

TITLE VIII

HEALTH, SAFETY AND WELFARE

CHAPTER 4

TRASH COLLECTION

Section:

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8-4-1: Town Trash Collection Service

- A. The Town shall provide trash collection service to all residences, businesses, and industries, which desire to utilize such service in accordance with the terms and conditions, set out in this Chapter. Such service may be provided by using Town employees or independent contractors.
- B. Commercial trash haulers or other trash collection services are not restricted from operating within the Town; provided, however, single-family residences, duplexes, and multiple-family residences of less than 8 dwelling units shall be subject to the monthly user charges for Town trash collection services as provided in this Chapter, whether or not the Town's collection service is actually utilized by the residents in any month. However, vacant residential dwelling units for which water and sewer service has been eliminated will not be subject to the monthly user charges, if the Town approves termination of trash collection service with termination of water and sewer service. Industrial and commercial establishments and multi-family residences of 8 or more units shall not be subject to the user charges provided herein, if the responsible parties elect not to use the Town's trash collection service.
- C. All applications and service shall be in the name of the owner of the premises served. An application fee of \$ 10.00 shall be submitted with each application for initial service or for a transfer of ownership. (Ord. 2005-05)

8-4-2: Liability for and Collection of Charges

- A. The customer, owner, lessee, and person in possession of any premises served or subject to the user charges provided in this Chapter shall be jointly and severably liable for the charges imposed by this Chapter.
- B. All charges shall be a lien upon the property served or subject to the charges imposed herein from the date billed, which may be enforced or foreclosed in accordance with law.
- C. The Town may maintain an action in a court of competent jurisdiction for any amounts due plus interest.
- D. Delinquent charges may be certified to the County Treasurer to be collected in the same manner as property taxes against the property served or liable for the charges imposed by this Chapter, following publication of a notice once each week for two consecutive weeks. The notice shall indicate the owner of record; the property charged by legal description; the amount of charges and penalties due; and shall contain an advisement that if the charges are not paid within 10 days following second publication, that they will be certified to the County Treasurer for collection.

8-4-3: Collection Charges for Scheduled Collection: (Ord. 2016-02)

A. Charges for Trash are as follows:

1. Customers using ninety (90) gallon containers:

User	Maximum Containers Per Pickup	Pickups per Week	Charge per Month
Residences	1/unit	1	\$21.75/unit
Non-Residences	2	1	\$21.75/container

Residential customers using ninety (90) gallon containers may request additional ninety (90) gallon containers for an additional charge of \$10.00 per container.

2. Customers using shared three hundred (300) gallon containers:

User	Maximum Containers Per Pickup	Pickups per Week	Charge per Month
Residences	1/unit	1	\$21.75/unit

3. Customers using three hundred (300) gallon containers:

User	Maximum Containers Per Pickup	Pickups per Week	Charge per Month
Other Customers	1/unit	2	\$80.00/container

SECTION 2:

The Board of Trustees determines that the adoption of this Ordinance as an emergency ordinance is required for the preservation of the public peace, health and safety and is in the best interest of the citizens of the Town of Olathe. This ordinance shall become effective immediately upon adoption.

SECTION 3:

If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

8-4-4: Trash Containers (Ord. 1-1995)

- A. The Town shall collect trash only from those trash containers meeting Town specifications compatible with Town collection equipment.
- B. The Town shall determine which residential customers shall be required to use individual containers and which shall use shared containers. The Town shall provide and maintain shared containers at Town expense.
- C. The Town will provide, initially, one ninety (90) gallon container to each residential customer required to use individual containers at

the time the dwelling unit is first served. Thereafter, the customer shall be responsible to maintain it in good condition. Provided, however, the Town may perform minor repairs to the containers as appropriate in the Town's discretion. Replacement of the container shall be at the customer's expense. Such container shall be owned by the Town and not removed from the property served.

- D. The Town will supply a nonresidential customer using a ninety (90) gallon container with one ninety (90) gallon container at the time the customer is first served. All customers shall provide at their expense any additional or larger containers and maintain all containers in good condition. Provided however, the Town may make minor repairs to such containers as appropriate in its discretion. Upon termination of service, any Town supplied containers or its replacement shall be returned to the Town in good condition or the customer will be charged for the cost of repair or replacement. Such container is owned by the Town and shall not be removed from the property served.
- E. The Town shall maintain a supply of containers for sale to customers.
- F. Each customer shall supply a sufficient number of complying containers adequate to accommodate the amount of trash normally generated by the customer. The Town shall make an initial determination of the number of containers reasonably required.
- G. Containers, which are overfilled, overweight in violation of this Chapter or dangerous, shall not be serviced by the Town.

8-4-5: Special Waste Collection Matters (Ord. 08-1996)

- A. No toxic, explosive, hazardous, or extremely flammable or heavy materials, materials contaminated with contagious diseases, dead animals, tree limbs longer than the height of the container, batteries, tires, construction materials and debris, appliances, furniture, and automobile and other heavy engines shall be placed in any containers for collection.
- B. Special arrangements must be made with the Town for collection of such items and collection of other large or unusual loads.
- C. The Town may refuse to collect any items, which pose a hazard to persons, equipment, or property, which cannot be accepted at the landfill or which are otherwise inappropriate for collection, or may charge an additional fee for doing so.

- D. Containers, which are overfilled, overweight or in violation of this Chapter, need not be serviced by the Town, but monthly charges shall be due nonetheless.
- E. If Town vehicles or equipment are damaged because of a violation of this Chapter, the customer shall be liable to the Town for the amount of such damages. Such amount may be added to the customer's bill or collected in any other lawful manner.

8-4-6: Tampering with Trash Containers

It shall be unlawful for any person to use, tamper with, or otherwise disturb any trash container or its contents, which belong to another without permission or a legal right to do so.

8-4-7: Trash Fund (Ord. 2009-13)

All trash collection charges shall be credited to the Trash Fund, the proceeds of which shall be used for the expenses of providing the Town's trash collection service, unless such money is transferred for use for another purpose in accordance with law. (Ord. 2009-13)