



# City of Harrisonburg, Virginia

## Office of the City Manager

409 South Main Street  
Post Office Box 20031  
Harrisonburg, VA 22802  
(540) 432-7701 / FAX (540) 432-7778

G. Chris Brown  
City Attorney

TO: Kurt Hodgen, City Manager  
FROM: Wesley Russ  
DATE: August 15, 2017  
RE: Amendment to Section 6-2-38 – Refuse disposal for multifamily and boardinghouses.

**Summary:** Proposed amendments to Section 6-2-38 to clarify and update rules regarding refuse disposal at multifamily projects.

**Background:** For many months now, staff have attempted to remedy issues regarding trash disposal at certain multifamily developments in the City. Trash at these developments is routinely placed along the road in violation of the City Code, which then requires extensive effort on the City's part to remedy. For example, trash bags are often improperly secured, resulting in garbage blowing into the street. Correcting these violations during trash pickup takes time, resulting in backed up traffic and motorists entering the lane for oncoming traffic to get around the trash truck. Staff have tried working with the property owners' association to remedy this situation without resorting to amending the relevant ordinance, but without success.

Current Section 6-2-38 requires most multifamily developments to provide a garbage storage area, appropriate storage devices (dumpsters) for use by residents of the development, and contracting for trash collection; however, as written, it applies only to developments with at least six units and where at least half of the units are rented. Determining the percentage of a development that is owner-occupied, rather than rented, is a time-consuming process. The proposed changes would remove this exemption.

Additionally, as written, it's not always clear who is responsible for continuing the upkeep of the refuse storage areas as there is not a single owner of the entire development. Therefore, the amendments clarify that either the owner or property owners' association is responsible for providing the refuse storage area and arranging for trash collection.

**Key Issues:**

**Environmental Impact:** N/A

**Fiscal Impact:** N/A

**Prior Actions:** N/A

**Alternatives:**

- (a) Approve ordinance amendments as presented;
- (b) Deny ordinance amendments.

**Community Engagement:** N/A



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**Recommendation:** Staff recommends approval of the ordinance amendments as presented.

**Attachments:** 1. Proposed Section 6-2-38 reflecting proposed changes.

**Review:**

*The initiating Department Director will place in Legistar, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda. The completion of review only addresses the readiness of the issue for Council consideration. This does not address the recommendation for approval or denial of the issue.*

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