

RESOLUTION NO. 2019-1625

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THE DOCUMENT FILED WITH THE CITY CLERK ENTITLED "CHAPTER 7-4: SOLID WASTE MANAGEMENT".

RECITALS:

WHEREAS, the document "Chapter 7-4: Solid Waste Management", three copies of which are filed in the office of the City Clerk, is declared to be a public record, with said copies to remain on file with the City Clerk.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT document entitled "Chapter 7-4: Solid Waste Management", attached hereto as Exhibit A, is hereby declared to be a public record.

Section 2. THAT the City Clerk is hereby directed to maintain three (3) copies of the above referenced public document on file at all times for inspection by the public.

PASSED AND ADOPTED by the Council of the City of Prescott, Arizona, on this _____ day of January, 2019.

GREG L. MENGARELLI, Mayor

ATTEST:

APPROVED AS TO FORM:

MAUREEN SCOTT, City Clerk

JON M. PALADINI, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
County of Yavapai) ss.

I, the undersigned Maureen Scott, being the duly appointed, qualified City Clerk of the City of Prescott, Yavapai County, Arizona, certify that the foregoing Resolution No. 2019-1625 is a true, correct and accurate copy of Resolution No. 2019-1625, passed and adopted at a Voting Meeting of the Council of the City of Prescott, Yavapai County, Arizona, held on the _____ day of _____ 2019, at which a quorum was present and, by a _____ vote, _____ voted in favor of said resolution.

Given under my hand and sealed this _____ day of _____, 2019.

Seal

City Clerk

Exhibit A**CHAPTER 7-4: SOLID WASTE MANAGEMENT¹****SECTIONS:**

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7-4-1 PURPOSE:

The purpose of this chapter is to (A) protect the health and safety of the citizens of the City, and (B) protect the environment by establishing minimum standards for the safe and sanitary collection, storage, transportation, processing, and disposal of municipal solid waste and recyclable materials generated within the City of Prescott.

7-4-2 POWERS OF THE CITY:

Residential solid waste and recyclable materials within the City shall be collected, removed and disposed of by officers or employees of the City. Commercial trash and recycling services may be provided by the City or private contracted enterprises. The City Manager, or designee, in order to protect the health and safety of the citizens and the environment of the City, is authorized and directed to implement and enforce the provisions of this chapter to control the collection, storage, transportation, processing, and disposal of municipal solid waste and recyclable materials generated within the City. Nothing in this chapter is intended to, or shall be construed to, infringe upon or supplant the authority of the Yavapai County Health Department, Arizona Department of Health Services, Arizona Department of Environmental Quality or the United States Environmental Protection Agency (EPA) in this area pursuant to federal and state laws.

The powers of the City shall include:

(A) Rules and Regulations. The Director or designee, shall make such schedules, rules and regulations concerning the collection, storage, transportation, processing, and disposal of municipal solid waste, recyclable materials and

other wastes by any party. These rules and regulations will include standards for equipment, collection, storage, transportation processing, and hours of operation, as necessary and appropriate, to operate a solid waste and/or recycling collection program, or other similar activities or facilities relating to the operation of any transfer station, disposal site, recycling, processing, waste reduction program or other similar activities or facilities, that are not inconsistent with this chapter.

(B) Inspection. The City may conduct inspections to secure compliance with this chapter. A code inspector or an authorized representative from the Public Works Department who has a reasonable basis to believe that a private premises may not be in conformity with the provisions of this chapter shall have the right to request consent to enter and, upon consent, to enter residential, commercial, industrial, institutional establishments, business establishments, and private premises, for inspection purposes.

(C) The City shall regulate the use of its transfer station activities.

7-4-3 HOURS OF COLLECTION:

Hours of collection for solid waste or recycling services by the City and private service providers shall be regulated by the City. In order to prohibit the disturbance of the public peace and welfare, no person shall collect or remove or cause, permit, facilitate, aid or abet the collection or removal of solid waste or recyclables between the hours of 8:00 p.m. and 6:00 a.m. if the collection point or container location is within three hundred (300) feet of any residential account, hotel or motel unless reasonable accommodations are approved in writing by the Director or designee. Hours of collection may be temporarily adjusted to accommodate "Special Events" or weather conditions upon approval of the Director or designee.

7-4-4 DEFINITIONS:

For the purposes of this chapter, the following words, terms and phrases shall have the meanings defined herein, except where the context clearly indicates a different meaning:

"*Alley*" means a public passageway affording a secondary means of access to abutting property for private, utility and emergency vehicles.

"*Ashes*" means any residue other than salvage from the burning of any combustible material, specifically excluding ashes from medical waste or hazardous waste.

"*Automotive Parts*" means any part, or combination of parts, of any kind contaminated by oil, fuel, acid or other hazardous materials, including but not limited to tires, batteries, engines and fuel tanks.

"*Brush*" means tree limbs and shrubbery clippings exceeding three (3) feet in length.

"*Bulk waste*" means wooden and cardboard boxes, crates (except as used to contain clippings, cactus or matter which, according to the provisions of this chapter, will be collected by the City), appliances not containing Freon, furniture, machinery, and all other non-vegetative matter, which by reason of size and/or shape are not readily containable. Bulk waste also includes tree trunks, branches, or limbs, regardless of length, which are ten (10) or more inches in diameter, and other refuse items, which by size and shape, are not readily containable.

"*Business establishment*" means any public or private place, building or enterprise utilized for the conduct of business or industry, including nonprofit organizations, and schools specifically excluding all residential accounts.

"*City*" means the City of Prescott, Arizona.

"*City Manager*" means the City Manager or the City Manager's designee.

"*Commercial multi-family account*" means any structure or premises used as a domicile, dwelling, or habitation with five (5) or more living units, consistent with the definition contained in ARS 49-746. Multi-family does not include structures with four (4) or less units; duplexes; patio homes; mobile home parks; condominiums; town homes; apartments; trailer courts; rooming houses; boarding houses; college dormitories; summer camps; assisted living facilities; residential facilities providing twenty-four (24) hour nonmedical services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual which include shelters,

board and care facilities, halfway houses, hospice care facilities, nursing homes, wards of juvenile court, etc.; or any complex of the foregoing.

"*Commercial solid waste*" means any solid waste produced by the operation of, or as a by-product of, any business establishment, or commercial account consistent with the definition contained in ARS 49-746, without regard to whether the business establishment is licensed in the City, or whether the business establishment's activity is conducted in a private premises, public business, within the City, or any other location.

"*Commercial User*" means any person, business, non-City resident and other user that is not defined herein and is not a "Residential Account".

"*Compactor*" means a City-owned, solid waste collection system that is powered by hydraulics and reduces the volume of trash placed within the receptacle.

"*Contained solid waste*" means all solid waste placed in containers for disposal.

"*Contaminated materials*" means any materials which, when prepared for one of the acceptable forms of collection described in this chapter, contain materials which are not acceptable under that particular form of collection.

"*Construction and demolition waste*" means all debris, rubble, soil and excess materials from any construction, demolition, repair or remodeling operations, whether on private premises, public places, residential account or business establishment, whether to the primary structure or any other structure, and whether produced by the work or at the direction of the property owner, contractor, subcontractor, agent, or any other party.

"*Director*" means the Public Works Director or designee.

"*Extra service*" means an additional pick up or disposal servicing of an existing dumpster than is normally provided or accounted for on the monthly billing.

"*Fire hazards*" means hot ashes, hot cinders, burning matter, loose sawdust, flammable liquids, volatile liquids, or any other material which presents a fire hazard.

"*Hazardous material*" and "*hazardous waste*" means any chemical, compound, mixture, substance or article which is designated by the US EPA and defined in 40 Code of Federal Regulations (CFR) Part 261, or appropriate agency of the state, to be hazardous as that term is defined by, or pursuant to, federal or state law. Hazardous material includes, but is not limited to, medical wastes, herbicides, pesticides, explosives, and radioactive, toxic, flammable or corrosive materials.

"*Household hazardous waste*" means any waste that would otherwise be a hazardous waste pursuant to ARS Title 49, and US EPA's 40 CFR, Part 261, but is excluded as a hazardous waste because it is generated by the normal day-to-day activities of households.

"*Imminent health or safety hazard*" means a condition of real property, solid waste or recycling that places a person's life, health, safety or property in high risk of peril when such condition is immediate, impending on the point of happening and menacing.

"*Incipient hazard*" means a condition of real property, solid waste or recycling that can become an imminent or health hazard if further deterioration occurs that can cause unreasonable risk of death or severe personal injury.

"*Industrial solid waste generator*" means a generator of a wide variety of nonhazardous solid waste produced as a result of any industrial operations.

"*Inert material*" as defined in ARS 49-701.15, means non-combustible, non-hazardous, and non-putrescible solid wastes that are likely to retain their physical and chemical structure and have a de minimis potential to generate leachate under expected conditions of disposal, which includes resistance to biological attack. Inert waste includes, but is not limited to, rock, concrete, cured asphaltic concrete, masonry block, brick, gravel and dirt.

"*Litter*" means all solid waste, recyclables and debris not properly prepared for collection under this code.

"*Medical waste*" means materials defined as medical waste by ARS 49-701.

"*Metal goods*" means appliances acceptable for collection under the City's metal goods collection program, and shall include refrigerators, freezers, ovens, stoves, air conditioners, washers, dryers and water heaters, and shall specifically exclude smaller household appliances and electronic equipment. Any appliance containing Freon must have a tag certifying that the unit has been properly evacuated.

"*Multi-family residential account*" means any structure or premises used as a domicile, dwelling, or habitation with four (4) or fewer units including: patio homes; mobile home parks; condominiums; town homes; apartments; trailer courts; rooming houses; boarding houses; college dormitories; summer camps; assisted living facilities; residential facilities providing twenty-four (24) hour nonmedical services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual which include shelters, board and care facilities, halfway houses, hospice care facilities, nursing homes, wards of juvenile court, etc.; or any complex of the foregoing.

"*Person*" means any individual, firm, partnership, corporation, institution, trust, or other entity acting as principal, agent, officer, servant or employee for himself or itself, or for any other individual, firm, partnership, corporation, institution or other entity, who owns, leases, rents or occupies any real property within the City limits.

"*Private premises*" means any land and/or structure owned by any person(s) other than the United States, a state, a county, the City, or any political subdivision of the United States.

"*Private service providers*" means any entity or person other than the City who provides for the collection, storage, treatment, transportation, processing, and disposal within the City of any solid waste of another person or entity including recyclable materials, hazardous materials, or medical waste, or any other types of waste, for disposal, salvage, recycling or any other purpose.

"*Prohibited substance*" means any liquid, solid, or gas with an ignition temperature or flashpoint of less than two hundred (200) degrees Fahrenheit including, but not limited to, gasoline, benzene, naphtha, or other flammable or explosive substance; any material having a pH lower than five and one-half (5.5) or higher than nine (9) or having any other corrosive property that could be injurious or hazardous to City employees collecting any solid waste under this chapter, or which could cause damage to equipment; any noxious or malodorous substance offensive to the senses and depriving other properties or a considerable number of persons of the comfortable enjoyment of life or property; or any hypodermic needle or syringe.

"*Public place*" means any and all public streets, sidewalks, boulevards, alleys or other public ways, and any and all public parks, squares, spaces, grounds and buildings.

"*Putrescible materials*" means solid waste which is capable of being decomposed by microorganisms and may cause nuisances from odors or gases and attracting vector such as birds, insects, snakes, rodents or animals capable of transferring a diseased bacterium or virus from one organism to another.

"*Pull fee*" means a fee applied to the removal of a temporary roll-off box.

"*Recycling container*" means a container owned by the City for use as part of the City's recycling program, if any; a recycling container provided for use by a private service provider; or a recycling container provided by a nonprofit organization.

"*Recyclable material*" means post-consumer solid waste materials designated by the Director, which may be set aside or separated from other solid waste for the purpose of being collected and recycled, processed, and returned to the economic stream in the form of raw materials or products.

"*Residential account*" means any structure or premises used as a domicile, dwelling, or habitation including single-family dwellings and multi-family units of all types with four (4) or fewer units including: duplexes; patio homes; mobile home parks; condominiums; town homes; apartments; trailer courts; rooming houses; boarding houses; college dormitories; summer camps; assisted living facilities; residential facilities providing twenty-four (24) hour nonmedical services, supervision or assistance essential for sustaining the activities of daily living or for the

protection of the individual which include shelters, board and care facilities, halfway houses, hospice care facilities, nursing homes, wards of juvenile court, etc., or any complex of the foregoing; consistent with the definition contained in ARS 49-746 that generates solid waste and recycling.

"*Residential solid waste*" means household trash and recyclables produced by City residents on or in their residential premises within the City, specifically excluding:

1. Construction and demolition waste, whether on or off the residential premises or any other structures on the property.
2. Commercial or industrial solid waste, whether produced at a residential premises or at any other location.
3. Hazardous materials.
4. Medical waste.
5. Manure.
6. Large animals exceeding fifty (50) pounds.

"*Responsible party*" means an occupant, lessor, lessee, manager, licensee, owner or other person having control over a structure or parcel of land and, in the case where remediation is proposed as a means of abatement, any lien holder whose lien interest is recorded in the official records of the Yavapai County recorder's office.

"*Set fee*" means a fee applied to the provision and delivery of a temporary dumpster or roll-off box.

"*Solid waste*" means all wastes (except medical wastes), including garbage, rubbish, ashes, street cleanings, dead animals, containable rubbish, filth, construction and demolition waste, brush, bulk waste, metal goods or prohibited substances when these terms are not specifically noted in this chapter.

"*Solid waste charge account customers*" means all individuals or businesses that have established charge accounts approved by the City for transfer station fees.

"*Solid waste inspector*" means any police officer, code enforcement officer, or other City employee with written authorization from the City Manager, Director or designee to inspect public and private properties, to issue citations and to enforce the provisions of this chapter.

"*Special Events*" means the use of any public street, or park or other public grounds, which is owned by the City, for events, including but not limited to, sporting events, music festivals, pageants, re-enactments, regattas, entertainment, public assemblies, demonstrations, and other activities which would require a closure or limitation of some or all of said grounds for the uses to which they are generally available.

"*Transfer station*" means the City of Prescott transfer station located at 2800 Sundog Ranch Road in Prescott, or such other transfer stations as may be designated by the City in the future.

"*Vicious animal*" means any animal of a vicious species, or an animal of a domesticated species, including, but not limited to, cats and dogs, which without provocation are prone to attack persons.

7-4-5 AUTHORITY TO COLLECT – UNAUTHORIZED COLLECTION:

No person shall collect solid waste or recycling from a residential account within the City contrary to the provisions of this chapter.

7-4-6 USE OF SERVICE REQUIRED – CANCELLATION OF SERVICE:

No residential account within the City shall be permitted to avoid or refuse to accept solid waste collection service, and the failure of any party to accept such service shall not exempt that party from the payment of the charges for such service. Residential properties with wells and/or septic systems within the City limits, will be required to have a trash/recycle account with the City.

At such time as a business establishment or commercial multi-family account contracts for services with a private service provider, other than the City of Prescott, authorized to provide such services as described in this chapter, the business establishment or commercial multi-family account shall notify the Solid Waste Division of intent to cancel service. The City of Prescott container shall be scheduled for removal in a timely manner, within thirty (30) days of notification received by the Solid Waste Division. Charges for City service will cease on the date of container removal, prorated at the monthly rate per day subject to adopted rates and fees.

7-4-7 RESPONSIBILITY FOR SOLID WASTE AND RECYCLABLES:

The responsible party of any private premises or business establishment shall be responsible for their solid waste or recyclables until the solid waste or recyclables are collected by the City, agents of the City or private service provider.

The responsible party of any private premises or business establishment shall be responsible for the sanitary condition of said private premises or business establishment and for the proper storage, containment, and placement for collection of all solid waste and recyclables. Except as provided in this chapter, no person shall bury, dump, dispose, transport, release, or allow to be released upon any street, alley, right-of-way or public land, any municipal solid waste or recyclables, including construction and demolition waste and tires.

7-4-8 TYPES OF SERVICE:

(A) Residential. Subject to the provisions of this chapter, the City shall function as sole provider of weekly residential solid waste collection service and weekly residential recycling service. Each residential account receiving service under this subsection shall be provided solid waste and recycling containers for individual use and curbside collection. Additionally, residents may request additional containers for a fee, or may elect not to participate in the recycling collection program subject to any applicable conditions and fees. Additional residential services may include household hazardous waste collection events, annual bulk waste cleanups, and other services as approved by City Council.

(B) Commercial. The City, or private service providers, may provide commercial solid waste collection service to business establishments as required by state, county, this chapter, and other City regulations. If the business establishment is serviced by a private service provider other than the City, the service schedule shall be set by the private service provider and the business establishment and subject to the hours of collection and other provisions of this chapter.

7-4-9 ENCLOSURES – RIGHT-OF-WAY PERMITS:

(A) General. The City reserves the right to require business establishments or commercial multi-family accounts to utilize City or private service providers for solid waste and recycling collection sufficient to properly manage the volume of solid waste and recycling generated by their activities. Containers may be required to be in enclosures that shall be designed in accordance with City Code and shall be properly accessible and sufficiently sized to accommodate the number of containers for the volumes of solid waste and recyclables generated. All enclosures shall have proper drainage to prevent accumulation and stagnation of any liquid.

(B) Right-of-Way Permits. Except as provided either by this subsection or subsection (C) of this section, no person shall place, allow to be placed, maintain or cause to be placed or maintained, any encroachment or obstruction in public right-of-way, including any solid waste or recycling collection container, temporary or permanent, unless a permit has been issued by the City pursuant to procedures contained in the City Code, Title 8. The owner of each container shall obtain a permit prior to container placement. Location of each container is subject to approval by the City.

(C) Commercial Solid Waste Right-of-Way Encroachment Permits. Except as provided either by this subsection or subsection (B) of this section, no private commercial solid waste collector or recycler, or person contracting with a private commercial solid waste collector, shall place, allow to be placed, maintain or cause to be placed or maintained any solid waste collection container in public right-of-way unless the commercial solid waste collector has obtained a permit issued by the City pursuant to procedures contained in the City Code, Title 8. The private commercial solid waste collector shall obtain a permit prior to container placement. Location of each container is subject to approval by the City.

7-4-10 UNOBSTRUCTED PASSAGE IN STREETS AND ALLEYS:

No person shall permit trees, shrubs or brush growing upon their property to encroach on or over any public right-of-way so as to interfere with the movement of persons or vehicles, or a safe line of sight. It is the responsibility of the responsible party to trim trees, shrubs, or brush on their property and in the adjacent right-of-way back to their property line and allow a minimum of eighteen-foot (18') overhead height clearance at any location where solid waste or recyclable materials are collected. No person shall allow any obstruction including, but not limited to, parked vehicles, within fifteen feet (15') of a solid waste or recycling container placed for collection service, or to obstruct solid waste and/or recycling collection operations in any other manner.

7-4-11 CONTAINERS – GENERAL REQUIREMENTS:

(A) Every person or commercial or residential solid waste generator shall place, or cause to be placed, all solid waste and recycling accumulating on the premises in containers provided by the City, or private service providers.

(B) All materials prepared for collection shall be stored in a City-approved container until removed by the City, or a private service provider, unless those materials are properly prepared for the City's bulk waste collection service, if any.

(C) Solid waste and recyclable materials shall be properly stored, treated, transported, processed, and disposed of in accordance with the Yavapai County Health Code, Arizona Department of Health Services, Arizona Department of Environmental Quality Regulations, and this chapter.

(D) Any user of a City-provided solid waste and recycling container shall be required to use and maintain the container as follows:

1. Cleaning. All containers shall be used, maintained and stored in a clean and sanitary condition.
2. The user shall bag and securely tie all putrescible material in trash containers, thereby maintaining the container free of intense odors, evidence of flies in any stage of development, and any other nuisance or threat to public health or safety. Material in recycle containers shall not be bagged.
3. Reporting Damage or Loss. The user shall store container(s) between collection in such a way as to minimize the possibility of damage or theft. The user shall be responsible for reporting any container damage or theft to the City.
4. Proper and Safe Use. The user shall not damage the container(s) intentionally or use the container(s) for any purpose other than those specified in this chapter. The user shall not use the container(s) in any manner which is, in the sole determination of the City, unsafe.
5. Lids or Covers. The lids or covers of any container(s) shall at all times be kept secure in such a manner to prevent intrusion of moisture, infestation of insects, and scattering of solid waste or recyclable materials. Covers or lids shall be kept closed except when containers are being loaded or emptied.

(E) No person, unless authorized by the City, shall remove, collect or disturb the solid waste and recyclable materials stored in such container(s) or remove from a container any solid waste or recyclable materials set out for collection and disposal by the City, City customers, or agents of the City, or private service providers. This prohibition does not apply to public law enforcement officers or City employees acting within the scope of their official duties.

(F) No person shall utilize the container(s) assigned to other persons for the disposal of solid waste or recyclable materials without their permission. This does not apply to the solid waste or recycling collection system where persons or responsible parties share the use of common containers. The use of common or shared containers and the assigned residential account or business establishment(s) using a container shall be determined by the Director or designee, or in the case of private service, by a private service provider.

(G) All ashes shall be soaked with water to extinguish any live embers and be contained in tied bags before placement in solid waste containers.

(H) Explosives or flammable materials of any kind shall not be placed in any solid waste or recycling container.

(I) Corrosives, reactives, oxidizers, lead acid batteries or any hazardous waste shall not be disposed of in solid waste or recycling containers.

(J) Pool chemicals shall be completely used, or properly disposed of, before disposing of the container. Pool chemical containers shall be emptied and moisture free prior to being placed in a solid waste or recycling container.

(K) It is the container user's and responsible party's obligation to properly contain solid waste or recyclable materials generated on their premises and to keep the area around the container continuously clear and free of all debris. If the property has alley solid waste service, the term "area" includes the alley.

(L) It shall be a violation of this chapter to overload or overfill a container, or place material in any solid waste or recycling container of a volume or weight which prevents the collection vehicle from safely emptying the container or which may damage the collection vehicle or container. Maximum weight of material placed in any residential container shall not exceed two-hundred (200) pounds or as determined by the manufacturer. Any container that exceeds the maximum weight capacity could require the property owner to remove excess material or self-haul to the Transfer Station.

7-4-12 CITY OWNERSHIP OF CITY-PROVIDED CONTAINERS:

(A) The City may place a container approved by the City at each residential account that is required to receive residential collection service from the City or at a business establishment that has authorized City service.

(B) Each person or entity which shall contract with or accept solid waste service from the City, using a City-owned container, shall, by acceptance of such service, recognize the right of the City to enter upon the premises of such person or entity to retake possession of the container upon termination of service, and shall be deemed to have extended to the City an express license to so enter the premises for that purpose.

(C) The City will furnish one (1) solid waste and one (1) recycling container for the accumulation, storage, and collection of solid waste to residential accounts. Additionally, residents may request additional containers for a fee, subject to the discretion of the Director or designee. All such containers are owned by the City, and the City may remove, repair, or replace the container without notice to the user.

(D) If a solid waste or recycling container is in violation of this chapter and presents an imminent health or safety hazard, or incipient hazard, a solid waste representative shall issue a notice of violation to the responsible party. In the event that the violation is not corrected within a reasonable number of days as required by such notice, the violation will be considered a public nuisance that may be abated.

7-4-13 CONSTRUCTION AND DEMOLITION MATERIALS:

Construction and demolition waste or materials shall not be placed in a residential account's solid waste or recycling container. If such construction and demolition waste or materials are generated, the responsible party is responsible for the removal and proper disposal. All construction and demolition waste or materials shall be removed promptly and shall not be stored in any location where it may be blown or otherwise dispersed beyond the construction site. In the event that the violation is not corrected, the violation will be considered a public nuisance that may be abated.

7-4-14 RESIDENTIAL COLLECTION REQUIREMENTS:

(A) All residential solid waste generators within the City shall receive City solid waste service, and shall pay the applicable fees assessed for such service.

(B) The Director or designee may require any residential solid waste generator regularly generating solid waste that exceeds manufacturer specifications within a collection period to acquire an additional container or containers subject to the applicable fee per additional container or volume, or any resident regularly generating solid waste that requires special handling to schedule a special solid waste collection.

(C) Only properly prepared materials as described in this chapter shall be acceptable for collection under this chapter.

(D) The frequency of contained solid waste collections shall be in accordance with the Yavapai County Health Code and the Arizona Department of Environmental Quality Regulations.

(E) Collection days shall be as designated by the Director or designee.

(F) The service level required and method of collection shall be as designated by the Director or designee.

(G) Only the City shall be authorized to remove any City-owned solid waste or recycling container from its assigned location. It shall be a violation of this chapter for any other person to remove a container from the address to which it is assigned.

(H) Carryout service may be provided at no additional charge to individuals living alone who are elderly, ill or disabled and are incapable of moving their solid waste or recycling container to the designated collection location. This service does not include entering the residential unit. The resident may be required to produce a medical statement or other documentation indicating a temporary or permanent inability to move the container to the City designated collection point. No carryout service shall be performed if, in the determination of the Director or designee, the terrain presents a safety hazard for equipment operators or collection vehicles. The Director shall have the authority to limit the number of containers collected.

(I) Residential accounts receiving collection under any of the City's collection programs are limited to one (1) emptying of the container being serviced per collection day. Missed collections are not eligible for fee credits.

7-4-15 AUTOMATED RESIDENTIAL SOLID WASTE AND RECYCLING COLLECTION:

(A) Preparation for Collection. All residential solid waste for collection by the City's automated residential solid waste collection equipment shall be prepared for collection as follows:

1. Placement. Residential solid waste and recycling sixty-eight (68) gallon containers set out for collection must be placed in the street in front of the house to which they are assigned, with the wheels adjacent to the curb of the sidewalk, and the lid opening toward the street unless otherwise determined by the Director or designee. Where there is no sidewalk, the container(s) must be placed at the edge of the street or collection point determined by the Director or designee, within two feet (2') of the pavement or improved road, as applicable. Containers may not be collected from private property or when placed within fifteen feet (15') of a vehicle, three feet (3') from a mailbox, trash/recycling cart or other obstruction to safe collection as determined by the Director or designee. Containers shall not be placed out for collection on a sidewalk or be allowed to remain after collection on a sidewalk.

2. To ensure all residential solid waste and recycling containers are ready for collection they may be placed at the curb or collection point designated by the Director or designee after 6:00 p.m. on the day preceding collection. Containers for street collection shall be placed at the curb for service no later than 6:00 a.m. on the day of collection. Containers must be removed prior to 11:00 p.m. on the day of collection. It shall be a violation of this chapter to place or permit containers to remain adjacent to the curb except upon regular collection days or scheduled day for container maintenance. All solid waste and recycling containers shall be stored, between collection days, on the premises so as not to interfere with pedestrian or vehicular traffic, and to minimize the container's visibility.

- a. Residential containers that are missed on their designated collection day require that the property owner notify the City within two (2) business days to arrange for collection. Any property owners that notify the City after the allotted time will be required to self-haul to the Transfer Station or wait until their next scheduled collection day.

3. Lids must be closed. The lids of containers set out or used for residential solid waste or recycling collection must be entirely closed.

4. Container Contents. The contents of the solid waste and recycling containers must be arranged so that they fall out easily when serviced by authorized collection vehicles. The City shall not be required to remove any materials which remain in the container after the container has been serviced by the collection vehicle. Loose branches and brush are not required to be bagged, under the condition that the unbagged contents empty readily during normal collection conditions, and do not unduly dirty the container. Bagged material placed below unbagged material may allow all the contents to fall out and the container to empty completely.

5. Household Medical Waste and Infectious Waste. All household medical waste and infectious waste, including lancets, syringes and hypodermic needles, must be properly prepared for disposal in the solid waste container. Household medical waste and infectious waste must be placed in plastic bags and securely tied before placing in the solid waste container, or it shall be considered an incipient hazard, or imminent health or safety hazard. Lancets, syringes and hypodermic needles must be placed in a rigid, leak-proof and puncture resistant container with a secured and taped lid and must be clearly labeled identifying the contents before placing in the solid waste container. Depositing or disposing of household medical waste and infectious waste or lancets, syringes and hypodermic needles in any recycling container is prohibited.

6. Prescription Drugs and Medicines. All "discarded drugs" such as prescription drugs and medicines shall be disposed of according to the guidelines established by the Arizona Department of Environmental Quality, or as follows:

- (a) Unless otherwise prohibited by this chapter, according to the specific disposal instructions on the drug label or patient information form.
- (b) Through a pharmacy or other licensed agency that provides for the lawful disposal for such items.
- (c) The City of Prescott Police Department's drug drop-off program is available only to individual citizens, and shall not be utilized by any doctors, hospitals, pharmacies, or other commercial ventures.
- (d) Consistent with the procedures prescribed by a state, federal, county, City or other governmental law enforcement agency that administers a program for the disposal of such items.

Prescription drugs and medication shall not be introduced into the City's sanitary sewer system through sinks, drains, toilets, or other means. These materials shall not be introduced into any storm water system or seasonal creek, run-off system, or any City lakes or tributaries.

7. Recyclable materials must not be bagged and must be placed in the recycling container in such a manner that they separate under the normal operating procedures of the applicable materials recovery facility.

8. Only recyclable materials shall be collected by the City's residential recycling collection program. No person or customer shall contaminate recyclables. Contamination of recyclables includes, but is not limited to, putrescible material such as food waste, grass, any brush clippings, filth, diapers, concrete, dirt or polystyrene.

7-4-16 ADDITIONAL SERVICES:

Additional solid waste services provided by the City, may include bulky item collection, household hazardous waste, brushy debris drop off, Christmas tree recycling and downtown courtesy can service are subject to City Council approval and annual funding. Terms and conditions of the additional services are subject to approval by the Director or designee.

7-4-17 ROLL-OFF CONTAINER COLLECTION SERVICE:

The City may provide roll-off container collection service for a fee as determined by the City Council. All roll-off placements shall be subject to approval by the City, and shall not interfere with sidewalk or street traffic. A release of liability may be required before containers will be placed or collected from private property, or when placed within fifteen feet (15') of a vehicle, mailbox or other obstruction to safe collection. Material loaded into the roll-off containers must not exceed the height of the provided container. It is the property owner's responsibility to remove any material exceeding the height of the sides of the container. Each roll-off container that is set shall be emptied a minimum of once every thirty (30) days.

7-4-18 COMMERCIAL COLLECTION REQUIREMENTS:

(A) All business establishments and commercial multi-family accounts shall maintain alleys and the area surrounding the solid waste and recycling containers free from solid waste, recycling and other potential hazards to the public health, safety, or welfare. Where unusual or inordinate waste material is generated, special collections shall be arranged with the City or other private service providers.

(B) The Director or designee has the authority to assess charges or establish fees to recover the cost of the service provided when determined it is in the best interest of the City.

(C) The Director or designee has authority to employ pricing flexibility in the submission of bids for commercial service when determined to be in the best interest of the City.

(D) Business establishments and commercial multi-family accounts receiving City solid waste and recycling collection services will be provided City-owned dumpsters. Property owners shall provide accessibility to said dumpsters .

(E) Commercial containers shall not exceed sanitation vehicle lifting capacity as determined by the manufacturer. It is the property owner's responsibility to remove any material from the commercial container if the sanitation vehicle is unable to service. This includes material that the City does or does not want in either solid waste or recycling containers.

(F) The Director or designee has the authority to determine levels of service and size of dumpsters in order to protect against public nuisance and ensure human health and safety.

(G) Recyclable materials shall not be bagged and shall be placed in the recycling container in such a manner that they separate under the normal operating procedures of the applicable materials recovery facility.

(H) No person or customer shall contaminate recyclables. Contamination of recyclables includes, but is not limited to, putrescible material such as food waste, grass, any brush clippings, filth, diapers, concrete, dirt or polystyrene.

7-4-19 PROHIBITED SUBSTANCES, UNACCEPTABLE MATERIALS OR PROHIBITED MATERIALS:

(A) Prohibited Materials. No person or responsible party shall set the following prohibited materials out for collection, cause them to be set out for collection, or allow them to be set out for collection:

1. Tires and other "Automotive Parts".
2. Fire Hazards.
3. Hazardous material.
4. Contaminated materials.
5. Liquid or wet material that would easily flow through a paint filter.

(B) No person shall allow, deposit or cause to be deposited in any container that is serviced by the City any prohibited substance, unacceptable material or prohibited material as defined in this chapter. The Director or designee may, by special written agreement, contract to haul prohibited substances when placed in special containers and clearly labeled. Unless the City has contracted by special written agreement to haul the prohibited substances, it is the responsibility of the generator of such substances to ensure their removal and proper disposal.

(C) Small quantities of construction and demolition waste, as defined in this chapter, may be placed in solid waste containers or dumpsters subject to weight and other restrictions listed in this chapter. Removal of construction and demolition waste shall be the responsibility of the responsible party or owner of the real property upon which such waste is generated.

(D) Unacceptable materials will not be collected under this chapter, may subject the generator to a penalty under this chapter, and will be the generator's responsibility to ensure their removal. Unacceptable material may be removed by the City at the generator's expense as set forth in this chapter.

7-4-20 PROHIBITED ACTS:

(A) No person or responsible party shall:

1. Place, allow to be placed, or cause to be placed any solid waste or recyclables upon any public or private property not owned or under his control;
2. Place, allow to be placed, or cause to be placed in a solid waste container any solid, waste or dead animal which is not contained within a securely fastened leak-proof plastic bag, unless otherwise exempted by this chapter;

3. Place, allow to be placed, or cause to be placed any solid waste in a container not owned or maintained by said property owner;
4. Fail to restrain any vicious animal that prevents interference with collection employees acting in the course of their duties, or any City employee acting within the scope of their employment under this chapter;
5. Cause, permit, facilitate, allow, or aid or abet any violation of this chapter or fail to perform any act or duty required by this chapter;
6. Burn solid waste. No person shall burn solid waste except in incinerators as may be permitted by the City, county or the state. Any burning of solid waste must comply with the rules and regulations established by the Arizona Department of Health Services, Arizona Department of Environmental Quality, and the US Environmental Protection Agency;
7. Interfere with collection. It shall be a violation of this chapter for any person to interfere with authorized collection of solid waste in any way;
8. Mishandle hazardous waste. No person, responsible party, business, contractor or private service provider shall knowingly collect, place or cause to be placed or allow to be collected any hazardous waste or similar materials from any container or any public or private property, except as specifically permitted by the Arizona Department of Environmental Quality or the US Environmental Protection Agency;
9. Fail to cover solid waste and recyclables in transit within the City limits.
10. Contaminate recyclable materials. Refer to PCC 7-4-18(E).
11. Scavenge. No person, unless authorized by the owner of the solid waste or recyclables, may remove, collect, or disturb solid waste or recyclables in a container that is set out for collection for the purposes of recycling or disposal. No person may remove, collect, or disturb any materials deposited for collection at the Transfer Station.. City employees acting within the scope of their employment are not subject to the prohibitions described in this section.

(B) Each day any violation of this chapter exists shall constitute a separate violation or offense and shall be treated as such during the enforcement process.

(C) The owner of the premises, as shown in the records of the Yavapai County recorder, at which a violation of this chapter exists, shall be presumed to be a person having lawful control over any building, structure or parcel of land. If more than one (1) person shall be shown as the owner of the property, said persons are jointly and severally presumed to be persons having lawful control over the building, structure or parcel of land.

(D) If a responsible party served with a notice of violation or citation by the City fails to correct the violation within the period specified, the City may correct or abate the condition as described in the notice and, in addition to any penalty which may be imposed for a violation of this chapter, the responsible party shall be liable for all costs which may be assessed pursuant to this chapter for the correction or abatement of the condition.

(E) If in the determination of the Director or designee the condition constitutes an incipient hazard, or an imminent health or safety hazard, the Director or designee may immediately abate the hazard without notice. Such abatement of an imminent health or safety hazard shall be limited to the minimum work necessary to remove the hazard and the customer's account shall be charged for the cost of the abatement.

7-4-21 ENFORCEMENT AUTHORITY:

(A) The Director or designee shall enforce the provisions of this chapter. In addition, the Director or designee is authorized to abate conditions which, in the opinion of the Director or designee, are an incipient hazard, or are an imminent health and safety hazard, toward any person or persons.

(B) The authority of the City to enforce provisions of this chapter is independent of, and in addition to, the authority of other City officials to enforce the provisions of any other City Code provisions.

(C) Upon request from the City Manager, the Police Department or any other department of the City shall be authorized to assist and cooperate in the enforcement of this chapter.

7-4-22 COLLECTION VEHICLE REQUIREMENTS:

All vehicles used for solid waste and recycling collection and transportation within the City must meet all applicable state and federal rules and regulations.

7-4-23 PRIVATE COMMERCIAL CONTAINER REQUIREMENTS:

(A) Private service providers shall have joint responsibility with the business establishment or commercial multi-family account to keep and maintain sufficient standard containers as to accommodate the solid waste and recycling needs of the establishment being serviced. Private containers are subject to the requirements set forth in section 7-4-9.

(B) Private service providers shall at all times maintain their containers, roll-off bodies and solid waste compactors in clean and sanitary condition and good repair as may be determined by the Director or designee.

(C) Private service provider's containers, roll off bodies and solid waste compactors shall be located so as not to interfere with vehicular or pedestrian traffic, or a safe line of sight, and to minimize visibility, and shall be in conformance with all license, City Code requirements, and this chapter.

7-4-24 SEIZURE AND IMPOUNDMENT OF CONTAINERS:

(A) In addition to any other penalties set forth in this chapter, any solid waste or recycling container which is placed or maintained at a residential account, business establishment, or commercial multi-family account in violation of any City or state law may be seized and impounded by the City, at the owner's expense. Prior to the seizure and impoundment of any solid waste container, the City shall conspicuously post upon said container a notice of violation which sets forth the specific violation and the date on which the container will be seized if the violation has not been corrected. The notice of violations shall be posted at least ten (10) days prior to the seizure of the container, unless the Director or designee determines the container creates an incipient hazard, or imminent health or safety hazard.

(B) The owner of any container which is impounded pursuant to the provisions of this section shall have thirty (30) days to pay the City cost of seizure and storage and to retrieve the container. If the owner of a container has failed to pay the applicable cost or failed to retrieve the container within thirty (30) days of its seizure, the City is authorized to dispose of the container upon such condition and terms as determined by City.

7-4-25 MUNICIPAL SOLID WASTE FEES:

(A) Fees for solid waste and recycling collection shall be established by the City Council and shall be paid monthly.

(B) If the City provides solid waste services as described in this chapter or otherwise, the Director or designee may assess charges to recover the cost of providing the service.

(C) Residential Fees

1. Single-family residential account curbside service includes the supply of one (1) sixty-eight (68) gallon trash container and one (1) sixty-eight (68) gallon recycle container per single-family residence at the adopted rate.
2. Additional single-family residential account curbside containers may be provided at the adopted rate.
3. Single-family residential account alley service includes either one (1) three-hundred (300) gallon trash container and one (1) three-hundred (300) gallon recycle container for shared use OR one (1) sixty-eight (68) gallon trash container and one (1) sixty-eight (68) gallon recycle container for single use. The use of shared or single containers is at the discretion of the City. Residences using shared alley containers shall be charged a monthly fee at the sixty-eight (68) gallon rate.
4. Multi-family residential accounts, two (2) to four (4) units include either one (1) three-hundred (300) gallon trash container and one (1) three-hundred (300) gallon recycle container for shared use OR one (1) sixty-

eight (68) gallon trash container and one (1) sixty-eight (68) gallon recycle container for each dwelling unit. The City will determine the size and number of containers needed for multi-family use properties.

Residential Curbside Service

Description	Monthly Fee - Residential Curbside Service					
	March 1st 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Solid waste standard service	\$16.00	\$16.00	\$17.00	\$18.00	\$19.00	\$20.00
Additional green cart	\$7.14	\$7.14	\$7.50	\$7.87	\$8.27	\$8.68
Additional blue cart						
Landfill closure fee	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50

Multi-family Residential Service; Up to 4 Units

Description	Current	Monthly Fee - Multi-family Residential up to 4 units					
		March 1st 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Solid waste 300 gal. container	\$38.15	\$40.06	\$40.06	\$42.06	\$44.16	\$46.37	\$48.69
Additional blue cart	no charge						
Landfill Closure Fee	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50	\$0.50

(D) Commercial Fees

1. The monthly service charges are calculated by multiplying the current adopted disposal rate by the size of the dumpster and frequency of collection.
2. Additional temporary commercial dumpsters shall have a minimum service term of three (3) months.
3. There is no temporary service suspension for commercial businesses.
4. Extra service may be provided for solid waste or recycling containers upon request in accordance with adopted rates. Excessive calls for extra service may result in an increase of either size of dumpster or frequency of collection.
5. Each commercial dumpster will pay a "Removal Fee" when the City is notified of cancellation of service.
6. Servicing of a City-owned compactor will be at the current adopted disposal rate.

Commercial Dumpster Service – Monthly Fee

Bin Capacity	Pickups per Week:					
	1	2	3	4	5	6
2020 (effective March 1, 2019)						
2 cubic yards	\$37.89	\$75.00	\$112.10	\$149.19	\$186.29	\$223.39
3 cubic yards	54.00	106.93	159.83	212.74	265.64	318.54
4 cubic yards	69.78	138.19	206.58	274.96	343.34	411.72
6 cubic yards	100.84	199.75	298.63	397.51	496.39	595.26
8 cubic yards	\$131.58	\$260.68	\$389.75	\$518.82	\$647.88	\$776.94
FY 2021						
2 cubic yards	\$44.77	\$87.70	\$130.62	\$173.54	\$216.45	\$259.36
3 cubic yards	60.63	118.85	177.04	235.23	293.41	351.60
4 cubic yards	75.92	148.88	221.80	294.71	367.62	440.53
6 cubic yards	105.70	207.38	309.01	410.64	512.26	613.88
8 cubic yards	\$134.97	\$264.90	\$394.77	\$524.64	\$654.50	\$784.36
FY 2022						
2 cubic yards	\$52.89	\$102.56	\$152.21	\$201.85	\$251.49	\$301.13
3 cubic yards	68.07	132.10	196.10	260.09	324.09	388.08
4 cubic yards	82.61	160.39	238.14	315.88	393.62	471.36
6 cubic yards	110.80	215.30	319.75	424.20	528.65	633.09
8 cubic yards	\$138.45	\$269.18	\$399.85	\$530.52	\$661.19	\$791.84
FY 2023						
2 cubic yards	\$62.49	\$119.94	\$177.36	\$234.78	\$292.21	\$349.63
3 cubic yards	76.43	146.84	217.21	287.59	357.97	428.35
4 cubic yards	89.88	172.80	255.68	338.57	421.46	504.34
6 cubic yards	116.14	223.52	330.87	438.21	545.56	652.90
8 cubic yards	\$142.03	\$273.54	\$405.00	\$536.47	\$667.94	\$799.40
FY 2024						
2 cubic yards	\$73.84	\$140.26	\$206.67	\$273.09	\$339.52	\$405.94
3 cubic yards	85.81	163.21	240.59	317.99	395.39	472.79
4 cubic yards	97.79	186.16	274.52	362.89	451.26	539.63
6 cubic yards	121.74	232.06	342.37	452.68	563.01	673.33
8 cubic yards	\$145.69	\$277.96	\$410.21	\$542.48	\$674.76	\$807.03

Commercial Recycling Dumpster Service – Monthly Fee

Bin Capacity	Pickups per Week:					
	1	2	3	4	5	6
2020 (effective March 1, 2019)						
2 cubic yards	\$18.94	\$37.50	\$56.05	\$74.60	\$93.15	\$111.69
3 cubic yards	27.00	53.46	79.92	106.37	132.82	159.27
4 cubic yards	34.89	69.09	103.29	137.48	171.67	205.86
6 cubic yards	50.42	99.87	149.32	198.75	248.19	297.63
8 cubic yards	\$65.79	\$130.34	\$194.88	\$259.41	\$323.94	\$388.47
FY 2021						
2 cubic yards	\$22.38	\$43.85	\$65.31	\$86.77	\$108.23	\$129.68
3 cubic yards	30.32	59.43	88.52	117.61	146.71	175.80
4 cubic yards	37.96	74.44	110.90	147.36	183.81	220.27
6 cubic yards	52.85	103.69	154.51	205.32	256.13	306.94
8 cubic yards	\$67.49	\$132.45	\$197.38	\$262.32	\$327.25	\$392.18
FY 2022						
2 cubic yards	\$26.45	\$51.28	\$76.10	\$100.93	\$125.75	\$150.57
3 cubic yards	34.04	66.05	98.05	130.05	162.04	194.04
4 cubic yards	41.30	80.19	119.07	157.94	196.81	235.68
6 cubic yards	55.40	107.65	159.88	212.10	264.32	316.55
8 cubic yards	\$69.23	\$134.59	\$199.93	\$265.26	\$330.59	\$395.92
FY 2023						
2 cubic yards	\$31.25	\$59.97	\$88.68	\$117.39	\$146.11	\$174.82
3 cubic yards	38.21	73.42	108.60	143.79	178.98	214.17
4 cubic yards	44.94	86.40	127.84	169.29	210.73	252.17
6 cubic yards	58.07	111.76	165.43	219.10	272.78	326.45
8 cubic yards	\$71.01	\$136.77	\$202.50	\$268.23	\$333.97	\$399.70
FY 2024						
2 cubic yards	\$36.92	\$70.13	\$103.34	\$136.55	\$169.76	\$202.97
3 cubic yards	42.91	81.61	120.30	159.00	197.70	236.40
4 cubic yards	48.90	93.08	137.26	181.45	225.63	269.82
6 cubic yards	60.87	116.03	171.19	226.34	281.51	336.67
8 cubic yards	\$72.85	\$138.98	\$205.11	\$271.24	\$337.38	\$403.52

Commercial Dumpster Compactor Service – Monthly Fee

Bin Capacity	Pickups per Week:					
	1	2	3	4	5	6
2020 (effective March 1, 2019)						
2 cubic yards	\$82.73	\$164.69	\$246.64	\$328.58	\$410.52	\$492.47
3 cubic yards	121.27	241.47	361.64	481.82	601.99	722.16
4 cubic yards	159.47	317.57	475.65	633.73	791.81	949.88
6 cubic yards	235.38	468.83	702.25	935.67	1,169.08	1,402.50
8 cubic yards	\$310.96	\$619.45	\$927.91	\$1,236.36	\$1,544.81	\$1,853.26
FY 2021						
2 cubic yards	\$97.75	\$192.59	\$287.39	\$382.19	\$476.99	\$571.78
3 cubic yards	136.16	268.39	400.57	532.75	664.92	797.10
4 cubic yards	173.51	342.14	510.70	679.25	847.80	1,016.35
6 cubic yards	246.73	486.74	726.66	966.57	1,206.48	1,446.38
8 cubic yards	\$318.99	\$629.47	\$939.85	\$1,250.23	\$1,560.59	\$1,870.95
FY 2022						
2 cubic yards	\$115.50	\$225.22	\$334.89	\$444.55	\$554.21	\$663.86
3 cubic yards	152.87	298.32	443.70	589.07	734.44	879.80
4 cubic yards	188.79	368.60	548.33	728.05	907.76	1,087.46
6 cubic yards	258.62	505.33	751.92	998.49	1,245.07	1,491.64
8 cubic yards	\$327.22	\$639.65	\$951.95	\$1,264.24	\$1,576.53	\$1,888.80
FY 2023						
2 cubic yards	\$136.47	\$263.38	\$390.23	\$517.08	\$643.94	\$770.78
3 cubic yards	171.63	331.59	491.46	651.34	811.22	971.09
4 cubic yards	205.41	397.11	588.73	780.34	971.95	1,163.56
6 cubic yards	271.09	524.63	778.06	1,031.47	1,284.90	1,538.31
8 cubic yards	\$335.66	\$650.00	\$964.20	\$1,278.42	\$1,592.63	\$1,906.83
FY 2024						
2 cubic yards	\$161.24	\$308.00	\$454.72	\$601.44	\$748.19	\$894.91
3 cubic yards	192.70	368.57	544.36	720.19	896.02	1,071.85
4 cubic yards	223.49	427.82	632.10	836.39	1,040.68	1,244.97
6 cubic yards	284.17	544.67	805.10	1,065.53	1,326.00	1,586.44
8 cubic yards	\$344.32	\$660.51	\$976.62	\$1,292.75	\$1,608.90	\$1,925.03

(E) RollOff Box Service

1. Each roll-off box will pay a set fee upon start of service.
2. Each roll-off box will pay a “Pull Fee” and a disposal charge per ton (3-ton minimum) multiplied by the size of the roll-off box each time the roll-off box is serviced.

3. Roll-off boxes will be serviced a minimum of once, every thirty (30) days.
4. Customer owned, roll-off compactors, may be serviced subject to adopted pull fee and disposal charges.

(F) A landfill closure fee will be assessed for all commercial dumpster, commercial container, residential container or user account at the adopted rate. The Landfill Closure Fee meets the financial assurance requirements under US EPA 40 CFR 258.72 for landfill closure, post-closure maintenance and potential corrective actions. The fee shall be levied against every premise within the city limits which is receiving city water, sewer or solid waste service, or when the water and/or sewer service is paid for by other parties.

(G) All transfer station users shall pay current adopted rates for the services or activities provided for in this chapter. Fees will be based on the weight measured by the scales or, when that is not possible, the estimates of volume determined by City employees.

1. All fees are due and shall be paid at the time that the transfer station is utilized with the exception of authorized solid waste charge account customers duly permitted by the City pursuant to this chapter. All charges incurred by solid waste charge account customers pursuant to this chapter shall be due in full on the date of billing, and a penalty of one and one-half percent (1.5%) per month of the unpaid balance will be imposed on bills not paid within thirty (30) days after the billing date.

Transfer Station Tipping Fees per Ton

Description	Rate per Ton					
	March 1st 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Solid Waste	\$69.00	\$69.00	\$70.00	\$71.00	\$72.00	\$73.00
Minimum Load Charge - Solid Waste	\$11.00	\$11.00	\$12.00	\$13.00	\$14.00	\$15.00
Clean Brush	\$59.00	\$59.00	\$59.00	\$59.00	\$59.00	\$59.00
Minimum Load Charge - Brush	\$7.00	\$7.00	\$7.00	\$7.00	\$7.00	\$7.00
Clean Inert Debris	\$20.00	\$20.00	\$22.50	\$25.00	\$27.50	\$30.00

(H) Special events within the City shall pay fees in accordance with adopted rates for solid waste and recycling services. The City will determine the size and number of containers needed for special events.

7-4-26 MUNICIPAL SOLID WASTE CHARGE ACCOUNT CUSTOMERS:

All transfer station customers and business establishments may obtain a charge account disposal permit from the Public Works Department and establish a municipal solid waste charge account approved by the City for transfer station use. Each private service provider’s or contractor’s vehicle used will be identified, numbered and categorized as to volume. Each time a vehicle enters the transfer station it will be weighed and charged a rate per ton as authorized by this chapter. If for any reason the vehicle cannot be weighed, the vehicle will be charged for a full load based upon the volume of the vehicle (compacted or loose cubic yards).

7-4-27 SEVERABILITY:

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter, which shall remain in full force and effect; and to this end the provisions of this chapter are hereby declared to be severable.

7-4-28 VIOLATIONS AND PENALTIES:

(A) The penalties set forth above shall be cumulative and nonexclusive. In addition to those penalties set forth above, the City may institute any other remedies available, including but not limited to a civil action to seek injunctive relief for a violation of this chapter, and the recovery of attorney's fees for such violation.

(B) Any person who violates any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in Section 1-3-1. Each and every day any such violation continues shall be deemed and considered a separate offense.

¹ State law references: Solid waste management, A.R.S. § 49-701 et seq.; local regulation of solid waste, A.R.S. §§ 49-704, 49-746, 49-765; criminal littering, A.R.S. § 13-1603.