

## CHAPTER 3

### DEPARTMENTS

#### ARTICLE 3. MUNICIPAL SOLID WASTE DEPARTMENT

**3-301 MUNICIPAL SOLID WASTE DEPARTMENT; OPERATION AND FUNDING.** The Municipality shall have the power to establish a solid waste management system within the corporate limits. When such system shall have been established, the municipality may provide by ordinance for the management and operation thereof, the rates to be charged for such service, including collection and disposal, the manner of payment and collection thereof and prescribe penalties for the violation of such ordinance, and do whatever is necessary to protect the general health in the matter of removal and disposal of garbage. (Ref. RS 19-2101 through 19-2113, NE.)

**3-302 MUNICIPAL SOLID WASTE DEPARTMENT; MANDATORY COLLECTION**

**SERVICE.** All solid waste to be disposed of within the Municipality shall be placed in the containers furnished by the contractor with whom the Municipality has entered into an exclusive agreement for the collection and removal of solid waste, and said solid waste shall be picked up by the contractor. The burning or placing of hot ashes in the containers furnished by the contractor is hereby prohibited.

**3-303 MUNICIPAL SOLID WASTE DEPARTMENT; MANDATORY COLLECTION**

**SERVICE; SCHEDULE OF CHARGES.** The Governing Body shall by resolution set forth a schedule of charges for the collection of solid waste. Any and all amendments or modifications of the schedule of charges shall likewise be effectuated by the passage of a resolution by the Governing Body.

**3-304 MUNICIPAL SOLID WASTE DEPARTMENT; MANDATORY COLLECTION**

**SERVICE; COLLECTION CHARGES.** The solid waste collection charges shall be billed to the residents of the Municipality along with and at the same time said residents are billed for water and sewer charges. Charges for solid waste collection shall be collected at the same time, in the same manner and by the same officers as water and sewer charges are collected by the Municipality. Unpaid solid waste collection charges shall be deemed delinquent on the same day water and sewer charges are deemed delinquent.

**3-305 MUNICIPAL SOLID WASTE COLLECTION DEPARTMENT; MANDATORY COLLECTION SERVICE; DELINQUENT COLLECTION CHARGES.**

All delinquent solid waste collection charges are hereby declared to be a lien upon the premises or real estate for which, or upon which the same was used or supplied, and upon the refusal of said person, firm or corporation to pay said delinquent collection fees, they shall be collected by being placed upon the assessment rolls and the tax books for collection, like other taxes, as further provided herein. It shall be the duty of the Municipal Clerk on the second Monday of January of each year to report to the Municipal Governing Body a list of all unpaid accounts due for solid waste collection, together with a description of the premises or real estate, upon or for which the same was used or supplied. Said report shall be examined, and if approved by the Governing Body, shall be certified

by the Municipal Clerk to the County Clerk of Lincoln County, Nebraska, giving the amounts due and the description of the premises or real estate upon or for which the collection services were used or supplied, the same to be collected as other taxes, by the County Treasurer of said County. Prior to certification to the County Clerk of Lincoln County, Nebraska, the Municipality shall give thirty (30) days written notice to the owner of record of the subject property, said notice to be by certified mail or registered mail.

**3-306 MUNICIPAL SOLID WASTE DEPARTMENT; PROHIBITIONS FOR THE STORAGE OF WASTES.**

It shall be unlawful for any person to keep in, on or about any dwelling house, building or premises in the Municipality any decayed vegetable or animal substance, garbage, rubbish, or refuse matter, or any substance that may be injurious to the public health or offense to the residents or inhabitants of the vicinity unless the same is kept in containers and/or receptacles as set forth in this ordinance.

**3-307 MUNICIPAL SOLID WASTE DEPARTMENT; PROHIBITIONS FOR THE COLLECTION OF WASTES.**

It shall be unlawful to deposit or permit to fall from any vehicle on any public street or alley in the Municipality; provided, that this section shall not be construed to prohibit solid wastes in a container complying with the provisions of this ordinance preparatory to having such material collected and disposed of in the manner provided herein.

**3-308 MUNICIPAL SOLID WASTE DEPARTMENT; PROHIBITIONS FOR THE DISPOSAL OF WASTES.**

It shall be unlawful to: (a) dispose of any solid waste except in compliance with this ordinance; (b) transport any solid waste in the Municipal dump or landfill, except in compliance with this ordinance; (c) collect and dispose of any solid waste within the Municipality, except as authorized in this ordinance; or (d) burn garbage, trash, waste, refuse, rubbish or debris within the corporate limits; provided, that the fire chief may authorize the burning of grass or weeds, and the burning of old buildings and other combustibles by the fire department in fire-fighting practice and training.

The Municipality may authorize the burning of leaves and yard waste for cleanup purposes during the fall of the year with the approval of the Fire Chief.

**3-309 MUNICIPAL SOLID WASTE DEPARTMENT; MAINTENANCE OF SANITARY CONDITIONS ON PUBLIC AND PRIVATE PREMISES.**

Nothing herein shall be construed to prohibit the following:

(a) recycling of wastes in any municipally approved program for ecological purposes;

(b) disposal of garbage or refuse by means of a kitchen or home disposal unit;

(c) nor shall the container privileges of this ordinance apply to large, bulky refuse which may not be placed within a suitable container.