



Legislation Text

File #: 2016-3539, **Version:** 2

Consider an ordinance amending Chapter 32, Sections 32-22 and 32-23, Code of Ordinances (2010 Edition), regarding residential refuse and commercial refuse. (Second Reading)

This item establishes allowable times for how long trash and recycling carts may be at the street for collection and designates where they must be stored when not set out. The genesis of this ordinance stems from a staff review of current ordinance requirements after receiving complaints regarding trash receptacles. Currently, the City does not have any limitation on how long trash receptacles may remain in the public ROW, making it legal for a homeowner or tenant to permanently leave their cart at curb. Some residents have grown concerned about the negative impact this has on neighborhood quality as well as their home value. Staff concurs with these concerns and believes there should be some corrective measure within the code of ordinances to address this issue.

The proposed amendment to the trash and recycling ordinance provides a 60-hour window during which residential receptacles may be at the street: from 7:00 am the day before collection to 7:00 pm the day after collection. Receptacles used by commercial properties have a smaller window, from 5:00 pm the day before collection to 7:00 am the day after. The ordinance also states that residential trash and recycling receptacles shall be stored behind the front building wall of the home when not set out for collection. They may still be in view from the street, such as beside the house, but this will prevent them from becoming a visual focal point.

Code Enforcement will be responsible for the day-to-day enforcement of the new regulations and will use them to require the notable and habitual violators to rectify the situation. As staff does with other public nuisances such as debris, we will work with the homeowner to find a solution before any legal action is necessary. Taking a homeowner to court over these issues is a last-resort method of seeking compliance that the officers proactively try to avoid.

Staff recommends approval.