. - COMMERCIAL COLLECTION SERVICES

Sec. 66-9. - Service required.

The city or its contactors shall provide for the collection and disposal of all solid wastes from commercial establishments. Service arrangements shall be approved by the city and all commercial garbage shall be collected according to the city's approved category of service. It shall be unlawful for the owner or occupant of any commercial establishment in the city to dispose of any solid waste except by subscribing to the city's collection disposal service.

Sec. 66-10. - Bulk containers, placement, contents, and collection schedule.

- (a) *Bulk containers.* Commercial businesses shall utilize a "city-or contractor provided" container. Based on need, volume and frequency of pickup, commercial customers may elect one (1) or two (2) 96-gallon cans or a two, four, six or eight cubic yard front/rear load dumpster containers. All dumpsters shall be obscured/placed in a wooden or block enclosure with locking gates ~~where possible~~. In the event a compaction system is used the city/contractor will charge the equivalent of three dumps for every pick up performed.
- (b) *Placement of containers.* It will be the responsibility of the property/business owner to provide a place for a dumpster to be located on the property at which the dumpster is assigned.

This location shall be approved by the director to insure there is enough room to safely operate necessary equipment.

- (c) *Contents of bulk containers.*
- (1) Hazardous wastes, infectious wastes and/or septic tank wastes as defined in this chapter shall not be placed in commercial bulk containers for collection. Substances in this class shall be disposed of as prescribed by the director of public works.
 - (2) Dead animals shall not be placed in bulk containers for regularly scheduled collection, but shall be disposed of in a manner prescribed herein.
 - (3) It will be the responsibility of the business owner to keep the area around the dumpster clean at all times. The city is not responsible for any unauthorized garbage or debris placed in or around an assigned dumpster. Dumpster lids are to be kept close at all times. A lock may be installed on the container at the business owners expense, but the city will at no time be responsible for the key or the locking device.
 - (4) No bulk container shall be so filled as to render impossible its complete closure.
- (d) *Collection schedule and place.*
- (1) All commercial garbage and trash shall be collected according to the city's approved category of service as established by the public works director or his designee; as established by the current waste collection contract.
 - (2) Commercial garbage and trash shall be placed in such location that the container can be easily serviced by the manpower and equipment making the collection. Commercial bulk containers shall be located on private property except as set forth above.

Sec. 66-11. - Penalty for violations.

Any person violating any of the provisions or failing to comply with any of the mandatory requirements of this chapter shall be subject to the following penalties:

First violation: Warning or up to \$250.00 fine.

Repeat violations: Can bring fines of up to \$500.00 fine amounts will vary upon severity and nature of offense.

SECTION 2. REPEALER

All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 3. SEVERABILITY


If any section, subsection or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. EFFECTIVE DATE

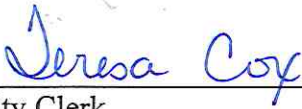
This Ordinance shall take effect upon its passage.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Commission of the City of Springfield, Florida, this 2nd day of March, 2020.

CITY OF SPRINGFIELD, FLORIDA

By: 
Ralph Hammond, Mayor

ATTEST:


City Clerk