

ORDINANCE NO. 1246

AN ORDINANCE REGULATING THE DISPOSAL OF GARBAGE AND RUBBISH IN THE CITY OF REDLANDS, BY ADDING CHAPTER 39 TO THE REDLANDS ORDINANCE CODE, AND REPEALING ORDINANCE 1229 AND CHAPTER 36 PROVIDED THEREIN, EXCEPTING ARTICLE 366 AND ARTICLE 367.

THE CITY COUNCIL OF THE CITY OF REDLANDS does ordain as follows:

SECTION ONE: That the Redlands Ordinance Code be and is hereby amended by the addition of Chapter 39, including the following sections, which read as follows:

CHAPTER 39
GARBAGE AND RUBBISH

Article 390.	Definitions
391.	Accumulation and collection
392.	Transportation and charge for collection
393.	Containers
394.	Miscellaneous
395.	Yards
396.	Enforcement

Article 390

Definitions

3900. The word "Superintendent" as used herein means the Superintendent of the Disposal Department of the City of Redlands and the word "Department" when not otherwise qualified, refers to and means the Disposal Department of the City of Redlands.

3901. The word "Collector" as used herein means an employee of the Disposal Department of the City of Redlands or a collector authorized by the Mayor and the City Council of the City of Redlands.

3902. "Garbage" means and includes table refuse and offal, swill and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, fowl, fruits, all animal and vegetable refuse from kitchens, and all household waste that shall have been prepared for or intended to be used as food, or shall have resulted from the preparation of food.

3903. "Rubbish" shall mean all refuse other than garbage.

3903.1 Rubbish shall include but not be limited to crockery, bottles, metal vessels, pasteboard boxes, berry boxes, rags, paper, straw, sawdust, packing material, shavings, boxes and ashes.

3903.2 "Rubbish" shall not include earth, waste oil or silt from wash racks, bricks, stone, mortar or other similar debris. Disposal of such excluded debris shall be made in accordance with such rules and regulations as may be adopted by resolution of the City Council governing all collectors, as defined herein.

3904. "Dwelling" shall mean a residential building consisting of a single living unit.

3905. "Multiple Dwelling" shall mean a residential building consisting of more than one living unit, even where there is no more than one water meter on such premises.

Article 391

Accumulation and Collection

3910. Containers - It shall be unlawful for any person to keep, accumulate or permit to be kept or accumulated any garbage or rubbish in or upon any public or private place unless the same shall be in a container having a close-fitting cover such as herein specified, which container shall be closed at all times except when opened to be filled or emptied.

3911. Unlawful Deposit - It shall be unlawful to deposit, keep, accumulate, permit or cause any garbage or rubbish 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 on any public or private place, street, lane, alley or driveway, except as herein provided.

3912. Rules and Regulations - For the purpose of regulating the collection of garbage and rubbish in the City of Redlands, the following rules and regulations shall be observed:

3912.1 In portions of the City where an alley abuts the premises, all containers for collection shall be placed adjacent to the alley as close as possible to the property line; provided, however, that where such placement is impracticable, such containers shall be placed for collection as directed by the Disposal Superintendent with the approval of the City Manager.

3912.2 Where there is no alley, all containers shall be placed for collection at a place adjoining the private driveway as close to the rear of the residence as practicable. No container shall be more than fifty (50) feet from the driveway, and the driveway shall be so located and maintained as to be accessible for use by the department. The collector may select an alternate means of ingress and egress to such container if the driveway has been blocked for any reason.

3912.3 Each residence shall be limited to two thirty-two gallon containers of any kind of garbage or rubbish in each collection, unless such rubbish is entirely of a household nature. The combined weight of each container and its contents shall not exceed eighty (80) pounds. Disposal by any collector, as defined herein, when such weight limits are exceeded shall be made in accordance with special rules and regulations provided by resolution of the City Council.

3912.4 Wet garbage shall be drained and wrapped in paper and put in the container with other garbage and rubbish.

3912.5 No container shall be placed inside closed buildings or inside a gate which is not self-closing.

3912.6 It shall be unlawful to place, drop or spill garbage or rubbish of any kind on any premises, street, lane, alley or driveway within the City of Redlands.

3912.7 All garbage and rubbish receptacles at private dwellings shall be emptied at least twice a week (excepting those weeks with authorized departmental holidays); and all such garbage and rubbish shall be removed from the premises and disposed of in such manner as not to become a nuisance or menace, or danger to public health.

3912.8 No person, firm or corporation shall be permitted to dump garbage or rubbish at any place within the City of Redlands, excepting a dump designated by the City Council. Such persons, firms or corporations shall comply with all rules and regulations governing the use of dumps.

3913. Any owner or occupant of a residence who refuses means of ingress and egress necessary for any motorized equipment to collect garbage and rubbish shall be charged double the collection charge established for such service by the City Council of the City of Redlands.

Article 392

Transportation and Charge for Collection

3920. Transporting Garbage - All garbage shall be transported in containers or in vehicle bodies or compartments fitted with sliding or hinged covers, which shall be kept closed at all times except at the time while the vehicle is being loaded or emptied. All such containers, vehicle bodies and compartments shall be kept clean and have no leaks. No insects, including flies, shall be allowed to come into contact with garbage during such transportation.

3921. Transporting Rubbish - All rubbish shall be transported in containers and vehicles so constructed and equipped with covers as to prevent the contents from being dropped or blown from said vehicle.

3922. Unlawful Collection - It shall be unlawful for any person to collect or transport rubbish and garbage within the City of Redlands unless such person be a collector as herein defined; and it shall be unlawful for any person to permit, allow or enter into any agreement whatsoever, for the collection or transportation of rubbish and garbage with any person who is not a collector as herein defined.

3922.1 Trimmings - Trimmings from lawns, flower gardens, leaves and similar materials may be transported by the occupant or a person hired by the occupant.

3923. Fixing Charges and Rules - Monthly charges and rules and regulations for disposal service and collection, including nonresidential collection, shall be fixed from time to time by resolution or ordinance of the Mayor and the City Council. No premises used primarily for business purposes shall be either a dwelling or a multiple dwelling. Monthly charges established by ordinance or resolution of the City Council shall be a civil debt owing to the City of Redlands by the owner and any occupant or user of the premises. Proposed rates, rules, and regulations shall be published in a newspaper of general circulation in the City of Redlands once a week for three weeks prior to the effective date of such enactments.

3924. The Disposal Department shall include garbage and rubbish charges in the municipal services statement. Failure to pay any part of the municipal services statement, including the disposal charge, shall result in the delinquency of such statement, actionable as a civil debt to the City of Redlands.

Article 393

Containers

3930. Kinds of Containers - The Disposal Superintendent, with the approval of the City Manager, shall prescribe suitable kinds of new or replacement garbage and rubbish containers and covers in which garbage and rubbish shall be placed and kept for collection for other than residential use.

3931. Safe Surfaces - No container shall have irregular surfaces or be in a condition which is likley to cause injury to persons moving or lifting them.

3932. Size - The maximum size of a residential container shall be thirty-two (32) gallons.

3933. Construction of Containers - Each garbage container shall be constructed of substantial material of sufficient strength to resist breakage under ordinary conditions of use, and have a close-fitting cover which will prevent insects and flies from coming into contact with garbage. A handle to facilitate handling by the collector shall be installed on each garbage container.

3934. Condemnation - If this article is not fully complied with, the collector shall place a red tag on the container, and it shall be condemned as unfit for service. No collection shall be made therefrom until said container is fully repaired or replaced.

Article 394

Miscellaneous

3940. Burning or Burial - It shall be unlawful to burn or bury garbage within the City of Redlands at any time, unless a special permit for such burning or burial has been issued pursuant to authority conferred by the City Council.

3941. Sanitary Requirements - All containers used as required by this ordinance, shall be kept and maintained in a clean and sanitary condition at all times.

3942. City Property - All garbage and rubbish shall be the property of the City of Redlands following the authorized collection thereof as herein provided.

3943. Burning Rubbish - Hours - No person shall burn rubbish at any place within the City excepting between the hours of six (6) o'clock A.M. and eleven (11) o'clock A.M. of any day. This Section shall not authorize any burning of rubbish contrary to the regulations of the Air Pollution Control Officer of the County of San Bernardino.

3943.1 Incinerators - Rubbish shall be burned between the hours provided in Section 3943 in incinerators which are constructed so as to prevent emission of sparks and burning fragments of sufficient size to ignite buildings, structures, or adjoining combustible material.

3943.2 Green Vegetation - No green grass, tree trimmings, or other materials which smolder and are not readily consumed by fire shall be burned in incinerators.

3943.3 Special Permit - Rubbish, grass, tree trimmings and other combustible material may be burned only in areas designated by the Fire Department in accordance with such terms and conditions as the Fire Department may provide.

Article 395

Yards

3951. Keeping Yard in Clean Condition - No person, either as 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 rubbish, stagnant water, or filth of any kind to remain upon his yard or premises.

3952. Keeping Manure in Receptacles - No person in possession of or having charge or control of any premises, stable, barn, shed or corral, situated within the limits of this City, shall permit any manure to accumulate, or remain or be upon such premises, stable, barn, shed or corral, or within seventy-five (75) feet of any dwelling for a longer period than two days, unless the same be kept in a tight box or receptacle with a close-fitting top or cover, so constructed as to exclude all flies or insects.

Article 396

Enforcement

3960. Duty of Health Officer - The Health Officer of the City of Redlands shall enforce the provisions of this ordinance, inspect any and all premises for the purpose of determining sanitary conditions, and investigate whether the provisions of this ordinance or other health and sanitary requirements are being complied with. A person denying or obstructing such inspection shall be subject to the penalties herein provided.

3960.1 Enforcement by Disposal Superintendent - The Disposal Superintendent of the City of Redlands is hereby specifically required to enforce the provisions of this ordinance, and shall have right to inspect the exterior of all premises for the purpose of determining sanitary conditions, and whether the provisions of this ordinance are being observed. A person denying or obstructing such inspections shall be subject to the penalties herein provided.

3961. Interference with Collection - It shall be unlawful for any person in any manner to interfere with or obstruct the collection or disposal of garbage and rubbish as herein provided for.

3962. Penalty - Any person violating any of the provisions of this ordinance or wilfully non-complying with any of the terms, requirements or provisions contained herein, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine not to exceed Three Hundred Dollars (\$300.00), or by imprisonment in the County Jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

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

SECTION THREE. 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 of Redlands.

ATTEST:

Hazel M. Soper
City Clerk

/s/ Charles C. Parker
Charles C. Parker
Mayor of the City of Redlands

APPROVED FOR FORM:

s/ Edward F. Taylor
City Attorney

I, Hazel M. Soper, 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 18 day of February, 1964, by the following vote:

AYES: Councilmen Martinez, Wagner, Burroughs, Hartzell, Mayor Parker
NOES: None
ABSENT: None

Hazel M. Soper
City Clerk, City of Redlands