

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2007-19

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5 AN ORDINANCE

6 AMENDING CHAPTER 21, SFCC 1987 REGARDING SOLID WASTE COLLECTION  
7 REQUIREMENTS AND ENFORCEMENT PENALTIES.

8  
9 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

10 Section 1. Chapter 21 Title SFCC 1987 (being Code 1953, §10-1 – 10-12, as  
11 amended) is amended to read:

12 CHAPTER XXI SOLID WASTE

13 Section 2. Section 21-2.1 SFCC 1987 (being Ord. No. 1996-46, §3, as amended)  
14 is amended to amend the following definitions:

15 21-2.1 Definitions. As used in this section:

16 *Container* means:

17 A. city provided or customer owned receptacle that is designed for intermediate  
18 storage of solid waste and has a secure closing so as to prohibit animal destruction until such time  
19 refuse is collected; and

20 B. city provided or customer owned receptacles designed for the intermediate  
21 storage of recyclable materials.

22 *Dumping* means:

23 A. Disposing of solid waste or any other discarded material on property within the  
24 city which is private including but not limited to privately owned or controlled containers,  
25 parking lots and vacant lots;

1           B.       Disposing of solid waste or discarding any other items on a public place or on  
2 public property or facility which shall include, but is not limited to, the entire width between the  
3 boundary lines of every way publicly maintained for the purpose of vehicular travel or in public  
4 containers not intended for that purpose; or

5           C.       Allowing refuse to collect or accumulate on any privately owned lot or other  
6 premises within the city of Santa Fe.

7           *Infectious waste* means regulated medical waste. A limited class of substances that carry  
8 a probability risk of transmitting disease to humans, including but not limited to:

9           A.       Microbiological laboratory wastes, including cultures and stocks of infectious  
10 agents from clinic research and industrial laboratories, and disposable culture dishes and devices  
11 used to transfer, inoculate and mix cultures;

12          B.       Pathological wastes, including human or animal tissues, organs and body parts  
13 removed during surgery, autopsy or biopsy;

14          C.       Disposable equipment, instruments, utensils, and other disposable materials  
15 which require special precautions because of contamination by highly contagious diseases;

16          D.       Human blood and blood products, including waste blood, blood serum, and plasma;

17          E.       Used sharps, including used hypodermic needles, syringes, scalpel blades,  
18 Pasteur pipettes; and

19          F.       Contaminated animal carcasses, body parts and bedding, especially those  
20 intentionally exposed to pathogens in research, in the production of biological or in the “in vivo”  
21 testing of pharmaceuticals.

22           *Prohibited materials* means solid wastes listed as special waste by New Mexico Solid  
23 Waste Management Regulations 20 NMAC 9.1 700-711; or any items listed herein that can cause  
24 operational problems, damage to equipment, health risks to workers, adverse impacts to the  
25 environment, or any other solid waste that is listed that are not deemed acceptable for disposal or

- 1 recycling.
- 2 A. Asbestos wastes;
- 3 B. Ammunition or any items that have the ability to explode or cause injury when  
4 run over by heavy equipment and/or when exposed to an ignition source;
- 5 C. Animal wastes – horse, cattle and large animal manures and animal bedding  
6 mixed with large animal wastes;
- 7 D. Automobiles and large automobile parts, automobile or equipment lead-acid  
8 batteries, automobile parts containing or that contained fluids or liquids (gasoline tanks). Does not  
9 include tire rims that have been removed from tires;
- 10 E. Dead animals;
- 11 F. Explosives, fireworks, ammunition or any items that have the ability to explode  
12 or ignite when exposed to an ignition source;
- 13 G. Hazardous waste, as defined in this section;
- 14 H. Hot ashes, as defined in this section;
- 15 I. Regulated medical waste (infectious waste) from hospitals, clinics nursing  
16 homes, health maintenance organizations, doctor and dentist offices, blood plasma centers,  
17 laboratories, veterinary practices and hospitals or as specified in 20 NMAC 9.1 (706);
- 18 J. Concrete, roofing materials, asphalt or rock;
- 19 K. Liquids including sewage and septage and large quantities of frying fats and oils;
- 20 L. Petroleum or chemically contaminated soils
- 21 M. Pressurized cylinders;
- 22 N. Radioactive waste;
- 23 O. Sewage, septage and holding tank pumping;
- 24 P. Sludges; or
- 25 Q. Any other item as specified by federal, state or local regulation.

1           *Refuse bag* means a city provided or customer owned disposable plastic bag used for the  
2 intermediate storage of solid waste which shall be 1.5 mil thick and 33 gallon capacity.

3           *Scavenging* means the removal of any solid waste or recyclables from privately or  
4 publicly owned solid waste containers, refuse bags, solid waste facility, transfer station or landfill  
5 in a manner not authorized by the city.

6           **Section 3.       Section 21-3.1 SFCC 1987 (being Ord. No. 1996-46, §4) is amended**  
7 **to read:**

8           **21-3.1 Refuse Collection Authority.**

9           A.       The city and its duly authorized agents or employees shall have the exclusive  
10 right within the service area to collect or gather solid waste, with the exception of nonresidential  
11 recyclables, dead animals, construction and demolition debris, hazardous wastes and other such  
12 materials which the city is prohibited by law from collecting or disposing. No person or  
13 organization may sell within the service area any services for the systematic and routine  
14 collection, transportation or disposal of garbage, trash or refuse except for nonresidential  
15 recyclables, dead animals, construction and demolition debris, hazardous wastes and other such  
16 materials which the city is prohibited by law from collecting or disposing.

17           B.       The city and its duly authorized agents shall have the exclusive right to collect or  
18 gather residential curbside recyclables.

19           C.       The city reserves the right at any time to refuse to collect or receive waste, if, in  
20 the judgment of the city, such collection is deemed to be harmful, hazardous or in violation of  
21 city or state regulations governing type of waste, weight or waste constituents. The city shall  
22 inform the person responsible for such waste and shall require compliance with this chapter.

23           **Section 4.       Section 21-4.1 SFCC 1987 (being Ord. No. 1996-46, §5. as amended)**  
24 **is amended to read:**

25           **21-4.1 General Prohibitions.**

1 The following actions with regard to solid waste are hereby prohibited:

2 A. Burning.

3 B. Dumping.

4 C. Placing solid waste in any container or areas other than those specifically  
5 designated or approved by the city for collection or disposal.

6 D. Transporting solid waste to a solid waste facility without securing or covering the  
7 load so as to prevent leakage, littering, blowing, or other form of loss while in transit.

8 E. Scavenging.

9 F. Depositing of hot waste into any container, or enclosure designated for refuse  
10 collection.

11 G. Presenting to the city for disposal infectious waste, hazardous waste, flammable  
12 or explosive refuse, radioactive waste or other contaminated materials which by law or regulation  
13 shall be properly disposed by a specially licensed or equipped person or requires a solid waste  
14 facility specifically authorized for this purpose.

15 H. Placing prohibited materials, furniture, mattresses, large tree limbs, tires, engine  
16 parts, white goods, or other large items at the curbside, in containers, or in container enclosures  
17 for routine weekly collection.

18 I. Using container enclosures for storage.

19 **Section 5. Section 21-4.3 SFCC 1987 (being Ord. No. 1996-46, §5, as amended)**  
20 **is amended to read:**

21 **21-4.3 Conditions of Service - Residential Collection.**

22 A. Upon approval of the governing body, each residential curbside customer shall be  
23 provided with an annual supply of plastic bags in which to place refuse for collection. Such a  
24 supply shall be distributed in a manner and time period determined by the city.

25 B. For residential bag collection service, the customer shall use the plastic bags

1 provided by the city or use commercially available plastic refuse bags of at least 1.5 mil in  
2 thickness and 33 gallon capacity.

3 C. For residential automated collection service, the size and mil of the bags in the  
4 container are not mandated.

5 D. Customer shall keep all refuse and recycling within private property away from  
6 public view until the time when containers are placed at the curbside for city collection. All  
7 garbage shall be bagged including garbage placed inside a customer owned or city provided  
8 container. Bags placed outside of a container shall meet requirements in paragraph B. above.

9 E. Customer shall place refuse bags that are not inside a container by curbside only  
10 between the hours of 6:00 a.m. and 8:00 a.m. of the day designated for collection.

11 F. Customers shall place refuse containers and recycling containers by curbside  
12 between the hours of 6:00 p.m. the night before the designated day of collection and 8:00 a.m. on  
13 the day designated for collection. Refuse containers and recycling containers shall be removed  
14 from the curbside by 8:00 a.m. the day following the designated collection day.

15 G. Customers who receive automated collection shall place containers at a minimum  
16 of three feet (3') from any other object, including, refuse bags, recycling containers and other  
17 containers so that personal property or city equipment do not get damaged, or city collection  
18 personnel do not get injured.

19 H. Where a curb does not exist, refuse containers shall be placed on the property  
20 side, outside the traffic boundaries of the road. Carts shall be placed on a flat level surface. In  
21 other special situations outside of those described herein, the location in which refuse is placed  
22 for collection shall be determined by the city.

23 I. Bags shall be securely tied to avoid spillage. Cleaning of any spillage that occurs  
24 within public right of way as a result of improperly bagged or secured refuse or due to entry by  
25 animals shall be the responsibility of the customer.

1 J. Refuse bags placed for collection shall not exceed fifty (50) pounds. Containers  
2 shall not exceed two hundred (200) pounds.

3 K. Broken glass, cactus plants and other sharp objects shall be picked up only if  
4 placed in a separate refuse bags or containers and labeled accordingly. Refuse bags or containers  
5 shall not exceed twenty-five (25) pounds. Needles shall be placed in a puncture proof container  
6 with a screw top lid.

7 L. Pet waste shall be separated and double-bagged in refuse bags for placement on  
8 the curbside and shall not exceed twenty-five (25) pounds.

9 M. Tree limbs and other vegetative cuttings shall be tied in bundles no longer than  
10 four (4) feet and shall not exceed forty (40) pounds.

11 N. Items which do meet the conditions of this section shall remain the sole  
12 responsibility of the customer to dispose in accordance with this chapter.

13 **Section 6. Section 21-4.6 SFCC 1987 (being Ord. No. 1996-46, §5, as amended)**  
14 **is amended to read:**

15 **21-4.6 Conditions of Service – Commercial and Multi-Family.**

16 A. Customer service requests shall include the size and type of container to be used  
17 as well as the frequency of service. Request shall be made in writing on forms specified by the  
18 city.

19 B. The specific site and enclosure for the placement of any refuse container shall be  
20 consistent with the standards hereby adopted by reference and incorporated in this chapter as  
21 Exhibits A.1 and A.2\*.

22 C. Enclosures and containers shall be kept free of any blockage or obstruction.

23 D. Enclosures shall be used exclusively for the purpose of storing solid waste or  
24 recycling containers.

25 E. Locked enclosure gates shall be unlocked by customer on the day designated for

1 collection.

2 F. In the event a container or access to the container is blocked and the container  
3 cannot be emptied, a special service fee shall be assessed for a subsequent service visit.

4 G. During winter months, the area leading to the enclosure or container shall be kept  
5 clear of snow and ice at the customer's expense. The city shall, at its discretion, determine  
6 whether the snow and ice have been cleared sufficiently or service may be suspended.

7 H. The city shall not be responsible for damage to enclosures or containers that are  
8 not designed or constructed in accordance with standards in Exhibit A.1 and A.2 of this chapter.  
9 Service may be suspended for enclosures or containers that are in a state of disrepair which may  
10 cause unsafe conditions for the collection personnel. The city may relocate the container, or place  
11 an alternate type of container, without prior approval from the customer, if the city deems that the  
12 location of the container is unsafe and risks damage to private property, city property or injury to  
13 city collection personnel. Maintenance of the enclosure and privately-owned containers shall be  
14 the responsibility of the owner. Enclosures built after the date of adoption of this chapter shall  
15 fully comply with standards in Exhibit A.1 and A.2 of this chapter.

16 I. Containers shall be loaded so that the closed lid shall be level with the container's  
17 rim. Refuse spills around the container shall be cleaned by the customer. The city may require an  
18 increase in service frequency and/or container capacity as a condition of service where containers  
19 are routinely overfilled.

20 J. City-owned containers in need of repairs due to normal wear and tear shall be  
21 repaired or replaced at the city's discretion upon request of the customer.

22 K. Privately owned containers shall be the sole responsibility of the owner. Repairs  
23 of such containers shall be made within fifteen (15) days upon customer being notified by the city  
24 of the needed repairs. In the event that the needed repairs present endangerment to city employees  
25 or agents in the collection of waste, the city may suspend service until the container is repaired or

1 replaced.

2 L. Front loading and rear loading service shall be provided Monday through  
3 Saturday including holidays. In the event service will not be required on a holiday, the customer  
4 shall provide the city with advance notice of not less than one (1) city working day. Failure to  
5 notify the city shall result in charges to customer as if collection took place.

6 M. Roll-off service shall be provided Monday through Friday including holidays.  
7 Requests for temporary changes in collection scheduling shall be submitted to the city not less  
8 than one (1) week in advance of the requested change.

9 N. The customer or customer's representative shall complete a written request to the  
10 city for cancellations of service or to request long term or permanent changes in service.

11 O. Requests for additional special service may be made by phone to the city during  
12 normal business hours, within two (2) city working days of the requested date of service.

13 **Section 7. Section 21-4.7 SFCC 1987 (being Ord. No. 2001-15, §1, as amended)**  
14 **is amended to read:**

15 **21-4.7 Conditions of Service - Large Item Pick-up.**

16 A. Service for large item pick up is restricted to one customer per call. The  
17 customer shall only place items for pick up from that customer's household.

18 B. Any and all containers, including boxes and bags, shall be secured to avoid  
19 spillage, including leaves, grass clippings, etc. Containers and/or bundles shall not exceed 50  
20 pounds.

21 C. Tree limbs and other vegetative cuttings shall be tied in bundles no longer than  
22 four feet and shall not exceed fifty (50) pounds. Furniture items (couches, chairs, tables, desks,  
23 beds, mattresses, etc.) may be placed out for pick-up.

24 D. Construction debris shall be contained or bundled (plywood, boards, sheet rock,  
25 etc.). Containers shall not exceed fifty (50) pounds. Rocks, concrete, broken tile, etc. shall be

1 containerized and not exceed fifty (50) pounds..

2 E. Broken glass, cactus plants and other sharp objects shall be placed in separate  
3 cardboard boxes and labeled accordingly.

4 F. Syringes shall be placed in a puncture proof container with a screw top lid.

5 G. Appliances (refrigerators, stoves, freezers, washers, dryers, furnaces, swamp  
6 coolers, etc.) may be placed out for pick-up.

7 H. A maximum of two passenger car tires may be collected per residence per call.

8 I. Items shall be placed at the curb, free of obstructions, by 7:00 am on the day  
9 designated for collection.

10 J. In the event the service is no longer required, the customer shall provide the city  
11 with advance notice of not less than one (1) city working day. Failure to notify the city shall  
12 result in charges to the customer as if collection took place.

13 K. Customers whose account is delinquent for more than thirty (30) days shall not  
14 be eligible for large item pick-up service.

15 L. All items set out for collection shall be placed at a reasonable distance from all  
16 obstacles, including overhanging trees, wires, automobiles, fences, walls or mailboxes to prevent  
17 damage to personal property or city equipment, and to prevent injury to city collection personnel.

18 **Section 8. Section 21-6.2 SFCC 1987 (being Ord. No. 1996-46, §7) is amended**  
19 **to read:**

20 **21-6.2 Conditions of Service - Waste Reduction and Recycling.**

21 A. A list of materials recommended for recycling and recommended methods of  
22 recycling shall be periodically updated by the city and the list shall be broadly distributed.

23 B. Containers for recyclable materials shall be clearly identified and distinguishable  
24 from containers used for waste collection.

25 C. Storage of recyclable materials prior to collection shall not create a nuisance or

1 condition which may adversely affect public health.

2 D. Recycling containers shall be placed on the curb at least three feet (3') from  
3 refuse containers and refuse bags.

4 E. Backyard composting and related forms of biological waste diversion or  
5 reduction shall be conducted in a manner that does not violate state or city laws or regulations and  
6 does not create a nuisance or condition which may adversely affect public health.

7 **Section 9. Section 21-7.1 SFCC 1987 (being Ord. No. 1996-46, §8, as amended)**  
8 **is amended to read:**

9 **21-7.1 Service Fees and Charges.**

10 A. There is assessed against every person owning or controlling any developed  
11 property in the city, monthly and other special refuse collection and disposal fees payable to the  
12 city in accordance with the Refuse and Recycling Rate and Fee Schedule, hereby adopted by  
13 reference and incorporated as part of this chapter as Exhibit B\*, and in accordance with service  
14 rate classes described herein.

15 (1) There is a residential curbside service rate which shall apply to those  
16 residential units having collection of refuse at the curb. The monthly rate shall be in  
17 accordance with the Refuse and Recycling Rate and Fee Schedule. The monthly rate shall  
18 be assessed against every person owning a residential unit or for each unit of a multi-  
19 family residential complex having less than sixteen (16) units unless such complex of less  
20 than sixteen (16) units elects to have service under the applicable commercial service rate  
21 providing for bin service in a manner acceptable to the city.

22 (2) There is a noncompacting rear-loading commercial service rate which  
23 shall apply to non-residential establishments having collection of refuse at  
24 noncompacting rear-loading bins or carts. The city shall provide and maintain  
25 noncompacting rear-loading bins or carts at an indicated rental charge which shall be

1 provided for in the service rate. Bins and carts shall be placed for service in a manner and  
2 location acceptable to the city. The monthly rate shall be in accordance with the Refuse  
3 and Recycling Rate and Fee Schedule.

4 (3) There is a noncompacting rear-loading light commercial service rate  
5 which shall apply to non-residential establishments having collection of refuse from not  
6 larger than one (1) ninety (90) gallon cart and not more than one (1) service visit per  
7 week. The city shall provide and maintain noncompacting rear-loading carts which shall  
8 be provided for in the service rate. Carts shall be placed for service in a manner and  
9 location acceptable to the city. The monthly rate shall be in accordance with the Refuse  
10 and Recycling Rate and Fee Schedule.

11 (4) There is a noncompacting front-loading commercial service rate which  
12 shall apply to non-residential establishments having collection of refuse at  
13 noncompacting front-loading bins. The city shall provide and maintain noncompacting  
14 front-loading bins at an indicated rental charge which shall be provided for in the service  
15 rate. Bins shall be placed for service in a manner and location acceptable to the city. The  
16 monthly rate shall be in accordance with the Refuse and Recycling Rate and Fee  
17 Schedule.

18 (5) There is a compacting front-loading commercial service rate which shall  
19 apply to non-residential establishments having collection of refuse at compacting front-  
20 loading bins. Such bins shall be provided, installed and maintained at customer expense  
21 and shall be placed for service in a manner and location acceptable to the city. The  
22 monthly rate shall be in accordance with the Refuse and Recycling Rate and Fee  
23 Schedule.

24 (6) There is noncompacting open top roll-off commercial service rate which  
25 shall apply to any establishment having collection of refuse at noncompacting, open top

1 roll-off bins. Bins shall be placed for service in a manner and location acceptable to the  
2 city. The gross weight including the weight of the bin and its contents may not routinely  
3 exceed twenty thousand (20,000) pounds and the external dimensions of the bin shall be  
4 reviewed and approved by the city prior to the commencement of service. The monthly  
5 rate shall be in accordance with the Refuse and Recycling Rate and Fee Schedule.

6 Persons wishing to substitute special on-call service in lieu of scheduled service for a  
7 period of thirty (30) days or more shall be assessed on the basis of each special service  
8 call provided by the city for each bin.

9 (7) There is a noncompacting, open top roll-off special event commercial  
10 service rate which shall apply to any establishment requiring collection of refuse at  
11 noncompacting, open top roll-off bins for a special event or other use having a duration  
12 of less than thirty (30) days. The service rate shall be in accordance with the Refuse and  
13 Recycling Rate and Fee Schedule for special service under the commercial  
14 noncompacting roll-off class of service. Bins shall be placed for service in a manner and  
15 location acceptable to the city.

16 (8) There is a compacting roll-off commercial service rate which shall apply  
17 to non-residential establishments having collection of refuse at compacting roll-off bins.  
18 Bins shall be provided and maintained at customer expense and shall be placed for  
19 service in a manner and location acceptable to the city. If the compacting roll-off bin is in  
20 disrepair, city collection personnel shall give notice to the customer informing customer  
21 of the need to repair the bin within fifteen (15) calendar days. If the repairs are not made,  
22 the city may suspend collection. The gross weight including the weight of the bin and its  
23 contents may not routinely exceed twenty thousand (20,000) pounds and the external  
24 dimensions of the bin shall be reviewed and approved by the city prior to the  
25 commencement of service. The monthly rate shall be in accordance with the Refuse and

1 Recycling Rate and Fee Schedule.

2 (9) Commercial recycling will be available to non-residential establishments  
3 and charged as a separate service. Such charges will be in addition to the regular  
4 commercial service. The city shall provide and maintain noncompacting bins and carts at  
5 an indicated rental charge which shall be provided for in the service rate. The city shall  
6 approve the placement site of the container. The monthly rate shall be in accordance with  
7 the Refuse and Recycling Rate and Fee Schedule, Exhibit B of this chapter.

8 (10) There is a residential, curbside, large-item collection rate which will  
9 apply to on-call collection at curbside of items/materials that can not be collected as  
10 residential curbside collection due to weight or size restrictions. The fee for this service  
11 shall be in accordance with the Refuse and Recycling Rate and Fee Schedule. This  
12 collection fee includes the disposal cost of all items collected.

13 B. The city reserves the right at any time to refuse to remove materials placed for  
14 city collection and disposal if, in the judgment of the city, the removal from the premises may be  
15 harmful or hazardous or in violation of state or city regulations governing weight or contents. The  
16 city shall inform the person responsible for the materials and shall allow the person to correct the  
17 problem so as to allow removal by the city.

18 **Section 10. [REPEAL.] Section 21-9.1 SFCC 1987 (being Ord. #1996-46, §10)**  
19 **is repealed.**

20 **Section 11. A new Section 21-9.1 SFCC 1987 is ordained to read:**

21 **21-9.1 [NEW MATERIAL.] Enforcement.**

22 A. The solid waste division director and/or designee shall be responsible for the  
23 enforcement of this Chapter. The director may prescribe policies, rules, or regulations to carry out  
24 the intent and purposes of this Chapter.

25 B. For violations that do not create an immediate public health threat, the city will

1 issue a formal warning notice prior to taking enforcement action as follows:

2 (1) Within fifteen (15) days of receipt of this notice, the user shall provide to  
3 the city a written response and a plan for specific corrective actions.

4 (2) If, at the end of the fifteen (15) day period, the violation has not been  
5 corrected or a written plan for corrective actions has not been submitted to the city, the  
6 city may assess an administrative fee or issue a citation to the municipal court. Such  
7 citation shall carry penalties equal to that of a misdemeanor.

8 (3) Subsequent violations of a similar nature shall be subject to assessment  
9 of an administrative fee or a citation without prior notice.

10 C. Depending upon the specific circumstances of the violation, the city may choose  
11 any of the following methods of enforcement of violations of this Chapter. Every day, that any  
12 violation of this Chapter continues, constitutes a separate offense except where otherwise  
13 provided. The responsibility and liability for compliance with Chapter 21 shall be held jointly and  
14 severally by the property owner and by the resident of the property.

15 (1) Administrative fees. Administrative fees may be assessed on the  
16 customer's utility bill. The fees within a calendar year shall be:

17 (a) Equal to the monthly fee, listed on Exhibit B, for the first  
18 violation at a given customer's address;

19 (b) Equal to double the monthly fee, listed on Exhibit B, for the  
20 second violation at the same customer address;

21 (c) Equal to triple the monthly fee, listed on Exhibit B, for the third  
22 violation at the same customer address; and

23 (d) Equal to four times the monthly fee, listed on Exhibit B, not to  
24 exceed five hundred (\$500.00) for the fourth and each additional violation.

25 (2) Appeals of administrative fees shall comply with Section 15-1.8 SFCC

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(3) Municipal court. Violations shall be subject to Section 1-3 SFCC 1987.

(4) Injunctive relief. In addition to any other relief, the city may seek injunctive relief in the district court and shall be entitled to reasonable attorney's fees and costs.

(5) Public nuisance. The city may, in addition to any other relief, seek to abate any violation that constitutes a public nuisance as set forth in Section 10-9 SFCC 1987.

**Section 12. [REPEAL.] Section 21-9.2 SFCC 1987 (being Ord. #1996-46, §10) is repealed.**

**Section 13. [REPEAL.] Section 21-9.3 SFCC 1987 (being Ord. #1996-46, §10) is repealed.**

**Section 14. Section 21-10.1 (being Ord. #1996-46, §11) is amended to read:  
21-10.1 Effective Date.**

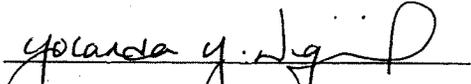
This chapter shall be in full force and effect on June 11, 2007.

PASSED, APPROVED AND ADOPTED this 30<sup>th</sup> day of May.



DAVID COSS, MAYOR

ATTEST:

  
YOLANDA Y. VIGIL, CITY CLERK

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APPROVED AS TO FORM:



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FRANK D. KATZ, CITY ATTORNEY

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1 **EXHIBIT A**

2 **SOLID WASTE MANAGEMENT FACILITY DESIGN STANDARDS**

3 **(Subsection 21-4.6)**

4 **1. PURPOSE**

5 The intent of these standards is to establish requirements for the design and construction  
6 of enclosures and other facilities associated with the placement of solid waste and recycling  
7 containers. Compliance with these standards shall be required by all persons using privately  
8 owned or city-owned containers for the collection of solid waste.

9 **2. GENERAL REQUIREMENTS**

10 A. For new development or redevelopment projects, compliance with these  
11 standards shall be confirmed in the city's development review process.

12 B. For remodeling projects, compliance with these standards shall be confirmed  
13 during the building permit review and shall be a condition of the issuance of a building permit.

14 C. Access to locked facilities shall be agreed upon with the city prior to the  
15 commencement of service.

16 D. Containers, except for compaction, which are not owned by the city shall meet or  
17 exceed the city's most recent purchasing specifications for the type and size of container.

18 **3. ACCESS**

19 A. Unencumbered access to containers shall be not less than sixteen (16) feet wide.  
20 Unless otherwise provided herein, the centerline curvature radius of any curve shall be not less  
21 than six hundred (600) feet.

22 B. Access for enclosures or containers located at the end of a driveway shall be as  
23 straight as possible and not less than twenty (20) feet wide.

24 C. Access for roll-off containers shall be not less than fifty-eight (58) feet in a  
25 straight line measured from the front of the container.

1 D. Access to all containers shall have a grade no more than five percent (5%).

2 E. The access driveway shall be improved with not less than six (6) inches of  
3 compacted base course.

4 F. Asphalt shall meet design condition appropriate for a gross vehicle weight of  
5 65,000 pounds.

6 G. The plane of enclosure gates shall be perpendicular to the primary access or to  
7 the driveway centerline or its tangent, and provide gables to hold enclosure door in open position.

8 H. Access to all containers shall be approved by the City. If in the opinion of the  
9 city, access to the container presents a safety or traffic hazard, the city reserves the right to  
10 require the enclosure and container be moved to an alternate location.

11 **4. REFUSE CONTAINER ENCLOSURES**

12 A. Enclosures shall be located completely outside of rights-of-way, driveways, and  
13 utility easements.

14 B. Whenever feasible, enclosures shall not be placed directly under any overhead  
15 utilities. If this is not practical, the nearest utility pole shall be not less than twenty (20) feet from  
16 the enclosure wall or fence and the base of the enclosure shall be not less than twenty (20) feet  
17 below the nearest overhead line.

18 C. Enclosure shall not be placed within fifteen (15) feet of any fire hydrant, water  
19 valves, or public sanitary sewer manholes.

20 D. Primary access to enclosures shall be such that a standard refuse collection truck  
21 can approach them perpendicularly to the alignment of the gate, unless otherwise provided for  
22 herein.

23 E. Enclosure Design Standards

24 1. Dimensions shall be as shown on Exhibits A.1 and A.2 of this Chapter.

25 2. Foundation shall be reinforced 3,000 psi concrete slab, with a twelve

1 inch by eighteen inch (12"x18") footer. A minimum two percent (2%) grade shall be provided  
2 toward the enclosure's gate.

3 3. Enclosure walls may be constructed of cemented brick, cemented and  
4 core-filled concrete block, treated wood fencing, or any combination as may be approved by the  
5 city.

6 4. Gates may be constructed of treated wood, chainlink, wrought iron,  
7 fiberglass, or other weather resistant material that can support locking hardware installation.

8 5. Gates shall have gables to ensure the doors to the enclosure are left open  
9 on the designated day of collection.

10 6. Gates shall be designed to allow the installation of city-approved locking  
11 devices such as chains and padlocks.

12 **5. ROLL-OFF CONTAINERS**

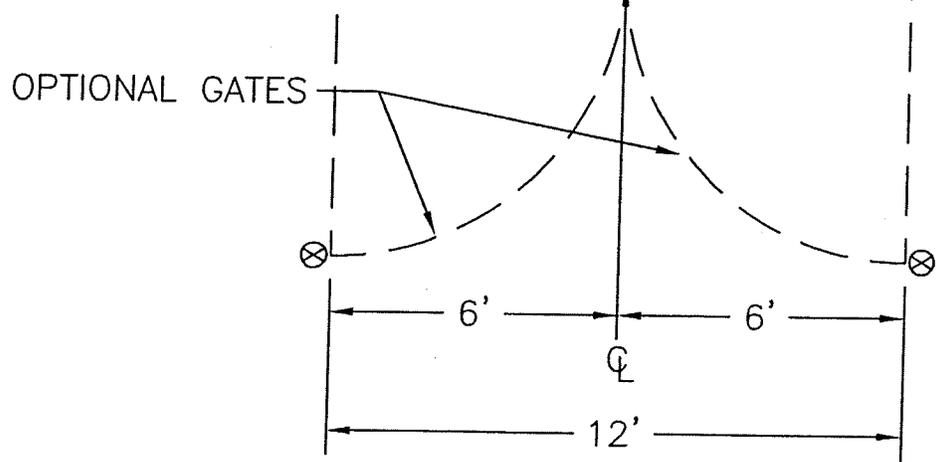
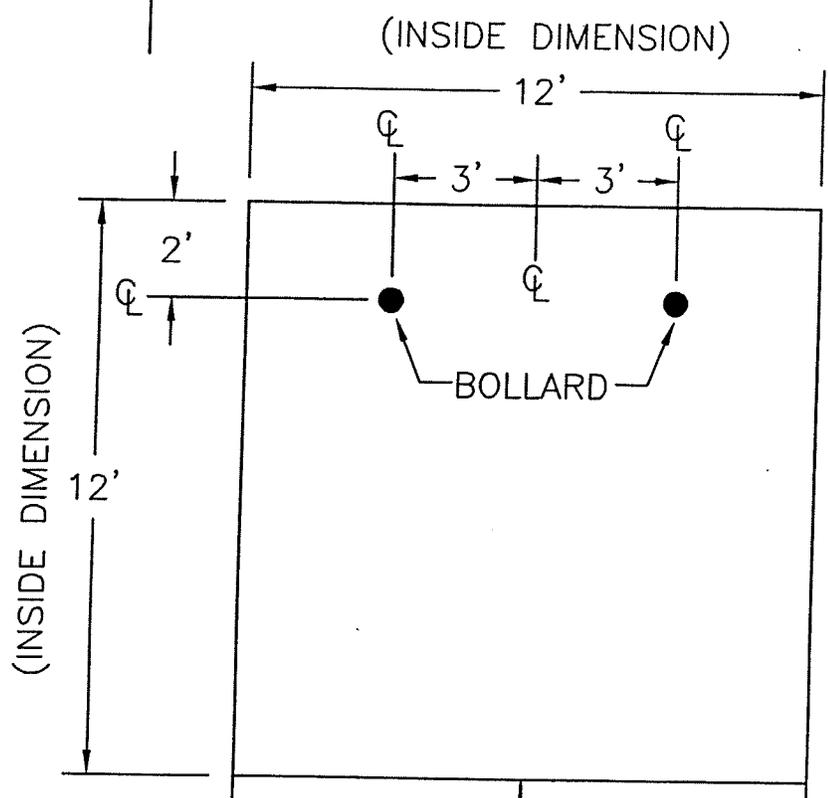
13 A. The foundation shall be reinforced 3,000 psi concrete slab that is not less than  
14 twelve (12) feet wide, by twenty-eight (28) feet in length, with a twelve inch by eighteen inch  
15 (12"x18") footer .

16 B. The foundation for the temporary placement of a roll-off container may consist of  
17 compacted dry earth, concrete slab or asphalt with monolithic pour.

18  
19  
20  
21 **[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]**  
22  
23  
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25 jp/cmo/2007 ord/solid waste

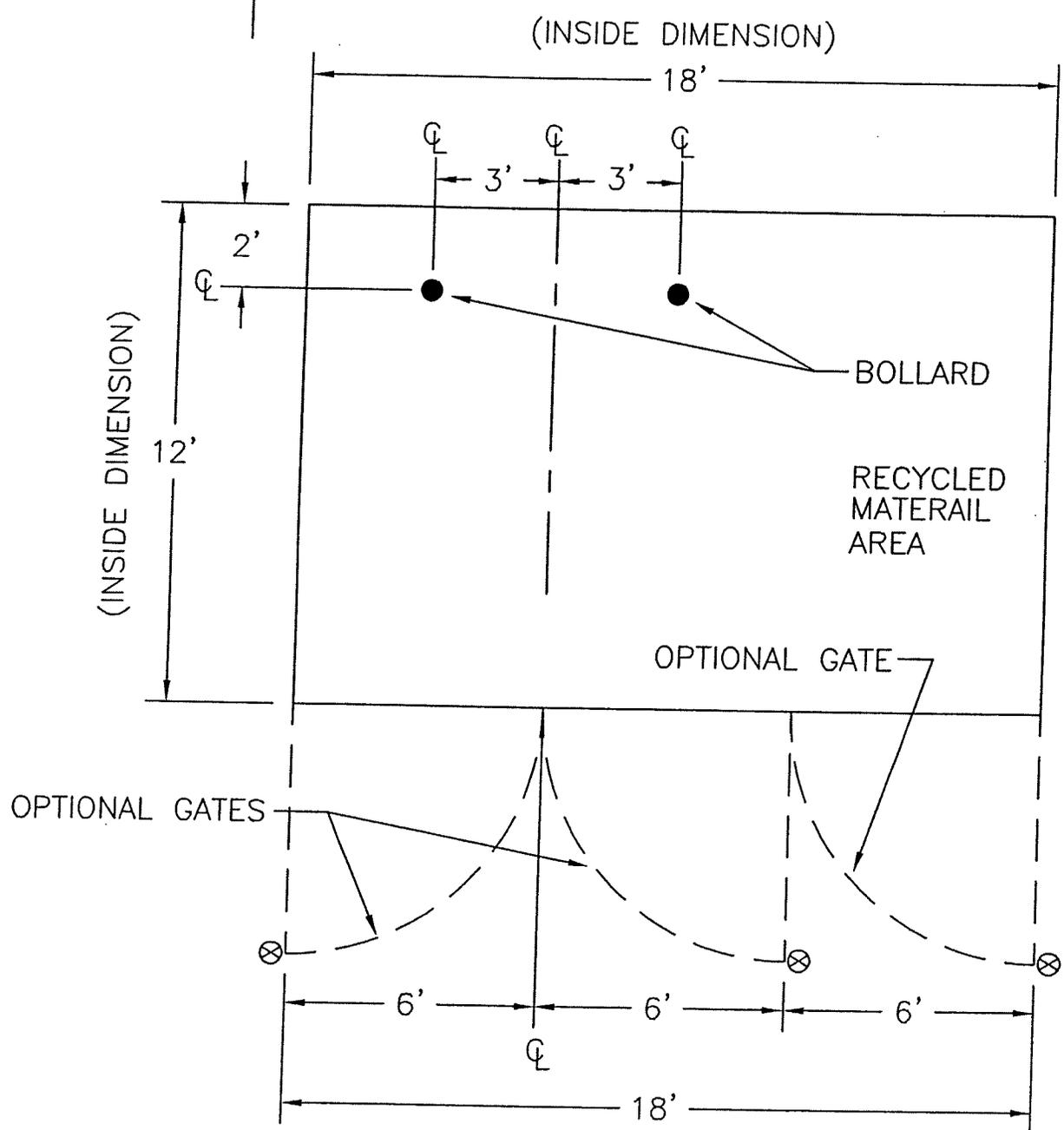
REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED



⊗ NOTE: IF GATES ARE INCLUDED, THEY MUST HAVE A CANE TO PREVENT GATES FROM SWINGING.

TRASH CONTAINER ENCLOSURE			
PLAN VIEW			
SIZE	FSCM NO.	DWG NO.	REV
		EXHIBIT A.1	
SCALE	1/4"	DRAWN BY: RAV	SHEET 1 OF 1

REVISIONS				
ZONE	REV	DESCRIPTION	DATE	APPROVED



⊗ NOTE: IF GATES ARE INCLUDED, THEY MUST HAVE A CANE TO PREVENT GATES FROM SWINGING.

				TRASH CONTAINER ENCLOSURE			
				IF INCLUDING AREA FOR RECYCLED MATERIAL STORAGE			
				<u>PLAN VIEW</u>			
		SIZE	FSCM NO.	DWG NO.	EXHIBIT A.2		REV
		SCALE 1/4"		DRAWN BY: RAV		SHEET 1 OF 1	