

**AN ORDINANCE REVISING CHAPTER 32 OF THE AIKEN CITY CODE
REGARDING GARBAGE DUMPSTER COLLECTION FOR THE HISTORIC
DOWNTOWN BUSINESS DISTRICT**

WHEREAS, the City of Aiken desires to revise Chapter 32 of the Aiken City Code to include Section 32-8 Historic Downtown Business District Dumpster Garbage Collection and Section 32-9 Downtown District Cardboard Dumpster Recycling to provide garbage collection for the historic downtown business district; and

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

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

Section 1: Chapter 32 of the Aiken City Code shall be revised to include Section 32-1 (h), Section 32-8, and Section 32-9 as set forth herein, to read as follows:

Sec. 32-1. – Solid waste in general.

- (h) The city, through its public services department, shall contract with a private company for the collection and disposal of dumpster garbage set forth in section 32-8 and dumpster cardboard recycling set forth in section 32-9 in the historic downtown business district. The historic downtown business district, as it pertains to this solid waste ordinance, will be defined as those businesses located within the city block bound by Laurens Street, Richland Avenue, Newberry Street and Park Avenue.

Sec. 32-8. – Historic Downtown Business District Dumpster Garbage Collection.

- (a) All businesses located in the historic downtown business district as defined in 32-1 (h) who are not covered as a small business garbage customer as defined in section 32-6 will pay a solid waste fee per month as set forth by city council in the annual budget process. This fee pays for the shared use of a garbage dumpster owned and maintained by the city which will be emptied on a regular basis by a private contractor.
- (b) The fee for this service shall be determined by the Public Services Director based upon the usage rates for each business pursuant to the fees set forth by city council in the annual budget process. Any appeals regarding the fees charged

may be submitted to the City Manager for review. The dumpster fees shall be included in the business's monthly water bill.

- (c) All businesses needing garbage dumpster service in the historic downtown business district as defined in section 32-1 (h) shall be required to use the garbage dumpsters owned and maintained by the City of Aiken.
- (d) All items may be disposed in the garbage dumpsters provided with the exception of cardboard pursuant to section 32-9, poisons, acids, caustics, medical waste, dead animals, explosives, automotive fluids, paints, pesticides, fertilizer, e-waste, any item that may contain hot live coals or fire, or any item that is prohibited by the Public Services Director.

Sec. 32-9. – Downtown District Cardboard Dumpster Recycling.

- (a) All businesses located in the downtown district as defined in 32-1 (h), that are not covered as a small business recycling customer in section 32-7, will pay a cardboard dumpster recycling fee per month. This fee pays for the business's shared use of a cardboard dumpster that is owned and maintained by the city and which will be emptied by a private contractor.
- (b) The fee for this cardboard dumpster service will be determined by the Public Services Director and will be based on the frequency of use. Any appeals regarding this frequency of use may be submitted to the City Manager for review. The cardboard dumpster fee will be charged on the business's monthly water bill.
- (c) All businesses needing cardboard dumpster service in the downtown district, as defined in 32-1 (h), shall use the city provided dumpsters. No other dumpsters may be used.
- (d) Cardboard is the only item that can be placed in the recycling dumpster. No other material may be placed in the recycling dumpster for collection, except for additional materials or objects that are approved by the Public Services Director.

Section 2: The Mayor shall be authorized to execute any and all instruments necessary to give this Ordinance full force and effect.

Section 3: 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 4: In the event any provision of this Ordinance, or any part thereof, or any application thereof to any person or circumstance, is for any reason held to be unconstitutional, or otherwise invalid or ineffective, by any court of competent jurisdiction on its face, or as applied, such holding shall not affect the validity of or effectiveness of the remaining provisions of this Ordinance, or any part of it, or any application of it to any person or circumstance. It is hereby declared to be in the legislative intent of the City Council that this Ordinance would have been adopted had such unconstitutional, invalid, or ineffective provisions not been included herein.

Section 5: 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 a regular meeting held this 24th day of June, 2013, at which a quorum was present and voting.

INTRODUCTION AND FIRST READING: June 10, 2013

SECOND READING AND ADOPTION: June 24, 2013

CITY OF AIKEN

BY: Fred B. Cavanaugh
ITS: Mayor

APPROVED:

ATTEST:

BY: Paige E. Tiffany
ITS: Attorney

BY: Sara B. Ridout
ITS: Clerk