

ORDINANCE #66377
Board Bill No. 89

An ordinance to amend Ordinance No. 59121, approved April 10, 1984, as amended by Ordinance No. 60292, approved March 4, 1987, Ordinance No. 61760, approved December 27, 1989, and Ordinance No. 62276, approved March 3, 1991, and Ordinance 64116, approved on July 18, 1997, which said Ordinance No. 59121 as so amended is now codified as Chapter 11.02 of the Revised Code of the City of St. Louis, Missouri, 1994, Annotated, as amended, pertaining to Solid Waste; by amending Section Five of said Ordinance No. 59121 which pertains to the general storage and collection of refuse to prohibit scavenging of refuse containers and containers for recyclables at all times; containing an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. SECTION TWO. Section Five of Ordinance No. 59121, approved April 10, 1984, as amended by Ordinance No. 60292, approved March 4, 1987, Ordinance No. 61760, approved December 27, 1989, Ordinance No. 62276, approved March 3, 1991, Ordinance 64116 is hereby amended to read as follows:

Section Five. Storage and collection of refuse in general.

- (a) All refuse outside a structure shall be stored for collection in a refuse container as provided herein. Storage of refuse in containers not authorized by this section, for example, cardboard boxes or paper bags, is prohibited.
- (b) The following refuse containers may be used for storage of refuse:
 - (i) Such containers as are provided by the Commissioner of Refuse Collection; or
 - (ii) for residential premises:
 - A. Plastic, rubber, or metal non-disposable trash containers which have the following characteristics:
 - 1. Volume of not less than twenty gallon capacity and not more than thirty-two gallon capacity;
 - 2. Suitable handles so as to facilitate safe handling and lifting by collectors;
 - 3. Are free of sharp edges or of any other defect liable to harm or injure a collector;
 - 4. Lids which are tight fitting and have handles;
 - 5. Have printed or painted on the side of the container the address of the occupants of the premises storing refuse therein;
 - 6. Are not less than twenty-two inches in height and nineteen inches in diameter.
 - B. Plastic bags may be used for refuse of residential premises if they are of a sufficient thickness and strength to prevent tearing and ripping in normal use and are equipped with a tying device.
 - (iii) For nonresidential premises; a metal container having a capacity of one cubic yard or more, or if permitted by the Refuse Commissioner, not more than two containers permitted to be used for residential premises by subsection (ii), Part A of subsection (b) of this section.
- (c) All refuse containers shall be leak-proof and securely covered at all times.
- (d) All refuse containers shall be constructed and maintained so as to prevent the dispersal or release of refuse placed therein.
- (e) No prohibited refuse shall be placed in refuse containers from which the Refuse Division collects refuse at any time nor be collected by the Refuse Division. However, notwithstanding the provisions of this paragraph, nothing shall prevent the Refuse Commissioner from establishing special collections for major appliances, waste oil, tires, lead-acid batteries, yard waste, or other prohibited refuse. In the event that the Refuse Commissioner establishes such special collections, he shall promulgate regulations concerning the types of containers in which such items shall be placed, the manner in which they

shall be collected, and the time for such collection. No person shall dump or deposit yard waste in any refuse containers from which the Refuse Division collects refuse unless (i) the refuse container has been marked "yard waste only" by the Refuse Division or (ii) the yard waste is deposited into a City roll-out cart for a yard waste collection day designated by the Refuse Commissioner; provided, however, that the Refuse Commissioner is authorized to allow placement of yard waste in refuse containers from which the Refuse Division collects refuse in emergency situations.

- (f) Garbage shall be thoroughly and completely drained of all free liquid and wrapped securely before it is placed in a refuse container.
- (g) The owners and the occupants of any premises within the City, producing refuse, have joint and separate responsibility, unless the Refuse Commissioner provides containers for their refuse, for providing containers for the storage of refuse produced on the premises which comply with the requirements of this ordinance, and for the collection and disposal of such refuse in compliance with the provisions of this ordinance. No occupant of a dwelling unit within a building containing two or more dwelling units shall be responsible for providing refuse containers for, or for the storage, collection or disposal of, refuse produced by or in any dwelling unit other than the one he occupies.
- (h) The owner, lessee, tenant or occupant of any premises having an alley entrance shall place conspicuously at the alley entrance to such premises the house or street number thereof in figures not less than two inches high.
 - (i) Any refuse container not provided by the Refuse Commissioner from which the Refuse Commissioner collects refuse and which he determines to be nonusable shall be deemed to be refuse and subject to confiscation by the Commissioner after notice has been left for four days on such container, or at the premises of the apparent owner of such container.
- (j) Any refuse container not provided by the Refuse Commissioner from which the Refuse Commissioner collects refuse and which he determines to be nonusable shall be deemed to be refuse and subject to confiscation by the Commissioner after notice has been left for four days on such container, or at the premises of the apparent owner of such container. In no case shall the Refuse Commissioner confiscate any container clearly marked "free items for those in need," provided that any such containers meet all the requirements for such containers as provided in this ordinance.
- (k) Scavenging in or from any refuse container or in or from any container designated for recyclables is prohibited.
- (l) No person shall upset or cause to upset a refuse container, or dump items removed from a refuse container; on top of any such container; or on any alley, street, or public right-of-way within the City; or on private property within the City without the written permission of the property owner.

Approved: July 31, 2004