

## Chapter 240

### SOLID WASTE

Cross References — As to nuisances generally, ch. 225; as to littering generally, §215.530; as to littering on park property, §230.120.

**Section 240.010. Definition.** [R.O. 2012 §240.010; Ord. No. A-6410 §240.010, 12-10-1996]

For the purposes of this Chapter, the following term shall have the prescribed meaning:

**SOLID WASTE** — Garbage, refuse and other discarded materials including, but not limited to, solid and semi-solid waste materials resulting from industrial, commercial, agricultural, governmental and domestic activities, but does not include hazardous waste as defined in Sections 260.360 to 260.432, RSMo., recovered materials, overburden, rock, tailings, matte, slag or other waste material resulting from mining, milling or smelting.

**Section 240.020. Containers — Generally.** [R.O. 2012 §240.020; Ord. No. A-6410 §240.020, 12-10-1996]

- A. The City shall provide every owner, occupant, tenant or lessee occupying, in possession of, or using any dwelling, residence, apartment, household or other establishment, the normal use of which produces solid waste, a container suitable for the disposal of all solid waste. All solid waste shall be placed in said container for disposal. Such container shall be placed at curb side on the property on which the dwelling, residence, apartment, household or other establishment is located situated so that the City solid waste truck may pick up said solid waste container and dump same automatically.
- B. Said containers furnished by the City shall remain the property of the City. If said containers are removed from the premises or loss or stolen, the cost of the container will be added to the final utility bill and will be a debt of the customer to the City.

**Section 240.030. Containers — Tampering With, Overturning, Etc.** [R.O. 2012 §240.030; Ord. No. A-6410 §240.030, 12-10-1996]

It shall be unlawful for any person, except employees of the City acting on behalf of the City, to tamper with, overturn, remove or destroy said solid waste container.

**Section 240.040. Containers — Depositing Materials Other Than Solid Waste.** [R.O. 2012 §240.040; Ord. No. A-6410 §240.040, 12-10-1996]

It shall be unlawful for any person to deposit in a container from which solid waste is to be removed by the City any material other than solid waste. In case such materials are deposited, the City shall not be obligated to remove the contents of such container.

**Section 240.050. Limiting The Use of Solid Waste Collection Containers.** [R.O. 2012 §240.050; Ord. No. A-6429A §§1 — 3, 1-15-1997]

- A. It shall be unlawful for any owner, occupant, tenant or lessee occupying, in possession of or using any dwelling, residence, apartment, household or other establishment, to knowingly allow any other person, firm, corporation or other entity to place any solid waste in containers designed for disposal of solid waste for the purpose of collection and removal by the City, provided said solid waste is not generated at said dwelling, residence, apartment, household or other establishment.
- B. It shall be unlawful for any person, firm, corporation, or other entity to knowingly place any solid waste in any containers designed for disposal of solid waste for the purpose of collection and removal by the City, provided said solid waste is not generated at said dwelling, residence, apartment, household or other establishment.
- C. Any person, firm, corporation or other entity who shall violate the terms of either Subsection shall be guilty of an ordinance violation and shall be punished by a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) and/or not more than ten (10) days in the City Jail.

**Section 240.060. City To Have Exclusive Right and Privilege of Collection, Etc. — Collection Frequency.** [R.O. 2012 §240.060; Ord. No. A-6410 §240.050, 12-10-1996]

The City hereby reserves to itself the exclusive right and privilege of the collection, removal and disposition of all solid waste within the City limits. The City shall provide for the collection and removal by its employees of solid waste from residential premises at least once per week.

**Section 240.070. Unauthorized Collection, Transportation, Etc.** [R.O. 2012 §240.070; Ord. No. A-6410 §240.060, 12-10-1996]

It shall be unlawful for any person, except employees of the City acting on behalf of the City, to collect or remove any solid waste or to transport, haul or carry the same over the streets and alleys of the City.

**Section 240.080. Collection Charges — Generally.** [R.O. 2012 §240.080; Ord. No. A-6410 §240.070, 12-10-1996; Ord. No. A-7140 §§1 — 2, 3-26-2002; Ord. No. 7545 §§1 — 2, 3-29-2005; Ord. No. 7593 §1, 8-22-2005; Ord. No. 7824 §1, 2-4-2008]

- A. For the purpose of defraying the expense of the collection and removal of solid waste provided by this Chapter, there is hereby imposed upon each owner, occupant, tenant, lessee and any other person occupying or maintaining a premises where a dwelling, residence, apartment, household or other establishment covered by this Chapter as described in Section 240.020 is maintained a charge of fourteen dollars (\$14.00) per month per cart for customers age sixty-five (65) and older and a charge of sixteen dollars (\$16.00) per month per cart for customers under age sixty-five (65) for each separate dwelling residence, apartment, household or other establishment for which solid waste removal is provided. Customers currently receiving the reduced senior rates will automatically receive the new senior trash rate. The new rates will become effective on March 1, 2017, and billed on the April, 2017, utility billing cycle. [Ord. No. 8504 § 1, 2-21-2017]

- B. There will be an additional charge of one dollar (\$1.00) for each bag of trash not in carts per month. Stickers for extra bags of trash can be purchased from the collections office at City Hall.
- C. The period for such charges for such solid waste collection and removal shall be from the first (1st) to the last day of each month.
- D. Notwithstanding any other provision of this Chapter, no charge shall be made for any dwelling residence, apartment or household or other establishment remaining vacant or not occupied or used by any person for one (1) continuous billing period month, provided, that the person otherwise responsible for such charge gives notice in advance of such vacancy, non-occupancy or non-use.
- E. An additional charge of twenty dollars (\$20.00) will be made on the utility bill for each large appliance picked up such as washer, dryer, hot water tank, stove or any other item too large for the sanitation packer.

**Section 240.090. Collection Charges — Billing and Collection — Delinquent Penalty.** [R.O. 2012 §240.090; Ord. No. A-6410 §240.080, 12-10-1996; Ord. No. 7593 §1, 8-22-2005]

- A. It is hereby made the duty of the Billing Clerk to make the charge as established in Section 240.070 for solid waste collection and removal upon each owner, occupant, tenant, lessee and other person occupying or maintaining premises where a dwelling, residence, apartment, household or other establishment covered by this Chapter is maintained by incorporating the same in the monthly charges for electrical service provided at the premises where such dwelling, residence, apartment, household or other establishment covered by this Chapter is maintained. Such charge shall be included in advance in the monthly statement for such electrical service, and such charge for solid waste collection and removal shall be payable and paid in the same manner as payment is made of charges for such electrical service.
- B. If any owner, occupant, tenant, lessee or other person maintains a dwelling, residence, apartment, household or other establishment covered by this Chapter, which does not have electrical service, the Billing Clerk shall make a separate charge for such solid waste collection and removal and shall collect the same as provided in this Section.
- C. If any charge for solid waste service shall remain due and unpaid ten (10) days after notice thereof is mailed to the person by whom the same is to be paid, an additional charge of five percent (5%) of such solid waste service charge shall be added to the bill.

**Section 240.100. Depositing On Public or Private Property or in Bodies of Water, Other Than in Compliance With Chapter.** [R.O. 2012 §240.100; Ord. No. A-6410 §240.090, 12-10-1996]

It shall be unlawful for any person to deposit upon the streets, alleys or parking lots, in any stream or body of water, including Kelly Creek, or on any private property any solid waste, unless placed in a container as prescribed by this Chapter and in a place prescribed by this Chapter.

**Section 240.110. Allowing Accumulation So As To Cause Offensive Odor or Condition Dangerous**

**To Health or Safety.** [R.O. 2012 §240.110; Ord. No. A-6410 §240.100, 12-10-1996]

It shall be unlawful for any owner, occupant or other person maintaining any dwelling, residence, apartment, household or other establishment in the City to allow solid waste to accumulate thereon or to permit any putrid substance to accumulate so as to cause an offensive odor to be emitted therefrom or to cause a condition dangerous to the health or safety of any person.

**Section 240.120. Burning Trash, Etc., in Fire Limits.** [R.O. 2012 §240.120; Ord. No. A-6410 §240.110, 12-10-1996]

It shall be an ordinance violation for any person to burn trash, rubbish and waste materials of any kind within the fire limits prescribed by the City.

**Section 240.130. Burning Trash Anywhere in City Between Hours of 10:00 A.M. and 6:00 P.M. During Certain Months.** [R.O. 2012 §240.130; Ord. No. A-6410 §240.120, 12-10-1996]

- A. *Prohibited.* It shall be unlawful for any person to burn or cause to burn any trash of any kind within the corporate limits of the City of Monett at any time other than between the hours of 6:00 and 10:00 A.M. during the months of May, June, July, August and September.
- B. *"Trash" Defined.* For the purposes of this Section, the term "*trash*" is defined as all paper, rags, sawdust, waste materials, tree trimmings, grass, garbage, cans, bottles, boxes, wood shavings, animal or vegetable remains or trimmings and all other like or similar materials or substances.
- C. *Effect Of Section On Provisions Prohibiting Burning In Fire Limits.* Nothing in this Section shall alter or amend Section 240.120 or any other provisions of this Code or other ordinance of the City regulating or prohibiting burning of trash or other combustible materials in the fire limits or fire zone of the City.

**Section 240.140. Manure — Throwing or Depositing On Public or Private Property — Transportation.** [R.O. 2012 §240.140; Ord. No. A-6410 §240.130, 12-10-1996]

No manure shall be thrown upon or deposited in any alley, street or other public way or on any vacant lot; provided, that the scattering of manure on lawns or gardens for fertilization shall be permitted, if done in such a manner that it will not become offensive to the surrounding neighborhood. No manure shall be transported over the public streets or alleys in such a manner as to permit any portion of it to drop out, and no vehicle hauling manure shall be permitted to stand on any street, except for the purpose of loading or unloading.

**Section 240.150. Manure — Removal By Persons Driving Horses On Streets, Alleys or Public Ways.** [R.O. 2012 §240.150; Ord. No. A-6410 §240.140, 12-10-1996]

No person who shall drive any horse upon the streets, alleys or other public way in the City shall leave any manure deposited by such horse on such street, alley or public way, but shall remove same.

**Section 240.160. Fee Schedule For The Distribution of Mulch and Compost.** [R.O. 2012 §240.160; Ord. No. A-7039 §1, 5-21-2001; Ord. No. 7551, 4-27-2005]

- A. Citizens of Monett shall be charged ten dollars (\$10.00) for one (1) front loader scoop of either mulch or compost.
- B. Non-citizens of Monett shall be charged twenty dollars (\$20.00) for one (1) front loader scoop of either mulch or compost.