

## DIVISION 1. - GENERALLY

## Sec. 86-31. - Collection.

Garbage and rubbish will be collected at such times and pursuant to the rules and regulations established by the city manager or city council. Such rules and regulations shall be published in a newspaper of general circulation in the city at least once before such rules and regulations becomes effective, and as often thereafter as the city manager or city council deem expedient.

(Code 1983, § 2.9)

## Sec. 86-32. - Disposal arrangements; blight violation.

- (a) Every owner, lessor or agent of any building where garbage or rubbish accumulates shall arrange with the city manager or city council for garbage and rubbish collection, unless such property is provided with an installation adequate to dispose of all wastes, both garbage and rubbish, and approved by the city.
- (b) A person who violates any provision of this section is responsible for a blight violation, subject to payment of a civil fine as set forth in section 71-73. Repeat offenses under this section shall be subject to increased fines as set forth in section 71-73.

(Code 1983, § 2.10; Ord. No. 853, 4-15-1997; Ord. No. 1132, § 1, 9-21-2010)

## Sec. 86-33. - Commercial properties; blight violation.

- (a) No accumulation of garbage or rubbish from commercial manufacturing establishments shall be placed out for collection prior to the time specified by the city manager in rules and regulations for the collection of garbage and rubbish as promulgated by him, after approval by resolution of the city council from time to time, and published in a newspaper of general circulation within the city.
- (b) Receptacles for commercial garbage or rubbish shall be removed immediately following collection of such materials, if it has been placed out for collection. Receptacles shall have functioning lids that shall be kept closed so that the receptacles' contents are not visible to the public and so that the receptacles' contents cannot blow, drift, or drop from the receptacles.
- (c) A person who violates any provision of this section is responsible for a blight violation, subject to payment of a civil fine as set forth in section 71-73. Repeat offenses under this section shall be subject to increased fines as set forth in section 71-73.

(Code 1983, § 2.11; Ord. No. 853, 4-15-1997; Ord. No. 861, 8-26-1997; Ord. No. 1132, § 1, 9-21-2010; Ord. No. 1269, § 1, 4-19-2016)

**Cross reference— Businesses, ch. 22.**

## Sec. 86-34. - Residential properties; blight violation.

- (a) No accumulation of garbage or rubbish from residences shall be placed out for collection at the curb prior to 3:30 p.m. of the day preceding the designated collection day and all receptacles, and any remaining accumulation of trash and debris, must be taken in prior to 8:00 a.m. of the day following the day of collection and placed behind the building line and out of general view. In addition to a citation being issued, a warning tag will be left on the containers or items, and on the door of the residence. The warning tag shall notify the property owner and/or responsible tenant that if the violation is not corrected within 24 hours, the city's independent contractor will remove the remaining accumulation of trash and debris and the owner or responsible tenant shall be assessed the actual cost incurred, plus all other expenses (direct and indirect) to which the city has been put in connection with this infraction, to the extent allowed by law. During special events and peak times, no 24-hour warning tag will be issued and the city may remove the accumulated trash and debris immediately, and the owner or responsible tenant shall be assessed the actual cost of removal, plus all other expenses (direct and indirect) to which the city has been put in connection with this infraction, to the extent allowed by law.
- (b) Peak times, for the purposes of this section, shall be those established at section 86-51 of this Code.
- (c) For the purposes of this section, a special event shall include the following: The Heritage Festival, Frog Island Beer Festival, student move-in and move-out dates, the 4th of July Parade, Memorial Day Procession, and other special events as designated by the city manager, or by resolution of the city council. Events designated by the city manager or city council resolution shall be published in the newspaper seven days in advance of the event.
- (d) Landlords/property owners will be held responsible for violations of this section when:
- (1) The identity of the responsible tenant is not readily apparent or available (the identity of the tenant shall be readily available if the landlord/property owner has provided that information to the building department);
  - (2) The tenant is unavailable due to moving, vacation, or any other reason; or
  - (3) Repeat offenses occur at the same address.
- (e) A person who violates any provision of this section is responsible for a blight violation, subject to payment of a civil fine as set forth in section 71-73. Repeat offenses under this section shall be subject to increased fines as set forth in section 71-73.

(Code 1983, § 2.12; Ord. No. 853, 4-15-1997; Ord. No. 911, 3-21-2000; Ord. No. 955, 5-7-2002; Ord. No. 1132, § 1, 9-21-2010; Ord. No. 1269, § 1, 4-19-2016)

Sec. 86-35. - Multiple dwellings; blight violation.

- (a) The owners of multiple dwellings, which for the purpose of this section shall include buildings having two or more dwelling units which are not owner-occupied, shall furnish the refuse receptacles for each dwelling unit or such other receptacles as may be specified by the city manager in rules and regulations recommended by him to be modified from time to time by the city council and published in a newspaper of general circulation within the city.
- (b) Receptacles shall have functioning lids that shall be kept closed so that the receptacles' contents are not visible to the public and so that the receptacles' contents cannot blow, drift, or drop from the receptacles.
- (c) A person who violates any provision of this section is responsible for a blight violation, subject to payment of a civil fine as set forth in section 71-73. Repeat offenses under this section shall be subject to increased fines as set forth in section 71-73.

(Code 1983, § 2.13; Ord. No. 853, 4-15-1997; Ord. No. 861, 8-26-1997; Ord. No. 1132, § 1, 9-21-2010)

Secs. 86-36—86-50. - Reserved.