

**ORDINANCE AMENDING AND RE-ENACTING  
TITLE 6 CHAPTER 2 SOLID WASTE COLLECTION AND DISPOSAL -  
ARTICLE C SECTIONS 6-2-26 THROUGH 6-2-35, SECTION 6-2-37(a)  
AND 6-2-38;  
OF THE CODE OF ORDINANCES CITY OF HARRISONBURG,  
VIRGINIA**

**Be it ordained by the Council of the City of Harrisonburg, Virginia:**

**CHAPTER 2. - SOLID WASTE COLLECTION AND DISPOSAL**

**Be amended as shown:**

**Sec. 6-2-26. - Refuse to be properly contained.**

No refuse shall be collected by the city unless it is placed in an approved container~~proper containers~~city provided/approved containers or tied in bundles, as described in this article. Refuse originating outside of the corporate limits will not be collected by the city.

**Sec. 6-2-27. - Scheduled collections.**

(a) —The city will provide, once a week, Monday through Friday~~Monday through Friday~~ refuse collection for ~~residential householders and small businesses~~. The city will provide daily collection, Monday through Friday, for residential, business, commercial, and institutional and industrial establishments which cannot reasonably use private collection services due to insufficient location or area to stage containers and are forced to use curbside collection. ~~When any regularly scheduled collection day falls on a holiday or when service is interrupted by inclement weather, the collection will be cancelled~~cancelled, and the refuse will be collected on the next regularly scheduled workday. Refuse collection and recycling~~collection and recycling~~ schedules will be established by city manager~~city manager and the department of sanitation~~public works.

(b) —Refuse shall be placed for pickup no sooner than 4:00 p.m. on the day before the scheduled pickup and no later than 7:00 a.m. on the day of the scheduled pickup;~~with the exception of the select businesses within the city's central business district, which refuse shall be placed for pickup on the date of the scheduled pickup no earlier than 6:00 a.m. and not later than 11:00 a.m.~~

(eb) The city will provide daily refuse collection for select businesses within the city's central business district. Refuse shall be placed for pickup no earlier than 6:00am and not later than 11:00am.

(c) When any regularly scheduled collection day falls on a holiday or when service is interrupted by inclement weather, the collection will be cancelled, and the refuse will be collected on the next regularly scheduled workday.

**Sec. 6-2-28. - Sufficient number of containers to be ~~provided~~; provided, placement for solid waste collection.**

Every householder, whether owner or tenant, and the proprietor of every business approved for city collection shall be provided ~~sufficient~~ a containers by the city to hold all refuse which shall accumulate between collections. Additional container(s) may be requested, additional monthly fees will apply. Containers are to be placed at the owner's property line adjacent to the curb, ~~at the back of the curb/or back of sidewalk~~ so as not to impede pedestrian traffic, except that the Director may designate a more appropriate pickup location for collections in the central business district. It shall be unlawful for a property owner to place for collection, refuse on property other than his unless common collection areas for multifamily/townhouse/commercial customers have been established. Empty cans, containers and refuse not acceptable for removal shall be removed from the pickup point on the same day as collection and placed in storage out of view from the public street. Collection points for commercial accounts are to be determined by the department ~~of sanitation~~ public works.

Approved containers which are provided by the City shall remain property of the City of Harrisonburg. Solid waste customers shall be solely responsible for the cost of containers, per the most current Solid Waste Fee Resolution, in the event of:

- 1) The container being damaged, to the point of replacement, due to reasons not associated with expected wear and tear,
- 2) The loss of a container
- 3) A request to replace the container with a different size container, or for other reasons where the solid waste customer requests a new container to be provided.

When a solid waste customer terminates solid waste collection services, they shall leave the container at the subject property for use by future solid waste collection customers. If a new service is requested and a container was previously provided, but no longer at the property, it shall be the responsibility of the new solid waste collection customer to pay for the cost of providing a new approved container for that property.

**Sec. 6-2-29. - General container requirements.**

- (a) All garbage, consisting of food waste and organic matter, to be collected by the city shall be placed in city provided ~~watertight containers~~ approved containers, except for locations within the Central Business District that do not have the ability to store the city provided container(s) ~~of durable construction, which shall be rust resistant, nonabsorbent, easily washable, with tight-fitting covers and handles, or properly sealed with plastic or polyethylene refuse bags, the walls of which are at least two (2) mils in thickness. Such containers shall be not less than five (5) nor more than twenty (20) gallons' capacity and of sufficient construction to keep out~~

~~water, to prevent disturbance by animals and entrance by insects, and to be safely handled by one collector without coming apart due to the contents or weather conditions.~~

- (b) ~~For~~ Locations within the Central Business District that do not have the ability to store the city provided container(s) shall use watertight containers of durable construction, which shall be rust-resistant, nonabsorbent, easily washable, with tight-fitting covers and handles, or properly sealed with plastic or polyethylene refuse bags, the walls of which are at least two (2) mils in thickness. Such containers shall be not less than five (5) nor more than twenty (20) gallons' capacity and of sufficient construction to keep out water, to prevent disturbance by animals and entrance by insects, and to be safely handled by one collector without coming apart due to the contents or weather conditions.

All refuse other than that provided for in subsection (a) above or rubbish consisting of cans, bottles, rags, papers and solid waste materials to be collected by the city shall be placed in city provided containers approved containers in such a manner cans with handles, plastic or polyethylene bags, or other containers that can be safely handled without coming apart. Such containers may be of any size, not exceeding thirty five (35) gallons' capacity, that they can be handled safely by one collector and filled to such a degree and so secured that they will not spill.

~~(c) Ashes to be collected by the city shall be placed separately in cans or other tight, nonecombustible receptacles that can be safely handled without coming apart, and of not more than twenty (20) gallons' capacity and filled not closer than two and one half (2.5) inches from the top of the container to prevent spilling.~~

- (cd) Refuse shall be stored in a manner so as to preclude scattering by wind, animals, persons, or any natural cause. Litter and debris resulting from containers which have been upset or bags which have been ripped or torn is the responsibility of the resident or business which generated the trash.

#### **Sec. 6-2-30. - Garbage to be drained before placed in container.**

Before garbage to be collected by the city is placed in approved containers, all the liquid portion shall be drained off into the sanitary sewer.

#### **Sec. 6-2-31. - ~~Weight of bundles, containers and contents.~~ Reserved.**

~~The total weight of any one container, including its contents of garbage, ashes or rubbish, or of any one bundle of rubbish, to be collected by the city shall not exceed seventy five (75) pounds.~~

#### **Sec. 6-2-32. - Unacceptable cans and refuse.**

- (a) ~~Cans with covers which do not fit tightly or with bottoms that have rusted out or have holes to permit leakage will be tagged by the city employees as notice to the patron that the can is no longer serviceable and not acceptable for use. Any such cans still in use two (2) weeks~~

~~after being tagged will not be emptied. The owner or occupant shall be responsible for maintaining the approved container in a clean and operable condition. Any repairs or replacement of approved containers will be at the owner or occupant's expense. The Director shall have the authority to refuse collection services from unapproved, damaged or defective containers.~~

- (b) Refuse and waste which is not acceptable for removal by the city will be tagged by city employees as notice to ~~city patrons~~the owner of such property and shall be removed from the pickup point pursuant to section 6-2-28. Such refuse and waste shall be removed by the responsible ~~owner of such property~~city patron from the pickup point within twenty-four (24) hours following the notification.
- (c) If the owner of such property fails to comply with the terms of such notice within the time therein prescribed, or if the whereabouts of the owner is unknown to the city manager and cannot after the exercise of reasonable diligence on his part be ascertained, the city manager, on behalf of the city, shall have such trash, garbage, refuse, litter, and other like substances removed by the city's agents or employees, in which event the costs or expenses thereof, plus fifteen (15) percent to cover the city's administrative costs, shall be chargeable to and paid by the owner(s) of such property, and shall be collected by the city as fees and taxes are collected.

**Sec. 6-2-33. - Waste paper, ~~cartons~~cardboard, etc.**

- (a) All ~~cartons-waste paper, cardboard, newspapers and magazines that citizens opt not to recycle at the city recycling convenience center or mobile recycling unit~~ must be broken down and ~~and tied in bundles placed in city provided~~an approved container for garbage removal.:

~~(b) — All waste paper, cartons, newspapers and magazines in bulk shall be bound in bundles not exceeding seventy-five (75) pounds in weight. Bundles shall not exceed four (4) feet in length or two (2) feet wide and two (2) feet high. The string or rope used for binding shall be of sufficient strength to permit the bundle to be picked up by it.~~

**Sec. 6-2-34. - Tree trimmings, tree limbs, vegetative matter, etc. from residential and commercial locations allowed per subsection 6-2-27(a).**

Tree trimmings, tree limbs not exceeding two (2) inches in diameter, and yard and garden trimmings in bulk not exceeding four (4) feet in length shall be bound in bundles not exceeding seventy-five (75) pounds each in weight. The string, rope or used for binding shall be of sufficient strength to permit the bundle to be picked up by it. Collection schedule will coincide with Bulk Refuse Collection as identified in subsection 6-2-37(a). A single pickup shall not exceed ten (10) bundles. The city will not collect waste generated as a result of services provided to a resident by for hire/licensed contractor services.

Bio-degradable bags are required for vegetative matter and plastic bags shall not be used. City provided containers- isare also not to be used for vegetative matter collectiontree trimmings, tree limbs, or vegetative matter.

the notice the violation persists, the director shall have the garbage, refuse, litter, trash or other substances removed. The cost and expense thereof shall be chargeable to and paid by the owner of such property and may be collected by the city as taxes and levies are collected.

This ordinance shall be effective on the 23<sup>rd</sup> day of March, 2020.

ADOPTED AND APPROVED this 23<sup>rd</sup> day of MARCH, 2020.

Dennis R. Ruda  
MAYOR

ATTEST:

Pamela W. W...

City Clerk