

ORDINANCE #O-2018-01

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| First Reading | November 13, 2017 |
| Second Reading | November 27, 2017 |
| Enacted | November 27, 2017 |
| Effective | November 27, 2017 |

AN ORDINANCE TO AMEND AND REENACT THE CODE OF ORDINANCES, CITY OF MANASSAS, VIRGINIA (2002), AS AMENDED, BY AMENDING CHAPTER 98.1, SOLID WASTE

WHEREAS, the City Council of the City of Manassas (hereinafter "City Council") has determined that it is in the best interest of the City of Manassas to amend and reenact the Solid Waste Ordinance, Chapter 98.1 of the Manassas City Code of Ordinances in order to bring the city's solid waste regulations into compliance with the Code of Virginia.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Manassas, Virginia, meeting in **Regular** session this 27th day of November, 2017:

1. That the Code of Ordinances, City of Manassas, Virginia (2002), is hereby amended and reenacted by revising Chapter 98.1, as follows:

Chapter 98.1 - SOLID WASTE

ARTICLE I. - IN GENERAL

Sec. 98.1-1. - Finding and Purpose

- (a) City Council finds that the protection, improvement and preservation of public health and the environment are essential to the general welfare of the residents of the City of Manassas. For this reason, a code of standards and procedures for the administration and enforcement of the City's Municipal Solid Waste (MSW) have been established to the control, collection, transportation, and Disposal of MSW, and to promote source reduction and Recycling as means of reducing the amount of MSW that has to be Disposed. To these ends, this Chapter acknowledges and/or authorizes the following supporting documents that further describe critical elements of the City's Solid Waste management system that may be updated or revised from time to time:

- (1) The City's Solid Waste Management Plan;
- (2) The City's Debris Management Plan;
- (3) The City's Recycling Program Requirements;
- (4) The City's Litter Prevention Strategy;
- (5) Solid Waste Advisories;
- (6) Other City Solid Waste management program guidance and requirements, as they are developed by the City.

(b) **Applicability.** Except as otherwise provided, this Chapter, and any regulations or administrative directives or procedures issued under its authority, apply to all residents and commercial, industrial, and institutional establishments within or doing business within the City, and any person or entity who collects, transports, Disposes, or otherwise manages or arranges for management of MSW.

Section 98.1-2 - Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

Bulk Waste means any item set out for curbside collection that is too large to fit into a Suitable Container, including but not limited to White Goods (appliances), rugs, mattresses, bed springs, furniture, exercise equipment, grills or other household items that are not otherwise prohibited.

Commercial Waste means all Solid Waste generated by establishments engaged in business operations other than manufacturing or construction. This category includes, but is not limited to, Solid Waste resulting from the operation of stores, markets, office buildings, restaurants, and shopping centers.

Construction Waste means Solid Waste that is produced or generated during construction, remodeling, or repair of pavements, houses, commercial buildings, and other structures. Residents are permitted to set out small amounts of remodeling/DIY waste, not to exceed no greater than four (4) feet in length and weighing no more than fifty (50) pounds excluding prohibited items, for scheduled Bulk Waste collection. Prohibited Construction Waste includes, but is not limited to: lumber over four (4) feet in length, wire, sheetrock, broken brick, shingles, glass, pipes, concrete, paving materials, metal, plastic pipes over four (4) feet in length, paints, coatings, solvents, asbestos, any liquid, compressed gases or semi-liquids – or the empty containers of any of the aforementioned materials.

Curbside Leaf Collection Program means the seasonal collection of loose leaves raked curbside by Owners or Occupants and collected by the City's Department of Public Works.

Downtown Commercial Collection Area means a Trash and Recycling collection area, as defined by the City Manager, that contains a mix of retail, service or apartments and is serviced by the City or its Refuse and Recycling contractor for Disposal, unless otherwise authorized by the City Manager.

Dispose means to get rid of something or throw something away.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any Solid Waste into or on any land or water so that such Solid Waste or any constituent of it may enter the environment or be emitted into the air or discharged into any waters.

Dumpster means a metal or plastic container generally used for automated collection of non-Residential Solid Waste containing doors and lids which may be secured to prevent the contents of the Dumpster from escaping.

Electronic Waste or eWaste means any unwanted, outdated or obsolete appliance or electronic device found in offices, homes and personal devices. Televisions, microwaves, computers and cell phones are all common examples of eWaste. Many electronic products include harmful materials such as lead, cadmium, chromium, brominated flame retardants or polychlorinated biphenyls (PCBs).

Garbage means readily putrescible Disposed materials composed of animal, vegetable or other organic matter.

Hazardous Waste means a "Hazardous Waste" as described by Virginia Hazardous Waste Management Regulations and the Virginia Administrative Code.

Household Hazardous Waste means any waste material derived from households which, except for the fact that it is derived from a household, would otherwise be classified as a Hazardous Waste in accordance with Virginia Administrative Code.

Household Waste means any waste material, including Garbage, Trash, Refuse, Recycling and Yard Waste derived from households. Households include single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas. Household Wastes do not include sanitary waste in septic tanks.

Industrial Waste means any Solid Waste generated by manufacturing or industrial process that is not a regulated Hazardous Waste. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products/byproducts; inorganic chemicals; iron and steel manufacturing; leather and leather products;

nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include mining waste or oil and gas waste.

Institutional Waste means all Solid Waste emanating from institutions such as, but not limited to, hospitals, nursing homes, orphanages, and public or private schools. It cannot include Regulated Medical Waste from health care facilities and research facilities that must be managed as a Regulated Medical Waste.

Land-Clearing Debris means vegetative waste resulting from land-clearing activities.

Landfill means a sanitary Landfill, an Industrial Waste Landfill, or a construction/demolition/debris Landfill.

Litter means any man-made material thrown, placed, deposited or caused to be placed, deposited or cast creating a danger to public health, safety, or welfare and/or degrading to the environment. "Litter" is not limited to but includes: paper, cigarette butts, cans, bottles, food wrappers and plastic bags. It can also range in size from tiny bits of paper to large appliances and automobiles.

Multifamily Dwelling includes any building or structure containing four or more contiguous living units and intended exclusively for Residential purposes.

Municipal Solid Waste (MSW) means that waste which is normally composed of Residential, commercial, non-Residential and institutional Solid Waste and residues derived from combustion of these wastes, as defined in Virginia Administrative Code Solid Waste management regulations.

Non-collectable Item shall mean any Solid Waste item that will not be collected by the city or its Refuse and Recycling contractor for Disposal, unless otherwise authorized by the city manager.

Pollutant means any substance that causes or contributes to, or may cause or contribute to, environmental degradation when discharged into the environment.

Putrescible Waste means Solid Waste that contains organic material capable of decay by micro-organisms, which may cause odors.

Receptacle means a container that is specifically designed, constructed, and placed for public use as a depository for Litter or Solid Waste.

Recycling means those items identified in regulations promulgated by the City Manager as recyclable and acceptable to the City for Recycling in accordance the City's solid waste management plan.

Recycling Container means a reusable hard plastic cart with a tight fitting lid and handles of adequate strength for lifting fifty (50) pounds or reusable hard plastic bin, which is provided by or through the City or is otherwise approved by the City Manager.

Refuse means any and all Litter, rubbish, Garbage, Trash, waste, putrescible debris or other offensive or unwholesome substance or materials of any nature whatsoever that is generated at the property from which it is being collected.

Refuse Container means a cart provided by or through the City or is otherwise approved by the City Manager or a privately owned reusable container designed for Refuse made of plastic or metal with a tight fitting lid and handles of adequate strength for lifting fifty (50) pounds. Plastic bags will only be considered Suitable Containers during time frames specified by the City for periodic overflow.

Regulated Medical Waste means Solid Waste so defined by Virginia Administrative Code Regulated Medical Waste Management Regulations and promulgated by the Virginia Waste Management Board.

Residential means any structure used or constructed or modified or adopted for use as a single-family dwelling, duplex, cluster housing, townhouse or multiple-family apartment building or other similar structure containing three or fewer Residential units, and which is located on a single lot, parcel or tract of land. Each dwelling unit of a duplex, cluster housing, townhouse, or multiple-family building or other similar structure shall be deemed a separate residence.

Roll-off Container means a temporary metal container, compacted or open, with or without wheels, designed and used by non-exclusive commercial Solid Waste Haulers for the collection and Disposal of Contractor, Construction or Demolition debris and/or large quantities of Solid Waste.

Scrap Metal means metal parts such as bars, rods, wire, empty containers, or metal pieces that are Disposed and can be used, reused, or reclaimed.

Service User means Owners and Occupants of single family homes, town homes and businesses within the Downtown Commercial Collection Area that pay a monthly service fee for Refuse and Recycling collection through their utility bills.

Sharps mean any devices with a sharp point or edge that can puncture or cut skin. This includes but is not limited to hollow needles used to inject drugs (medication) under the skin and syringes used to inject medication into or withdraw fluid from the body.

Solid Waste means any Garbage, Refuse, sludge and other discarded material. This includes solid, liquid, semisolid or contained gaseous material regardless of source.

Solid Waste Hauler means a licensed commercial or industrial hauler who collects and transports Solid Waste for the purpose of Disposal.

Suitable Container means City provided or private container for the storage and set out for Refuse, Recycling and Yard Waste, by Occupants and Owners, for collection by the City or designated Refuse and Recycling contractor as defined in Code §§ 98.1-16 and 98.1-17.

Transfer Station shall mean any legally authorized Solid Waste storage or collection facility at which Solid Waste is transferred from collection vehicles to transport vehicles for hauling to a central Solid Waste management facility for Disposal, incineration, or resource recovery.

Trash means combustible and noncombustible Disposed materials and is used interchangeably with the term rubbish

Violation means an action or activity that is in breach of the City Code.

Waste Tire means any tire that has been set out at the curb.

White Goods means any refrigerators, stoves, washers, dishwashers, hot water heaters, and other large appliances.

Yard Waste means decomposable waste materials generated by yard and lawn care and includes leaves, grass trimmings, brush, wood chips, and shrub and tree trimmings. Yard Waste shall not include roots or stumps or any yard or lawn care material contaminated with soil. Branches or limbs set out as Yard Waste shall not exceed four (4) feet in length and three (3) inches in diameter and shall be bundled and tied for collection.

Section 98.1-3 - Rules and regulations

The City Manager may adopt rules and regulations with respect to Solid Waste collection. Such rules and regulations shall be intended to protect the public health, safety and welfare, to promote good sanitation and cleanliness, and to protect the environment.

Section 98.1-4 – Enforcement

This chapter shall be enforced by the City Manager’s designee or authorized agent.

Section 98.1-5 – Violation of Chapter

Violation of any provision of this Chapter 98.1 of the City of Manassas Code shall constitute a Class 1 misdemeanor except as expressly provided elsewhere within this Chapter.

ARTICLE II – LITTERING AND DUMPING

Section 98.1-6 – Littering

- (a) No person shall Litter upon or in any street, sidewalk, park, playground, school ground, or other publicly owned, rented or otherwise publicly controlled land or building within the City.
- (b) Any person(s) using a City street, sidewalk, park, playground, school ground, or other publicly owned, rented or otherwise publicly controlled land or building for the sale or distribution of circulars, handbills, newspapers or any product that is packaged in immediately disposable wrappers or containers:
 - (1) Shall provide Receptacles for the Disposal of Refuse, Recycling or other Litter that may be created in the immediate vicinity by such sale or distribution;
 - (2) Shall request that all such Refuse, Recycling or Litter so created be placed in such Receptacle(s), and;
 - (3) Shall remove and Dispose of the Refuse, Recycling or Litter in accordance with City regulations.

Section 98.1-7 - Property to be Kept Free of Litter and Refuse

It shall be the duty of every Owner or Occupant of property, whether improved or unimproved, including lots and areas, to keep, or cause to be kept, such property clean and free of Litter and Refuse.

Section 98.1-8 - Vehicles Dropping Contents on Public Right of Way

Any person who transports in any vehicle or in any other manner upon any public place any loose material or articles likely to shift, fall, spill, or be blown upon the public right way or place shall cover the contents thereof, or shall convey the contents in tightly secured and covered boxes or containers. If any of the contents shall be blown, spilled, fall or become scattered in or upon any public right of way or place, such person shall immediately cause such contents to be gathered up and removed.

Sections 98.1-9 – 98.1-10 - Reserved

ARTICLE III - COLLECTION BY AN AUTHORIZED PERSON

Section 98.1-11 - Collection of Solid Waste Fees

Fees for Solid Waste collection shall be as set forth in an uncodified ordinance as approved and amended by the City Council.

Section 98.1-12 - Landlord and Tenant responsibility

Owners of Property in the City whose Property is eligible for service under this curbside collection program and their Tenant(s) must comply with provisions of this article.

Section 98.1-13 - Scope of Service

The City of Manassas may provide curbside Refuse and Recycling collection service to Service Users (excluding multi-family dwellings) and to businesses located within the Downtown Commercial Collection Area who comply with this article and other applicable code provisions.

Section 98.1-14 - Prohibition against use of curbside collection service

- (a) Any Property or parcel of land within the Downtown Commercial Collection Area of the City generating weekly Refuse in excess of four (4) ninety-six gallon containers will be denied City curbside collection service due to volume. The Property Owner shall be responsible for arranging proper Disposal of Refuse and Recycling through a Solid Waste Hauler.
- (b) All commercial properties located outside the City's Downtown Commercial Collection Area shall be responsible for arranging proper Disposal of Refuse and Recycling through a licensed Solid Waste Hauler.

Section 98.1-15 - Conditions of Service

To qualify for this service under this article, Service Users must place all accumulated Refuse and Recycling in containers that meet the conditions set forth in Code §§ 98.1-16 - 98.1-18.

Section 98.1-16 - Refuse Container Requirements

Service Users within the City must set out Refuse in Suitable Containers for collection in compliance with Code §§ 98.1-21 and 98.1-22.

- (a) City provided Refuse Containers or private Suitable Containers shall be used for City Refuse collection.
- (1) The City will provide hard-sided Refuse Containers with tight fitting lids to Service Users in single family homes and townhomes for the purpose of Refuse collection. Service Users may receive additional City Refuse Containers, for a set fee, as set forth in an uncodified ordinance approved and amended by the City Council.
 - (2) As a matter of health and safety, all Refuse must be placed in plastic bags and set in City Refuse Containers or private Suitable Containers for collection.
 - (3) Plastic bags will only be considered Suitable Containers during time frames specified by the City for periodic overflow. The time frames will be for specific holidays and other times of heavy Trash volume that the City will designate and notify Service Users through media generally available to alert Service Users to changes in Trash service. All plastic bags must be securely tied at the top and have sufficient wall strength to support fifty (50) pounds when lifted from the top.
 - (4) The City will not be responsible for replacement of non-Suitable Containers taken or damaged by the City or its agents, and will not be responsible for replacement of Suitable Containers taken or damaged by third parties.
 - (5) Refuse that is too large to fit into Refuse Containers is considered Bulk Waste. Service Users must call to schedule Bulk Waste collection and set out Bulk Waste in accordance with Code § 98.1–2.

Section 98.1-17- Recycling Container Requirements

Service Users within the City must set out Recycling in Suitable Containers for collection in compliance with Code §§ 98.1-21 and 98.1-22.

- (a) City provided Recycling Containers or bins shall be used for City Recycling collection.
- (1) Recycling shall be sorted in accordance with the regulations promulgated by the City Manager as recyclable and acceptable to the City for Recycling.
 - (2) Over-sized cardboard shall be broken down, flattened and taped together and set next to Recycling Container or bin.
 - (3) Only shredded paper set out for collection may be set out in clear plastic bags to ensure safety and visibility of contents.
 - (4) No Refuse, Yard Waste, plastic Trash bags, plastic shopping bags or plastic film may be placed in the City provided Recycling Containers or bins.

Section 98.1-18 - Yard Waste Container Requirements

For Yard Waste (except for the Curbside Leaf Collection Program): Service Users shall use a private Refuse Container, or paper biodegradable bag designed for Yard Waste, with sufficient wall strength to maintain physical integrity with a load weight not to exceed fifty (50) pounds.

- (a) Yard Waste set out in a City provided Refuse Container or Recycling Container or in a plastic bag will not be collected in accordance with Code § 98.1.24.
- (b) Branches or limbs set out as Yard Waste shall not exceed four (4) feet in length and three (3) inches in diameter and shall be bundled and tied for collection or set out in a private Suitable Container.
- (c) Yard Waste including all brush and bagged leaves shall be secured so as to prevent being blown and scattered by wind.

Section 98.1-19 - Noncompliance with Container Requirements

To address a violation of any provision of Code §§ 98.1-15 - 98.1-17, the City may pursue any or all of the following remedies:

- (a) The City may choose not to collect the Refuse, Recycling or Yard Waste. In such case, a Notice of Violation may be given to the Owner or Occupant of the Property in front of which such uncollected Refuse, Recycling or Yard Waste was placed. The latter notice may be verbal or written and shall be provided as soon as is feasible after the rejection; or
- (b) The City may collect the Refuse, Recycling or Yard Waste notwithstanding the fact that its placement does not comply with the provisions of this article. In such cases, the Owner or Occupant shall have twenty four (24) hours to remove the Trash. After such time, the City shall assess the actual cost of collection of the article and a minimum charge for removal, which will be set by an uncodified ordinance, per truck load, against the Owner or Occupant of the Property in front of which such Refuse was placed.
- (c) This charge shall be billed to the Owner or Occupant, and collected as taxes and levies are collected, or in separate billings, including but not limited to, those related to utility payments. Every charge authorized by this section with which the Owner of any such Property shall have been assessed and which remains unpaid shall constitute a lien against such Property.

- (d) The City may issue a civil penalty, not to exceed fifty (50) dollars for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within twelve (12) months of the first violation shall not exceed two hundred (200) dollars. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of three thousand (3,000) dollars in a twelve (12) month period.

Section 98.1-20 - Ownership of Refuse and Recycling Containers

- (a) Refuse and Recycling Containers are provided to Service Users by the City or its agent and shall remain the property of the City or its agent. In the event a Service User moves, the Service User shall leave the Refuse and Recycling Container behind to be used by the next customer occupying the Property being served.
- (b) City provided containers for Refuse and Recycling shall not be defaced, except that the address of the Property to which the container is provided may be marked on the underside of the container lid.

Section 98.1-21 - Placement of Containers, Bundles and Bulk Waste

The City or its agent may provide curbside Refuse and Recycling collection service to qualifying properties. The collection schedule shall be set by the Refuse and Recycling Coordinator, and a copy thereof shall be available to any City resident or business upon request. All collection services shall be subject to the regulations set forth in an uncodified ordinance and fee schedule adopted by the City Manager.

- (a) All Refuse to be collected by the City shall be set out or located so that it can be easily and conveniently reached by collection crews at the curb or edge of the street no further than one (1) foot behind the curb or edge of the street on which the City provides collection.
- (b) Refuse and Recycling Service Users located in the Downtown Commercial Collection Area shall be subject to the following collection procedures:
 - (1) Containers and Dumpsters holding Refuse and Recycling shall be placed in areas designated on the Downtown Commercial Collection Area map.
 - (2) It shall be unlawful to place containers, Dumpsters, bags or bins on sidewalks in the Downtown Commercial Collection Area from 10:00 a.m. to 3:00 p.m.
 - (3) Restaurants shall use only closed, non-leaking containers with tops for Refuse collection, with their name and address clearly marked on each container.
 - (4) Such Refuse and Recycling shall be so placed for collection at the curb not earlier than 6:00 p.m. on the day preceding the scheduled collection for such location nor later than 7:00 a.m. of the day of scheduled collection.

- (5) Emptied containers shall be removed by the Owner or Occupant from the sidewalk or street and returned to an enclosed/ screened area, no later than 10:00 a.m. the day of collection.
- (c) Any additional Refuse and Recycling special collections and Disposal are subject to contract set forth between the commercial Owner or Occupant and the designated City contractor or through a licensed Private Hauler.
- (d) Refuse and Recycling Service Users located in Residential areas shall be subject to the following collection procedures:
 - (1) Containers shall be set out no earlier than 12:00 p.m. the day prior to the day for collection and no later than 6:00 a.m. the day of collection.
 - (2) Following collection; all containers shall be removed from the curb, no later than 12:00 p.m. on the day following collection and may be stored in the rear or side yards only, in accordance with the requirements of this subsection, or may be effectively blocked from view by vegetation; otherwise, such containers shall be stored within a principal or accessory structure on the Property.
 - (3) Refuse and Recycling stored outdoors on private Property must be placed in a Refuse Container or Recycling Container and properly screened.
 - (4) Every Service User shall take adequate precautions to secure all Refuse, Recycling, Bulk Waste and Yard Waste in such a manner as to ensure the safety of the public.
 - (5) If Refuse, Recycling or Yard Waste is scattered or blown because the Occupant or Owner did not use a Suitable Container, then that Occupant or Owner is responsible for the scattering and may be charged with Littering under Code §§ 98.1-6, 98.1-7 and 98.1-9.
 - (6) Bulk Waste items shall be collected at curbside through scheduled collection only.
 - (a) All Furniture bulk items are limited to two (2) cubic yards in volume, or three (3) furniture items total per collection, whichever is less.
 - (b) A maximum of two (2) rolls of carpet may be set out per collection. Each roll may not exceed five (5) feet in length or weigh more than fifty (50) pounds.
 - (c) All refrigerator or freezer doors must be removed prior to collection.

Section 98.1-22 - Noncompliance with Placement Requirements

To address a violation of any provision of Code §§ 98.1-20 – 98.1-21, the City may pursue any or all of the following remedies:

- (a) The City may choose to confiscate City containers left out at the curb, or in the public right of way, outside the collection period. In such case, a Notice of Violation may be given to the Owner or Occupant of the Property to which the

container has been assigned to remove the container(s) from the curb, or public right of way, within a maximum period of twenty four (24) hours of the Notice of Violation being issued. The latter notice may be verbal or written and shall be provided as soon as is feasible after identifying the Violation.

- (b) If the Owner or Occupant does not comply with the provisions of this article, the City shall after reasonable notice confiscate the City containers in Violation. There will be a minimum charge, set forth in an uncodified ordinance and fee schedule adopted by the City Manager, for the replacement of each Refuse or Recycling Container, against the Owner or Occupant of the Property to which the container(s) has or have been assigned.
- (c) This charge shall be billed to the Owner or Occupant, and collected as taxes and levies are collected, or in separate billings, including but not limited to, those related to utility payments. Every charge authorized by this section with which the Owner of any such Property shall have been assessed and which remains unpaid shall constitute a lien against such Property.
- (d) The City may issue a civil penalty, not to exceed fifty (50) dollars for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within twelve (12) months of the first violation shall not exceed two hundred (200) dollars. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of three thousand (3,000) dollars in a twelve (12) month period.

Section 98.1-23 - Seasonal Curbside Leaf Collection Program

- (a) The City provides an annual leaf collection program, for all City maintained streets, during the months of October through January. During such months, fallen leaves may be raked or swept to the curbside, or street edge, for vacuum collection.

It shall be unlawful to:

- (1) Rake leaves into any street far enough from the curb or street edge so as to create a traffic hazard.
 - (2) Rake leaves into or near storm drains so as to create an obstruction and prevent the drainage of storm water from the street.
 - (3) Rake leaves onto a sidewalk so as to cover its entire width and obstruct pedestrian traffic on such sidewalk.
- (b) During the months of January through October, all leaves must be bagged and placed for collection in accordance with Code § 98.1-18.

Section 98.1-24 - Non-collectable Items - generally

The following items are Non-collectable Items and shall not be set out by Service Users or collected by the City or designated Refuse and Recycling contractor, unless otherwise authorized by the City Manager:

- (a) Household Hazardous Waste;
- (b) Hazardous Waste;
- (c) Explosives and Ammunition;
- (d) Electronic Waste; however, televisions and computer monitors may be scheduled for collection;
- (e) Regulated Medical Waste;
- (f) Sharps in red "bio hazard" containers and loose Sharps.
- (g) Institutional Waste;
- (h) Industrial Waste;
- (i) Residential construction and or remodeling debris in excess of one (1) cubic yard, greater than four (4) feet in length and/or greater than fifty (50) pounds;
- (j) Commercial construction and/or remodeling debris;
- (k) Stone, brick, sand, rock, asphalt, concrete, pavers, mulch, compost, topsoil;
- (l) Stumps, roots, fallen trees, tree trunks, limbs and branches in excess of four (4) feet in length and three (3) inches in diameter and in excess of fifty (50) pounds;
- (m) Yard Waste and Recycling in plastic bags;
- (n) Yard Waste mixed with Refuse or Recycling;
- (o) Waste Tires;
- (p) Automobile parts;
- (q) Dead animals.

Section 98.1-25 - Uncollected Refuse, Recycling, Bulk Waste and Yard Waste

Where the City has not collected Refuse, Recycling, Bulk Waste and Yard Waste from curbside points of collection or elsewhere because such Refuse, Recycling, Bulk Waste and Yard Waste was not placed or prepared in accord with this article, the persons responsible for such placement shall remove that Refuse, Recycling, Bulk Waste and Yard Waste by the end of the designated collection day.

Section 98.1-26 – Noncompliance with Placement Requirements

To address a violation of any provision of Code §§ 98.1-23 - 98.1-25, the City may pursue any or all of the following remedies:

- (a) The City may choose not to collect the Refuse, Recycling, Bulk Waste and Yard Waste. In such case, a Notice of Violation may be given to the Owner or Occupant of the Property in front of which such uncollected Refuse, Recycling,

Bulk Waste and Yard Waste was placed. The Property Owner or Occupant shall be have a maximum period of twenty four (24) hours of the notice to remove the trash. The latter Notice of Violation may be verbal or written and shall be provided as soon as is feasible after the rejection; or

- (b) In the interest of health and safety, the City may collect the Refuse, Recycling, Bulk Waste and Yard Waste notwithstanding the fact that its placement does not comply with the provisions of this article. In such cases, the City shall after reasonable notice assess the actual cost of collection, which will be set by an uncodified ordinance, per truck load, against the Owner of the Property in front of which such Refuse was placed. This charge shall be billed to the Owner or Occupant, and collected as taxes and levies are collected, or in separate billings, including but not limited to, those related to utility payments. Every charge authorized by this section with which the Owner of any such Property shall have been assessed and which remains unpaid shall constitute a lien against such Property.
- (c) The City may issue a civil penalty, not to exceed fifty (50) dollars for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within twelve (12) months of the first violation shall not exceed two hundred (200) dollars. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of specified violations arising from the same set of operative facts result in civil penalties that exceed a total of three thousand (3,000) dollars in a twelve (12) month period.

ARTICLE III - COMMERCIAL SOLID WASTE COLLECTION GENERALLY

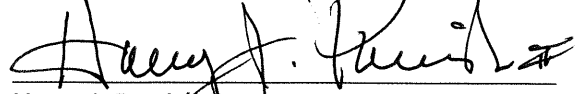
Section 98.1-27 - Commercial Solid Waste Collection – Generally

Solid Waste collection is mandatory for all Commercial Properties within the City. Commercial Properties outside the Downtown Commercial Collection Area must secure the services of a licensed Private Hauler.

- (a) Commercial Properties using the services of a licensed Private Hauler shall cause Refuse, Recycling, Bulk Waste and Yard Waste to be collected from their respective buildings, establishments or property, and Disposed of, in such a manner as not to create a public nuisance or public health hazard.
- (b) It shall be the duty of the Owner or operator of an establishment to use approved and appropriate Solid Waste containers. Open Roll-off Containers may not be used to collect, store, or transport Solid Waste or any other putrescible items except where by permitted use.
- (c) Solid Waste shall be collected from all property not serviced by the City at least once each week.

2. This ordinance shall take effect upon second reading.

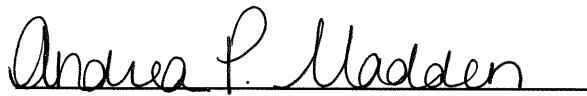
BY ORDER OF THE COUNCIL



Harry J. Parrish II Mayor

On Behalf of the City Council
of Manassas, Virginia

ATTEST:



Andrea P. Madden

City Clerk

MOTION: BASS
SECOND: LOVEJOY
ACTION: APPROVED

November 27, 2017
Regular Meeting
Ordinance #O-2018-01

Votes

Ayes: Aveni, Bass, Elston, Lovejoy, Sebesky, and Wolfe

Nays: None

Absent from Vote: None

Absent from Meeting: None