

AN ORDINANCE AMENDING SECTION 32-3, THE CODE OF THE CITY OF AIKEN TO SET FORTH YARD REFUSE AND MATERIALS COLLECTION PROCEDURES AND RESPONSIBILITIES.

WHEREAS, it appears that modifications to the City Code, which would more specifically set forth the responsibilities of residents for yard refuse and other material collections, as they utilize City yard refuse and other materials collection services, would be beneficial; and,

WHEREAS, these proposed amendments to Sections 32-3, City of Aiken Code, are specifically set forth in Exhibit "A," which is attached to and incorporated by reference; and,

WHEREAS, the Aiken City Council has concluded that adoption of these proposed amendments to the Code of the City of Aiken is essential to the general health, safety, welfare, and economic stability of the City and is in the best interest of the its citizens;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF AIKEN HEREBY ORDAINS THAT:

Section 1: Sections 32-3 of the Code of the City of Aiken shall be amended to read as set forth in Exhibit "A" which is attached and incorporated by reference.

Section 2: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent necessary to give the provisions of this ordinance full force and effect.

Section 3: This ordinance shall become effective upon adoption by the Council of the City of Aiken.

ADOPTED by the Council of the City of Aiken at its regular meeting held this 10th day of February, 2020, at which a quorum was present and voting.

INTRODUCTION AND FIRST READING: December 9, 2019

SECOND READING AND ADOPTION: February 10, 2020

CITY OF AIKEN, SOUTH CAROLINA

By: Rick N. Osbon
Its: Mayor

APPROVED:

ATTEST:

By: Gary Smith
Its: City Attorney

By: Sara B. Ridout
Its: City Clerk

Sec. 32-3. - Residential yard trash.

Residential yard trash is defined as the collection of vegetative materials from residential property. This type trash may include, but is not limited to, trimmings, tree branches, pine straw, leaves, and grass clippings. These items, created through normal and routine residential property maintenance, may be placed by residents beside the road right-of-way in front of the property they own for curb collection provided that:

- (1) Yard trash must be placed on or beside the paved portion of the right-of-way. In no event can this trash block the paved portion of the right-of-way. In no event can this trash be placed under utility lines or tree limbs with less than twenty feet of overhead clearance.
- (2) On an unpaved street, yard trash must be placed beside the traveled portion of the right-of-way, but not in it.
- (3) All yard trash must be placed either on owners' or tenants' property, or directly in front of and on the same side of the street as owners' or tenants' property. The City of Aiken is not responsible for the normal wear and tear to property associated with the collection of yard trash. No person shall place yard trash in front of, or on, property they do not own or lease from an owner. It shall be unlawful to place yard trash on, or within three feet of, the water meter, fire hydrant, or any other obstacle. Any damages to city equipment or infrastructure due to improper placement of yard debris may be charged to the customers' water account. When there is no active water account the charges may be levied on the owners' property taxes.
- (4) No person shall place yard trash in, or adjacent to, any public or private park, or parkway, in the city.
- (5) No person shall place yard trash in any location where it will cause a traffic hazard. If the trash as placed is deemed to be causing an unsafe condition by the public safety director, or his department designee, it may be removed by public services personnel and the resident may be charged in accordance with the prohibited material fee schedule in subsection (10).
- (6) Where utility lines, tree limbs, road configuration, or any other safety concern makes it impracticable to locate the yard trash pile either on owners' or tenants' property, or directly in front of and on the same side of the street as owners' or tenants' property, at the public services director's discretion, the City of Aiken may identify an alternate location. Such alternate locations may include but are not limited to community piles with neighboring property owners.
- (7) All limbs or other vegetative debris must be cut in lengths of six feet or less.
- (8) Yard trash piles are limited to one pile per property. The maximum length of a yard trash pile is twelve feet. Yard trash piles are required to be built into compact mounds that can be efficiently collected. The public services director, or his department designee, may determine if a yard trash pile requires modification by the property owner or tenant before being collected. During leaf season yard trash piles, consisting of predominately leaves, may exceed the twelve-foot maximum length. The public services director, or his department designee, will determine when leaf season begins and ends each year.
- (9) Yard trash piles that exceed either the maximum number per property or twelve feet in length are subject to additional fees in accordance with the special collections fee schedule. Special collection fees shall be set by city council in the annual budget process. The fees may be charged to the customers' water account. When there is no active water account the charges may be levied on the owners' property taxes.
- (11) Collection begins at 7:00 a.m. and all yard trash must be placed at the curb before that time.

- (12) Furniture, including but not limited to, box springs, chairs, tables, white goods (i.e., appliances), and metal goods shall be considered a special collection. These special collections must be scheduled with the public services department. Special collection fees shall be added to the monthly city water bill. When there is no active water account the charges may be levied on the owners' property taxes. Special collection fees shall be set by city council in the annual budget process. The cost to pick up unscheduled special collections shall be double the normal special collection fee.
- (13) No other materials, refuse, garbage, or waste may be mixed with residential yard trash for pickup. Railroad ties, landscaping timbers, treated lumber, any construction debris, building materials, lumber, brick, dirt, shingles, or any other similar materials shall be removed by the property owner. Tenants and property owners must ensure that debris left by any contractor is removed and properly disposed, whether by contractors, property owners, or tenants.

(Ord. No. 11142011A, § 1(Exh. A), 11-14-2011)