

## **AGENDA ITEM**

March 16, 2021

Subject: Amending Chapter 17 – Garbage Containers

Department: Administration

The attached ordinance is to address litter control in our community by requiring large commercial enterprises and restaurants to have dumpster enclosures. Our current City code doesn't address dumpster enclosures.

Most of the commercial properties in Nevada already have dumpster enclosures but some of our large solid waste producers do not.

There is a grace period until July 1, 2021 to allow ample time for businesses to come into compliance.

**A GENERAL ORDINANCE OF THE CITY OF NEVADA MISSOURI REVISING, AMENDING AND UPDATING SECTION 17-12 OF THE CODE OF THE CITY OF NEVADA, MISSOURI.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI, THAT:**

**Section 1.** Section 17-12 of the Code of the City of Nevada, Missouri is hereby amended by addition of the following provisions:

**(c) Trash Bin Enclosures – Large Commercial Enterprises.**

Trash Dumpsters of commercial merchandising enterprises servicing collection and disposal of trash and paper products from sales produced in a retail display area of 100,000 or more square feet must be housed within the building or within an enclosed trash bin enclosure facility or fence adequately isolating trash.

**(d) Trash Bin Enclosures – Large Restaurants.**

Trash Dumpsters of restaurants servicing collection of refuse from seating areas of more than 4,000 square feet must be housed within the building or within an enclosed trash bin enclosure facility or fence adequately isolating refuse, garbage and restaurant waste.

**(e) Adequacy of Enclosure Materials.**

Trash bin enclosures or fences, may be of any material that ensures that the isolated material is adequately contained to avoid blowing away of the contents or intrusion of animals or birds spreading the trash or refuse, etc. outside the enclosure and must permit gate or access door closure when not depositing or collecting trash, refuse or garbage to the end that the area surrounding the enclosure is kept clean and safe at all times and that access is denied to unauthorized personnel. Acceptable materials include chain link fences, composite fences, Omega, Vinyl Fences, wood fences, basteel fences, post and rail fences, treated pine, natural cedar, stained wood, wrought iron, etc. Gates are to have a securable latch and hinges and the enclosure is to be constructed in a manner as to accessible to collection vehicles.

**(f) Configuration, Repair and Maintenance.**

Trash bin enclosures shall be such that the dumpster, dumpsters or trash contained within the enclosure shall not exceed the height of the enclosure. All enclosures shall be adequately maintained so that access doors function and the walls do not fall into disrepair. All refuse bins and enclosures shall be located on major drives within developments to provide adequate circulation of refuse vehicles. Enclosures may be screened with plant

material. Enclosures shall be constructed with interior dimensions so that individual containers can be removed independently of each other.

**Section 2.** This ordinance shall not be in full force and effect until the July 1, 2021, to permit determination of those enterprises falling within its purview and allowing for additional input should they wish to appear and be heard.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Nevada, Missouri on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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George Knox, Mayor

(seal)

ATTEST:

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Michele Bailey, City Clerk