

ORDINANCE NO. 2022

AN ORDINANCE OF THE CITY OF REDLANDS
AMENDING CHAPTERS 13.64, 13.68, 13.72,
13.76 AND 13.80 OF THE REDLANDS MUNICIPAL
CODE RELATING TO GARBAGE AND SOLID WASTE

THE CITY COUNCIL OF THE CITY OF REDLANDS does
ordain:

SECTION 1: Section 13.64.010 of the Redlands
Municipal Code is hereby amended to read as follows:

"13.64.010. Declaration of policy.

The accumulation, collection, removal,
and disposal of garbage and refuse must be
controlled by the City for the protection of
the public health, safety, and welfare. The
City Council finds that to give effective
practice to this policy, a comprehensive
system for the periodic collection, removal,
and disposal of garbage and refuse from all
premises in this City is essential, and
benefits all occupants of premises in this
City, and therefore, all such occupants are
made liable for the garbage and refuse charges
authorized under this Chapter."

SECTION 2: Section 13.64.050 of the Redlands Municipal Code is hereby amended to read as follows:

"13.64.050. Collector defined.

The word "collector" as used herein means an employee of the Solid Waste Division of the City or a collector authorized by the City Council of the City."

SECTION 3: Section 13.64.070 of the Redlands Municipal Code is hereby amended to read as follows:

"13.64.070. Manager defined.

The word "Manager" as used herein means the Solid Waste Systems Manager of the Solid Waste Division and the word "Division," when not otherwise qualified, refers to and means the Solid Waste Division of the City.

SECTION 4: Section 13.64.120 of the Redlands Municipal Code is hereby deleted.

SECTION 5: Section 13.64.130 of the Redlands Municipal Code is hereby amended to read as follows:

"13.64.130. Refuse defined.

"'Refuse' means garbage, rubbish and/or trash."

SECTION 6: Section 13.68.010 of the Redlands Municipal Code is hereby amended to read as follows:

"13.68.010. Exclusive jurisdiction of City.

A. The collection of all garbage and refuse within the City shall be performed by the City under the direction of the Solid Waste Systems Manager, and for such purposes the City may use City personnel provided, however, the City Manager may authorize any person to collect, remove, and dispose of garbage and refuse under such terms, conditions, and limitations deemed necessary in the interest of the public health, safety and welfare.

B. No person, nor the agents, servants, or employees thereof, shall collect garbage or refuse within the City without a written permit."

SECTION 7: Section 13.68.030 of the Redlands Municipal Code is hereby amended to read as follows:

"13.68.030. Failure to pay charges.

The Solid Waste Division shall include garbage and refuse disposal charges in the municipal services statement. Failure to pay any part of the municipal services statement, including the garbage and refuse charge, shall

result in the delinquency of such statement,
actionable as a civil debt to the City."

SECTION 8: Section 13.68.050 of the Redlands
Municipal Code is hereby amended to read as follows:

"13.68.050. Solid Waste Systems Manager--
Enforcement Authority.

The Solid Waste Systems Manager of the
City is specifically required to enforce the
provisions of this Chapter, and shall have the
right to inspect the exterior of all premises
for the purpose of determining sanitary
conditions and whether the provisions of this
Chapter are being observed. A person denying
or obstructing such inspections shall be
subject to the penalties herein provided."

SECTION 9: Section 13.68.060 of the Redlands
Municipal Code is hereby amended to read as follows:

"13.68.060. Unlawful to interfere with
collection.

It is unlawful for any person in any man-
ner to interfere with or obstruct the collec-
tion or disposal of garbage, refuse and
recyclables as herein provided."

SECTION 10: Section 13.72.010 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.010. Purpose.

For the purpose of regulating the collection of garbage, refuse and recyclables in the City, the rules and regulations set out in this Chapter shall be observed."

SECTION 11: Section 13.72.020 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.020. Unlawful deposits generally.

It is unlawful to deposit, keep, accumulate, permit, or cause any garbage or refuse to be deposited, kept, or accumulated in a condition which is offensive, unsightly, detrimental to public health or hazardous from fire upon any lot or parcel of land or any public or private place, street, land, alley or driveway, unless the same shall be in a container such as herein specified."

SECTION 12: Section 13.72.030 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.030. Unlawful to deposit refuse in streets or vacant lots.

It is unlawful for any person to place or deposit, or cause or permit to be placed or deposited, or to allow to remain in the street, alley, or right-of-way area adjacent to the premises occupied by such person any garbage, market refuse, ashes, waste construction materials, or other waste material of any kind, in, into, or upon any public street, avenue, alley, right-of-way, or other public place in the City, or in, into, or upon any vacant lot or vacant premises, or in or into any river or wash or in the bed thereof, except in the manner and for the purposes as may be permitted by this Chapter."

SECTION 13: Section 13.72.040 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.040. Use of City sanitary landfills.

No person, firm, or corporation shall be permitted to dump garbage or refuse at any place within the City. The City owned and operated sanitary landfill is for the exclusive use of the City except where authorization has been granted by the Solid Waste Systems Manager to allow for dumping and all users of the City's sanitary landfill shall

comply with all rules and regulations governing the use of sanitary landfills."

SECTION 14: Section 13.72.060 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.060. Removal of accumulation required.

A. Every person owning or occupying any building, lot, or premises in the City shall keep said property in a clean and sanitary condition and shall not cause or permit garbage or combustible refuse to collect or accumulate for more than one calendar week, or cause or permit any noncombustible refuse to accumulate for a period in excess of one calendar month; provided, however, that this provision shall not be construed to interfere with any occupant keeping building materials upon premises during the construction, reconstruction, or repair of a building or structure thereon under a current valid building permit, nor with the keeping of wood neatly piled upon such premises for household use.

B. In the event of the accumulation of refuse upon any private property, the Solid Waste Systems Manager is authorized to remove the same upon the payment of a service fee therefor in an amount equal to the costs of such removal."

SECTION 15: Section 13.72.070 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.070. The yard is to be kept in clean condition.

A. No person, either as an owner or occupant, shall permit or allow his yard or premises to be in an unclean or unwholesome condition, or so as to expose the buildings thereon, or other buildings, to destruction or damage by fire, or to permit any substance to be or remain thereon which may be injurious to public health, or offensive to the senses, or interfere with public comfort, or to permit an accumulation of refuse, stagnant water or filth of any kind to remain upon his yard or premises."

SECTION 16: Section 13.72.090 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.090. Receptacle placement-residential.

A. In portions of the City where an alley abuts the premises, all containers for collection except automated receptacles shall be placed adjacent to the alley as close as possible to a property line; provided, however, that where such placement is impracticable,

such container shall be placed for collection as directed by the Solid Waste Systems Manager with the approval of the City Manager.

B. Where there is no alley, all containers shall be placed for collection at a place adjoining the access way. Containers shall be placed as determined by the Solid Waste Systems Manager and the access way shall be so located and maintained as to be accessible for use by the Division. The collector may select an alternate means of ingress and egress to such container if the access way has been blocked for any reason."

C. Collection of refuse from Premises not serviced by automated collection shall be made from the place where containers are located on the property, provided the containers are freely accessible, are at the ground level or on a platform not more than thirty inches above the ground, are not in a hazardous condition and are not inside any dwelling, garage, or other building.

D. Automated receptacles shall be placed for collection at locations designated by the Solid Waste Systems Manager.

SECTION 17: Section 13.72.100 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.100 Receptacle placement--disputes.

In all cases of disputes or complaints arising from or concerning the place where solid waste receptacles from residential units shall be placed while awaiting the removal of their contents, the Solid Waste Systems Manager shall forthwith designate the place and his decision shall be final."

SECTION 18: Section 13.72.120B of the Redlands Municipal Code is hereby amended to read as follows:

"B. In all cases of disputes or complaints arising from or concerning the placement of bins or drop bodies, written notice shall be given to the City. In all cases of disputes or complaints, the Solid Waste Systems Manager shall forthwith designate the place and his decision shall be final."

SECTION 19: Section 13.72.130 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.130. Removal of containers after collection.

It shall be the duty of every person placing a garbage or refuse container for collection to remove such container immediately after the contents of the containers have been collected by the authorized collector of garbage or refuse for the City, and in any event, within 12 hours after such removal, and it shall be unlawful for any person to fail or refuse to perform such duty. Refuse containers shall be stored out of view from the street except during collection periods."

SECTION 20: Section 13.72.140 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.140. Unlawful placement of refuse.

It is unlawful for any person to place or transport any garbage or refuse to or on any other premises within the City unless authorized by the Solid Waste Systems Manager."

SECTION 21: Section 13.72.150 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.150. Placement in receptacle.

All garbage and refuse placed in receptacles to be returned for reuse shall be

placed loosely in said receptacles so as to insure ease of disposal."

SECTION 22: Section 13.72.160 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.160. Commercial receptacles - garbage.

All garbage created, produced, or accumulated at hotels, restaurants or other business establishments where refuse containing garbage is accumulated shall be drained and placed in plastic water-tight, heavy-duty bags prior to being placed in refuse receptacles for collection."

SECTION 23. Section 13.72.170 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.170. Commercial receptacles--boxes and cartons.

In every place where commercial collection bins or drop bodies are utilized, the occupant of adjoining property shall use only such receptacles and shall flatten or dismantle boxes or cartons of cardboard or other materials to provide the minimum volume of refuse in such receptacles."

SECTION 24: Section 13.72.180 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.180. Disposition of combustible refuse.

Except for refuse deposited in automatic containers, any combustible rubbish not capable of placement in a container as described in this Chapter may be placed for collection in the same manner and at the same places as designated for containers; provided, that it is prepared in the following manner: It shall be securely tied in bundles not heavier than thirty-five pounds, no more than four feet in length and eighteen inches in diameter. Crating material such as cardboard or plywood shall be broken down into sections whose dimensions who do not exceed eighteen inches in width, nor more than four feet in length."

SECTION 25: Section 13.72.190 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.190. Bundles.

A. Garden trimmings and other waste matter which cannot readily be placed in containers shall be tied in bundles not exceeding four feet in length or eighteen inches in diameter nor thirty-five pounds in weight.

B. Newspapers shall be tied in bundles or placed in containers, neither of which shall exceed fifty pounds in weight.

C. Notwithstanding any other provision of this Section, for those residences and businesses served by automatic receptacles, all garden trimmings, newspapers and other waste matter shall be deposited in such automatic receptacles.

SECTION 26: Section 13.72.200 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.200. Ashes.

Ashes shall be thoroughly moistened to prevent them from scattering and placed in a non-metal non-returnable container."

SECTION 27: Section 13.72.220 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.220. Offensive materials.

Dog droppings, sanitary napkins, disposable diapers and items which are unsanitary and offensive must be securely wrapped."

SECTION 28: Section 13.72.230 of the Redlands Municipal Code is hereby deleted.

SECTION 29: Section 13.72.260 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.260. Frequency of collection--generally.

All garbage and refuse shall be collected in accordance with Sections 13.72.270 and 13.72.280."

SECTION 30: Section 13.72.270 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.270. Frequency of collection--residential.

All residential units shall be collected a minimum of twice each week.

SECTION 31: Section 13.72.280 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.280. Frequency of collection--commercial.

All commercial establishments shall be collected a minimum of once each week, excepting those establishments that generate garbage, which shall be a minimum of twice each week. If a totally enclosed compactor unit is

utilized, frequency of collection will be based upon use; however, in no event shall collection periods be more than 14-day intervals. The Solid Waste Systems Manager may require a greater number of collections per week for commercial establishments as deemed necessary to comply with the provisions of this Chapter, when he deems it necessary or expedient for efficient handling, or for the protection of public health, safety and welfare."

SECTION 32: Section 13.72.290 of the Redlands Municipal Code is hereby amended to read as follows:

"13.72.290. Unlawful collection.

It is unlawful for any person to collect or transport refuse or recyclables within the City unless such person be a collector as herein defined, and it is unlawful for any person to permit, allow, or enter into any agreement whatsoever, for the collection or transportation of garbage and refuse with any person who is not a collector as herein defined."

SECTION 33: Section 13.76.010 of the Redlands Municipal Code is hereby deleted.

SECTION 34: Section 13.76.030 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.030. Residential containers--type.

Except for residences or businesses being served by automated receptacles, every person occupying or in possession of any premises in this City shall provide a portable receptacle for refuse. Each solid waste receptacle shall be tapered with a larger diameter at the top, of durable, heavy gauge metal, or plastic construction, water tight, and equipped with handles, and a tight fitting cover when used for garbage or for garbage combined with refuse. Further, each receptacle shall be so constructed as to prohibit the contents thereof to sift or pass through any opening except the top. Heavy duty plastic bags may be used as receptacles for garbage and refuse but will not be returned for reuse. The use of fifty-five gallon oil drums, grease drums or portions of such drums, and cardboard barrels is prohibited. Manageable, sturdy cardboard boxes may be used as receptacles

for refuse but will not be returned for reuse. All containers shall be free of sharp edges, splinters, protruding nails, or other conditions dangerous to collection personnel."

SECTION 35: Section 13.76.040 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.040. Residential containers--capacity and weight.

Except for automatic containers provided by the City, containers shall not exceed thirty-two gallons in capacity nor sixty-five pounds gross weight or twenty pounds empty. Containers to be returned for reuse shall be a minimum of twenty-five gallon capacity."

SECTION 36: Section 13.76.050 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.050. Residential containers--number.

Except for automatic containers provided by the City, each resident shall be limited to a maximum of three thirty-two gallon containers filled with any kind of garbage or refuse for a single collection and such additional refuse as described in Sections 13.72.180 and 13.72.190 hereof, that does not exceed one cubic yard."

SECTION 37: Section 13.76.060 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.060. Commercial containers--prescribed.

The Solid Waste Systems Manager shall prescribe several kinds of new or replacement garbage and refuse containers and covers in which garbage and refuse shall be placed and kept for collection. All customer-owned containers placed in service must have prior approval of the Solid Waste Systems Manager for compatibility with City equipment."

SECTION 38: Section 13.76.080 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.080. Commercial containers - cans.

Each refuse receptacle shall be tapered with a larger diameter at the top, of durable, heavy gauge metal, plastic, or pressed fiber construction, water-tight, equipped with handles and and tight fitting cover when used for garbage or for garbage combined with refuse. Heavy-duty plastic bags may be used as receptacles for garbage and refuse, but will not be returned for reuse. The use of 50-gallon oil drum or portions of such drums

or cardboard barrels is prohibited. Sturdy cardboard boxes may be used as receptacles for refuse, but will not be returned for reuse. All containers shall be free from sharp edges, splinters, protruding nails, or other conditions dangerous to collection personnel."

SECTION 39: Section 13.76.090 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.090. Commercial containers - capacity and weight.

Containers shall not exceed 32 gallons in capacity nor 65 pounds gross weight or 20 pounds empty. Containers to be returned for reuse shall be a minimum of 25 gallons capacity."

SECTION 40: Section 13.76.095 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.095. Automated refuse container fee.

A. As an alternate to regular refuse collection methods, an automated residential refuse collection system which requires specially designed refuse containers may be provided to selected areas in the City. In these areas, the City shall furnish the spe-

cial refuse containers and shall be reimbursed for the expense of the containers by a fee established by the City Council. The fee shall be collected by the Director of Building and Safety at the same time their fees are paid to the City for a building permit for each new single family dwelling unit constructed within the City. The fee shall be called the "refuse container fee."

B. The refuse container fee imposed by this section shall be deposited in a special fund and shall be used for the acquisition of specially designed refuse containers to be used by residents who live along those refuse collection routes. The Solid Waste Systems Manager shall be authorized to waive collection of the refuse container fee for locations which he determines to be inaccessible to the automated refuse collection equipment."

SECTION 41: Section 13.76.120 of the Redlands Municipal Code is hereby amended to read as follows:

"13.76.120. Roll-off drop boxes.

Roll-off drop boxes shall be no larger than forty cubic yards and must be compatible with city equipment."

SECTION 42: Section 13.76.140 is hereby added to the Redlands Municipal Code to read as follows:

"13.76.140. Compactors.

Compactors shall be equipped as to be serviceable from the staging area and shall be compatible with City equipment."

SECTION 43. Section 13.80.010 of the Redlands Municipal Code is hereby amended to read as follows:

"Section 13.80.010. Dumping and Burying.

No person shall dump, place, or deposit upon or bury in any lot, land, street, alley, water, or waterway within the City any garbage, refuse, or substance condemned by the County Health Department, or any other deleterious or offensive substances; provided, however, that this section shall not apply to any land used by the County or its agents as a public landfill."

SECTION 44: Section 13.80.020 of the Redlands Municipal Code is hereby amended to read as follows:

"13.80.020. Burning.

No garbage, manure or any refuse shall be burned in the open air within the City."

SECTION 45: Section 13.80.030 of the Redlands Municipal Code is hereby amended to read as follows:

"13.80.030. Scavenging.

When garbage refuse or recyclables is placed for the purpose of collection, it shall become the property of the City, and it shall be unlawful for any person other than an owner, lessee or occupant of the fronting or adjacent property, or a representative of the City, to remove or cause to be removed such refuse or recyclables whether the refuse or recyclables has been placed in regular containers or not."

SECTION 46: Section 13.80.060 of the Redlands Municipal Code is hereby amended to read as follows:

"13.80.060. Special hauls.

Refuse which cannot be disposed of through the regular collection service may be disposed of through the Division's special

haul service upon the payment of a service fee determined by the Solid Waste Systems Manager."

SECTION 47: Section 13.80.070 is hereby added to the Redlands Municipal Code as follows:

"Section 13.80.070. Handicapped/Disabled and Elderly persons.

After written application to and approval by the City's Solid Waste Systems Manager, handicapped/disabled and elderly persons may receive "set out - set back" service. The written application shall describe in detail the disability and/or other factors which require the applicant to receive "set out - set back" service. For those persons who are approved for "set out - set back" service, a blue area shall be marked on the curb and the service shall continue until terminated by the Solid Waste Systems Manager.

SECTION 48: Section 13.80.050 of the Redlands Municipal Code is hereby deleted.

SECTION 49: This ordinance shall be in force and take effect as provided by law.

SECTION 50: The City Clerk shall certify to the adoption of this ordinance and cause it to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in the City.

Mayor, City of Redlands,
California

ATTEST:

City Clerk

I, Lorrie Poyzer, City Clerk, City of Redlands,
hereby certify that the foregoing ordinance was duly adopted
by the City Council at a regular meeting thereof held on the
____ day of _____, 1989, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

City Clerk, City of Redlands