

TITLE 11
SOLID WASTE COLLECTION
AND REMOVAL

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11.01.101 Definitions

For the purposes of this chapter, the following terms, phrases, words, and their derivatives shall have the meaning given herein. When not consistent with the context, words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include words in the plural number. The word "shall" is always mandatory and not merely discretionary.

- a) "City means the City of Payson.
- b) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.
- c) "Garbage" shall be held to include and mean kitchen and table refuse, leavings and offal, swill, and also every accumulation of animal and vegetable and other matter that attends

the preparation, consumption, decay and dealing in or storage of meats, fish, fowls, birds, fruits and vegetables.

- d) "Waste Matter shall include and be held to mean crockery, bottles, tin cans, metal vessels, trimmings from lawns and gardens, pasteboard boxes, berry boxes, rags, paper, straw, sawdust, packing material, shavings, boxes, ashes, and all rubbish or other refuse.

11.01.020 Collection by City

All occupied property in Payson City shall be provided with waste removal services by the City beginning February 1, 1968 and charges for this service shall be made to the occupant or owner on their regular utility bill except as provided for in Section 11.01.220.

11.01.030 Application for Service

All applications for utility service shall include solid waste service. Applicants may apply for more than one residential container and pay the rate established pursuant to section 11.01.220. Commercial applicants shall apply for the size of container that best fits the needs of the applicant.

11.01.040 Collection Supervised by Superintendent of Solid Waste Department

All refuse accumulated in the city shall be collected, conveyed and disposed of by the city under the supervision of the superintendent of the Solid Waste Department of Payson City. The superintendent shall have the authority to make regulations concerning the days of collection, type and location of waste containers, and such other matters pertaining to the collection, conveyance and disposal as he shall find necessary, and to change and modify the same after notice as required by law, provided that such regulations are not contrary to the provisions hereof.

11.01.050 Appeals

Any person aggrieved by the regulations of the superintendent shall have the right of appeal to the City Council of Payson City, who shall have the authority to confirm, modify, or revoke any such regulation or fee.

11.01.060 Creation of Solid Waste Department and Office of Superintendent

There is hereby created a Solid Waste Department of Payson City, and the office of superintendent of said department. The Department shall be managed, operated and supervised by the superintendent appointed by the City Council of Payson City and under the direction of the City Manager. The City Council may authorize such other employees as may be required and necessary for the operation and maintenance of the department.

11.01.070 Duties of Superintendent

The superintendent shall have charge of the Solid Waste Department, and all property of the City used by said Department. The superintendent shall efficiently manage the system of collection and removal of garbage and waste matter in accordance with law, and under the direction of the City Council of Payson City.

11.01.080 Establishment and Collection of Charges

For the services of collecting and disposing of garbage and waste matter, the owner, attendant, or occupant of each place from which garbage or waste matter is collected by the city, or other authorized personnel and individuals, shall be charged such rates as may be established by resolution of the City Council of Payson City. Said charge shall be deemed to be a civil debt owing to Payson City from the occupants of said property. Payson City shall place said charges on the monthly utility bill and shall be collected, and accounted for, and used as provided by law.

11.01.090 Disposal of Garbage-Burning

- a) **USE OF SANITARY FILL.** No person, firm or corporation shall, for the purpose of final disposal thereof, dump, place, or bury in any lot, street, alley, gutter, land, or in any water or waterway, within the corporate limits of Payson City, any garbage or waste matter, as defined herein, or any substance condemned by the superintendent of the waste removal department, or any other deleterious or offensive substance, and all such substances must be disposed of at the Payson City landfill, or other approved landfill.
- b) **BURNING PROHIBITED.** No person, firm or corporation shall, for the purpose of final disposal thereof, burn in any lot, street,

alley, gutter or on any land, any garbage, deleterious, offensive or any substance condemned by the Solid Waste Superintendent. Any burning within the municipal limits of Payson City shall receive approval from the city fire chief.

11.01.100 Rules and Regulations

The superintendent of the Solid Waste Department of Payson City, subject to the approval of the City Council of Payson City, shall have the power to establish rules and regulations consistent with the provisions of state law and this chapter, governing the keeping, collection, removal and disposal of garbage and waste matter.

11.01.110 Collection of garbage and waste matter on Premises

No person owning or occupying any building, lot, or premises in the city shall suffer, allow or permit to collect and remain upon said lot or premises any garbage as defined in Section 11.01.010 (c) for a period of more than one week, or any waste matter as defined in Section 11.01.010(d) for a period of more than four weeks.

11.01.120 Containers to be Kept Clean

All garbage and waste matter containers shall be kept in a clean and sanitary condition by the owner or person using the same, and garbage containers shall be kept tightly covered at all times, except when garbage is being deposited therein or removed there from, and shall at all times be protected against the access by flies to the contents thereof.

11.01.130 Use of Containers

All garbage and waste matter shall be placed in the container or containers provided by Payson City.

11.01.140 Points of Collection

Points of collection may be established by the superintendent of the Solid Waste Department from time to time.

11.01.150 Frequency of Collection

- a) **Residential.** Refuse accumulated by residence shall be collected at least once each week.
- b) **Commercial, Industrial, and other business establishments** as deem it necessary may enter into an agreement for a greater frequency of collection. Where necessary to

protect the public health, the superintendent shall have the authority to require that more frequent collections be made.

11.01.160 Limitations of Quantity

Residential. The Solid Waste Department shall only collect accumulations of refuse that fit within the approved containers during a collection period for the charge established by resolution.

Commercial. The Solid Waste Department shall collect accumulations of refuse of Commercial, Industrial and other business establishments during the collection period or as established by agreement for the charge established by resolution.

11.01.170 Infectious or Flammable Refuse

CONTAGIOUS DISEASE REFUSE. The removal of wearing apparel, bedding, or other refuse from homes or other places where highly infectious or contagious diseases have prevailed should be performed under the supervision and direction of the city/county health officer. Such refuse shall not be placed in containers for regular collection.

11.01.180 Liquid Garbage

No liquid garbage shall be deposited with any garbage or waste matter. All kitchen garbage shall be drained of all moisture and completely wrapped in paper before being placed in the garbage container.

11.01.190 Inspection

The Solid Waste Department, or other duly authorized representative shall visit all premises within the municipal limits of the city from time to time to examine the sanitary conditions of each premise to determine whether the provisions of the chapter are being complied with. Upon notification by the Solid Waste Department, all persons, firms or corporations shall, within three days after notice, comply with the provisions of this chapter, or be deemed guilty of a class C misdemeanor.

11.01.200 Only Authorized Agents to Collect Garbage

It shall be unlawful for any person, firm, or corporation, other than the Solid Waste Department of Payson City, to collect, remove or dispose of garbage in Payson City. The provisions of this section shall not apply to any person transporting his own garbage and/or

waste matter to the landfill of Payson City, or the places outside the city limits.

11.01.210 Refuse Property of City

Ownership of refuse material set out for collection or deposited at the city landfill shall be vested in Payson City.

11.01.220 Fees and Rates

Fees and rates for collection of disposable refuse shall be determined and adopted by resolution of the City Council. The City Council of Payson City may, for good cause shown, exempt a person from garbage collection fees provided such person shall file a claim of exemption with the Payson City Recorder, who shall then submit all such claims to the City Council. The person shall be exempt from garbage fees for such time as determined by the City Council, providing sanitary practices prevail on the premises.

The City Council shall have the authority to waive fees for the C & D Landfill to individuals for the purpose of economic development and/or elimination of blighted buildings. Individuals must apply to the city council and show the public benefits the city receives by waiving the above stated fees. The City Council will only approve the request if the public benefit outweighs loss of revenue to the city.

11.01.230 Use of City Landfill

Any person may use the Payson City Landfill or other place of disposal established by the waste removal department providing said person shall comply with the rules and regulations as herein stated and as provided herein.

11.01.240 Penalty for Violations

Any violation of this chapter shall be deemed a Class C Misdemeanor