

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, TO ENACT CERTAIN SECTIONS AND/OR SUBSECTIONS OF CHAPTER 32, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, AND FOR OTHER PURPOSES.**

**IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF BYRON, GEORGIA, THAT THE CITY OF BYRON, GEORGIA, ADOPTS, CHAPTER 32, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE CITY OF BYRON, GEORGIA, BY ENACTING THE FOLLOWING CHAPTERS, SECTIONS, AND/OR SUBSECTIONS:**

Chapter 32 of The Code of Byron, Georgia, shall hereby read as follows:

**Chapter 32 - SOLID WASTE**

**Sec. 32-1. - Definitions.**

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

*Collection personnel* means any individuals acting on behalf of the city, whether directly employed by the city or employed by contractors authorized or engaged by the city, to collect garbage.

*Commercial container* means a manufactured container suitable for emptying by mechanical equipment.

*Garbage* means food processing wastes or any household or residential waste having a putrescible component.

*Garbage container, garbage can and approved receptacle* mean a galvanized metal or durable plastic container specified in section 32-5, for the temporary storage of garbage.

*Refuse* means garbage and trash, collectively.

*Solid waste* means putrescible and nonputrescible wastes, except water-carried body waste, and includes garbage; rubbish consisting of paper, cartons, boxes, wood, tree branches, yard trimmings, furniture and appliances, metal, tin cans, glass, crockery, or dunnage; ashes; street refuse; dead animals; sewage sludges; animal manures; industrial wastes consisting of waste materials generated in industrial operations; residue from incineration; food processing wastes; demolition wastes; abandoned automobiles; dredging wastes; construction wastes; and any other waste material in a solid or semisolid state not otherwise defined in this chapter.

*Special handling waste* means bulky, hard-to-handle items, including but not limited to yard debris, appliances, construction materials, or other refuse which, because of its size, shape, weight, dangerous characteristics, or amount, cannot be handled by normal disposal methods.

*Trash* means animal, vegetable or mineral solid waste consisting of combustible and noncombustible material, including but not limited to paper, plastics, cardboard, wood, glass, crockery, and grass clippings and other yard debris.

*Trash container* means a durable container such as any metal, wood or plastic box, can, or waterproof bag.

**Sec. 32-2. - Collection and disposal by city; mandatory pickup for all citizens.**

- (a) The city shall be responsible for the collection and disposal of all garbage, trash, and refuse within the city, subject to the qualifications outlined in this chapter.

- (b) All households and businesses within the city limits shall have mandatory solid waste (garbage) collection.

**Sec. 32-3. - Permit required for private collectors.**

- (a) No person shall collect and dispose of or transport over the city streets any garbage, trash or other refuse without first obtaining a written permit from the city to do so. Commercial haulers shall obtain an occupation tax certificate before operating within the city.
- (b) Private contractors must discard materials/yard debris.

**Sec. 32-4. - Reserved.**

**Sec. 32-5. - Containers required; size; condition; condemnation when defective.**

- (a) Each household and each nonresidential establishment shall provide itself with sufficient garbage cans or approved receptacles to take care of a seven-day accumulation of garbage. The container for garbage shall be a watertight receptacle of not less than 15 gallons or more than 95 gallons' capacity each, of a solid and durable grade of material, and shall be provided with suitable handles or grips at the sides and equipped with a tightfitting cover equipped with a handle. The container shall not have any inside structures, such as inside bands and reinforcing angles, or anything within the container to prevent the free discharge of its contents.
- (b) Garbage containers shall be maintained in a physically sound and sanitary manner so as to not collect water or allow seepage or spillage of contents.
- (c) Garbage containers that have deteriorated to the extent of having sharp or jagged edges, capable of causing injury to the collection personnel, or to such an extent that the lid will not fit tightly or securely, or that it is not watertight, will be condemned by the city, at the discretion of the Director of Public Works, and the owner of such receptacle shall be notified by the superintendent of sanitation. Upon such notification, collection service may be refused and suspended until sufficient approved receptacles are provided.

**Sec. 32-6. - Preparation of garbage before deposit in container.**

All garbage shall be thoroughly drained of all liquid matter and well-wrapped in paper before being deposited in the garbage container.

**Sec. 32-7. - Location of containers.**

- (a) Garbage containers shall be placed at the curb for pickup by residents on the day prior to scheduled pickup after 4:00 p.m.
- (b) Containers shall be placed right-side up with the lids securely on.
- (c) Collection personnel shall return garbage containers to the curb from where they were picked up.
- (d) Garbage containers shall be removed from the curb by residents by 9:00 p.m. on the day of pickup.

**Sec. 32-8. - Special handling wastes; preparation for removal.**

- (a) Trash and rubbish shall be placed with the garbage in the prescribed containers whenever possible.

- (b) Trash and rubbish occurring in volume too great to be included with garbage may be placed in other types of containers, provided the containers when full do not exceed 50 pounds in weight and the trash contains no garbage.
- (c) Leaves and grass clippings will not be picked up by the city.
- (d) All branches, limbs, and shrubbery shall be cut into lengths of five feet or less and not over eight inches in diameter, and no single piece shall exceed 40 pounds in weight.
- (e) Other bulky or special handling wastes shall be prepared for movement and may remain in place until such time as arrangements can be made with the city for removal as provided for in sections 32-12 and 32-13.
- (f) Any items restricted by the city, its agents, authorized contractors, or the landfill will not be collected at any time.

**Sec. 32-9. - Container rack for nonresidential establishments.**

In addition to the requirements for containers as provided in sections 32-5 through 32-7, nonresidential establishments contracting with the city for solid waste management services shall construct a device which will prevent the disturbance of the containers and the scattering of debris by animals, natural elements, or other causes.

**Sec. 32-10. - Commercial containers.**

- (a) At the discretion of the city, its agents, and authorized contractors commercial containers may be placed in appropriate locations convenient to the establishments producing large quantities of refuse. In such cases, users may be required to share the use of such containers with other users nearby.
- (b) It will be the responsibility of each user of commercial containers to place all materials for disposal inside such containers, with bulky material flattened and broken down so that it will occupy the least possible volume. Each user shall close the doors of such containers after placing material inside and keep the area adjacent to it clean and free from litter.
- (c) The city, its agents, and authorized contractors are hereby granted full authority to designate the number and location of the commercial containers.
- (d) No vehicle shall be parked in such a manner that the commercial containers are not accessible to the collection truck during the hours designated for collection.

**Sec. 32-11. - Placement of paper cartons and boxes beside containers.**

All paper cartons or boxes deposited alongside of containers shall be torn down and flattened.

**Sec. 32-12. - Frequency of collection.**

- (a) The frequency of regular collection of garbage, trash, and refuse shall be one time per week for both residential and, except as otherwise provided, nonresidential establishments.
- (b) Additional collections shall be made by the city upon request or other agreements between the city and the parties served.
- (c) If inclement weather occurs which hampers or prevents the normal collection schedule from being maintained, the city shall make every effort to resume services as quickly as possible.

Sec. 32-13. - Schedules of collection charges.

- (a) In order to protect the health and general welfare of the citizens of the city and in order to defray the cost of providing solid waste management services in the area, a monthly charge is hereby fixed and assessed against the owners or occupants of every establishment receiving such services for which they shall be liable for payment.
- (b) Rates for solid waste management services shall be set by the city council by resolution and kept on file at city hall.
- (c) Commercial dumpsters. All businesses who desire this type of service may contract with any private collection agency licensed to do business within the city. All fees for service will be paid directly to the collecting agency.

Sec. 32-14. - Billing and collection of charges.

The monthly charge for solid waste management services for each premises to which the city supplies water service shall be billed and collected in the same manner and at the same time as utility services are billed and collected. For the purposes of this section, a residential premises is defined to be a single-family unit. Each additional family unit housed on a premises is to be billed separately for the fee designated in section 32-13.

Sec. 32-15. - Nonpayment of charges; termination of services.

Should any person liable for payment of the charges fixed and imposed in this chapter fail to pay the charges by the 20th day of each month, the account will be added to the delinquent list, incur an additional fee based on a rate schedule maintained and available at city hall, and the services will be subject to immediate termination. The Director of Public Works is authorized to issue an execution therefor against such person in the same manner provided for in cases of default in the payment of bills to the city.

Sec. 32-16. - Use of county landfill by city.

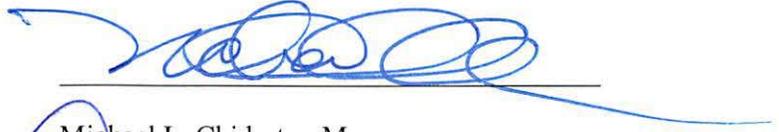
The city shall dispose of the solid waste collected by land filling at the state-approved and regulated site for such owned and operated by the county. All state and county regulations governing the use of such facility shall apply to the city and to residents of the city utilizing the facility.

Sec. 32-17. - Reserved.

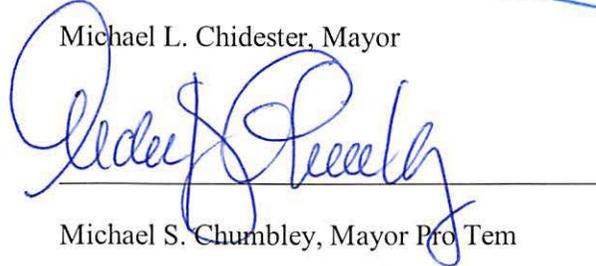
Sec. 32-18. - Reserved.

SO ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BYRON, GEORGIA, THIS  
14<sup>th</sup> DAY OF February, 2022

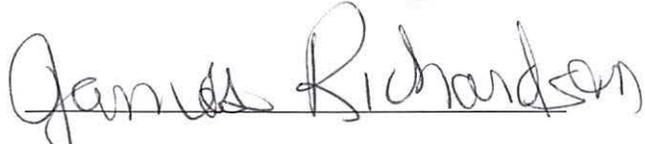
CITY OF BYRON, GEORGIA



Michael L. Chidester, Mayor



Michael S. Chumbley, Mayor Pro Tem



James Richardson, Council Member



Rusty Adams, Council Member



Alan C. Dorsey, Council Member

(absent)

Christopher C. Hodges, Council Member



Attest:



Telina Allred, City Clerk