



TOWN OF JEROME

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Founded 1876
Incorporated 1899

ORDINANCE NO. 441

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 9, "HEALTH AND SANITATION," OF THE JEROME TOWN CODE, REGARDING GARBAGE COLLECTION

WHEREAS, the Public Works Director has recommended that Chapter 9 of the Jerome Town Code be amended to limit the amount of garbage that will be collected, to require that it be bagged, and to prohibit the disposal of dead animals in household garbage or dumpsters; and

WHEREAS, the Town Manager has recommended that the Chapter be further amended to remove any listed fees and to refer instead to fees set by Resolution of Council, and to eliminate certain redundancies; and

WHEREAS, the Mayor and Council accept staff's recommendations, and desire to amend the Town Code accordingly;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Jerome, Yavapai County, Arizona, as follows:

Section 1. Section 9-2-1, "Preparation of Refuse," of Chapter 9, "Garbage," is hereby amended as follows (additions underlined, deletions in strikeout text):

Section 9-2-1 Preparation of Refuse

All refuse shall be prepared for collection or disposed of as follows:

- A. Garbage Containers. The customer shall furnish containers for the accumulation, storage, and collection of all garbage. Such containers shall be tightly covered and be of rust-resistant metal or plastic and shall have handles on the outside. Each shall be marked with either the account name or street address. The maximum capacity of each container shall not exceed 30 gallons and loaded for collection shall not exceed 40 pounds in weight. Such containers shall be kept in good repair and in a sanitary condition. Containers found to be no longer serviceable through disrepair or maintained in an unsanitary condition may be condemned by the Town for further use. Legal notice of such condemnation shall consist of a label or tag affixed to the container. Receptacles not placed in a satisfactory condition or replaced within 15 days of said notice may be removed and destroyed by the Town.

- B. Requirement to Bag All Garbage. All garbage placed for collection, including animal waste and cat litter, whether or not placed in containers, must be securely bagged. Heavy materials, such as cat litter, should be double-bagged to prevent tearing. Unless otherwise provided herein, any garbage placed for collection, whether in a container or not, that is not securely bagged will not be collected, and the property owner will need to arrange with the utility clerk for a special pickup and pay the associated fee, as set by Resolution of Council.
- C. Maximum Amount of Garbage to Be Placed for Collection. No more than three 30-gallon containers or the equivalent thereof in bags, will be collected from any one household on the day specified for collection. No bundle, container or bag shall exceed 40 pounds, and the total weight of garbage placed for collection shall not exceed 120 pounds. Any garbage placed for collection in excess of that limit will not be collected, and the property owner will need to arrange with the utility clerk for an unscheduled (special) garbage pickup and pay the associated fee, as set by Resolution of Council.
- B. Trash. Trash shall be placed in containers or tied in bundles by the customer and set out for collection. Containers may be garbage containers described above, or boxes not exceeding three square feet by four feet deep. In any event, the weight of a loaded container or bundle shall not exceed 40 pounds and the combined amount of trash and garbage placed for collection shall not exceed the equivalent of three 30-gallon containers, or 120 pounds. Customers wishing to retain disposal boxes should clearly mark the box "SAVE."
- C. Brush. Brush shall be cut into such a size that one person can readily load the individual pieces into a truck or chipper and shall be piled in neat order with all long branches parallel to one another, and shall have all metal or foreign materials removed to facilitate chipping.
- D. Appliances and Vehicles. The customer shall remove or cause to be removed all appliances, vehicles, or equipment classed as refuse from their premises or the public right of way.
- E. Building Materials. All owners, contractors, and builders of structures shall, upon the completion of any structure, gather up and haul away, at their sole cost and expense, all refuse of every nature, description or kind, which has resulted from the building of such structure, including all lumber scraps, shingles, plaster, brick, stone, concrete and other building material, and shall place the lot and all nearby premises utilized in such construction in a sightly condition. Residential customers may dispose of small amounts of building materials from time to time, providing it is placed in a container as described above and contains no concrete, masonry, or soil.
- F. By-products. Any commercial or manufacturing establishment which by the nature of its operations creates an unusual amount of by-product refuse may be required by the Town to dispose of its own wastes as opposed to having the Town provide the service.
- G. Dangerous Waste. The Town reserves the right to deny service for certain dangerous wastes and to require the customer to properly dispose of them by other means. NOTE: These materials can be very damaging and toxic to the environment. They should not be poured onto the ground or down the sink. Dangerous wastes are hereby defined as:
1. HOUSEHOLD HAZARDOUS WASTE (HHW): Any household product that is marked flammable, corrosive, explosive or poison, such as paints, varnishes, chemicals, pesticides, cleaners, and batteries. These items will not be picked up.
 2. BULK WASTE and E-WASTE (electronics): Appliances, furniture, mattresses, carpets, sinks, and other special handling items such as electronic items (computers, TVs, microwaves, copiers, cell phones, etc.). These items will not be picked up.

3. AUTOMOTIVE: Tires, car batteries, oil, and antifreeze. These items will not be picked up.
4. MEDICAL WASTE: Needles, bandages, and any other type of contaminated medical materials should be disposed of, if possible, through a professional disposal system or health care provider. If medical waste must be disposed of in household garbage, it must be first placed in a well-labeled, hard plastic screw top container, such as a sharps container or detergent bottle, before placing it in the trash.
5. PAINTS:
 - a. LATEX PAINT (water-based) only: Customers may dispose of small amounts of Latex paint if it is dried to a solid (80% minimum) using kitty litter, sawdust or dirt – not sand. It should be capped in its original container and labeled "solid."
 - b. OIL-BASED PAINT will not be picked up.

6. ANIMAL CADAVERS: No animal cadaver shall be placed in garbage containers, bags or dumpsters. Special arrangements should be made with the Public Works crew for removal of animal corpses.

- H. Soil and Concrete. Waste soil, concrete, masonry blocks, sod and rocks shall be disposed of by the owner, tenant, or occupant of the premises.

Section 2. Paragraph B. of Section 9-3-5, "Dumpsters," of Chapter 9, "Garbage," is hereby amended as follows (additions underlined, deletions in strikeout text):

- B. The Town of Jerome will NOT accept the following items in Type A, B, or C dumpsters: cement fragments, rocks, dirt, heavy construction materials, wood pieces longer than four feet, and sheetrock or construction sheeting larger than four feet by four feet. No dumpster shall hold more than one-half its capacity in wood, sheetrock, or construction sheeting. In the event that these items are in excess of one-half of the capacity, these items will carry an added surcharge in addition to rental fees and pick-up/emptying fees, all as set by Resolution of Council. ~~of two hundred dollars (\$200.00) per dumpster, per pick-up. This charge is in addition to the one hundred and twenty five dollar (\$125.00) rental and ninety five dollar (\$95.00) pick-up/emptying fees.~~

Section 3. Section 9-3-6, "Small Business and Residential Accounts Regulations," of Chapter 9, "Garbage," is hereby amended as follows (additions underlined, deletions in strikeout text):

Section 9-3-6 ~~Small Business And Residential Accounts Regulations~~ Requirement to Maintain Sanitation Account

~~A. Small business and residential sanitation accounts will supply trash can(s), marked with either account name or street address. These can(s) will be picked up/emptied one (1) time a week.~~

~~B. The Town's trash receptacles in the business district will continue to be for public use.~~

~~C. In accordance with OSHA requirements, no trash can, container, or barrel weighing over 40 pounds will be picked up by the Sanitation Department.~~

~~D.~~ Each residence and commercial business in the Town of Jerome shall have a sanitation account. All sanitation account holders shall be responsible for payment of sanitation fees, regardless of whether or not they choose to use the Town's trash collection service.

Section 4. Following its adoption, this Ordinance shall be published by the Town Clerk in accordance with the requirements of A.R.S. § 39-203 et seq.

Section 5. All ordinances or parts of ordinances that are in conflict with the provisions of this Ordinance are hereby repealed to the extent of their inconsistency herewith.

Section 6. Should any section or provision of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance, any provision incorporated by reference and any other provision of the Town Code as a whole or any part thereof other than the part so declared invalid.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF JEROME, YAVAPAI COUNTY, ARIZONA, THIS 9th DAY OF October, 2018.

Frank Vander Horst, Mayor

ATTEST:

APPROVED AS TO FORM:

Candace Gallagher, Town Manager/Clerk

William J. Sims, Esq.
Town Attorney

Date of first reading: 9/11/2018

Date of adoption: 10/9/18

Voting record at adoption:

	MOVED	SECONDED	AYE	NAY	ABSENT	ABSTAIN
BACHRACH			X			
BARBER			X			
CURRIER		x	X			
KINSELLA	x		X			
VANDER HORST			X			