

CHAPTER XIII

SANITATION

13-1 Removal of Garbage and Rubbish.

13-1.1 *Requirements for Food Handling Establishments.* All food processing or food handling establishments shall cause their garbage to be removed at least three times per week and in no event shall said firms be allowed to accumulate garbage for a period in excess of 72 consecutive hours.

13-1.2 *All Other Property; Weekly Disposal Required.* All other persons or firms owning or renting property within the City shall dispose of garbage from their premises at least once per week, and shall in no event allow garbage to accumulate upon these premises for more than seven consecutive days.

13-1.3 *Time Limit for Rubbish Disposal.* Property owners and tenants of any property within the City shall cause any rubbish thereon to be removed from their premises at least once per week and shall not permit any rubbish to remain upon their premises for a period in excess of seven consecutive days. (Ord. No. 41, §1, 2, 3)

13-1.4 *Contract Authorized for Garbage and Rubbish Collection; Rates Established.*

a. The City Council is hereby authorized to enter into a contract with a qualified person engaged in the business of collecting, transporting and disposing of refuse, garbage and rubbish, for the purposes of collecting, transporting and disposing of refuse, garbage and rubbish within the City.

b. The City Council, by resolution, shall establish and fix all rates, charges and conditions for the collection of refuse, garbage and rubbish in the City.

c. All refuse, garbage and rubbish shall be removed from the premises described above either by agreement with the qualified person who has entered into such an agreement with the City or by the property owner or tenant himself. In

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the event the owner or tenant of property elects to dispose of rubbish or garbage on his own, he shall transport said garbage or rubbish to a dump site licensed by the City or the County of Kern. Such transportation shall be in a manner which will prevent leakage, spillage, and or littering of City streets or private property. If such transportation is not in containers with securely fastened lids, the bed or body of the vehicle containing said garbage or rubbish shall be covered with a securely lashed tarpaulin or other secure cover so as to prevent leakage, spillage, and/or littering of City streets or private property. (Ord. No. 41, §4; Ord. No. 112, §1; Ord. No. 78-13, §1)

13-1.5 *Dumping Prohibited; Exceptions for Licensed Dump.* No person shall permit the dumping of garbage or rubbish in any public place within the City or on or upon any private property within the City other than a duly licensed public dump or waste disposal facility where such material can be legally accepted. (Ord. No. 41, §5)

13-1.6 *Disposal of Industrial Waste or Volatile Liquids.* No person shall permit the dumping of industrial waste or volatile liquids within the City other than in a duly licensed public dump or waste disposal facility where such waste legally can be accepted. (Ord. No. 41, §6)

13-1.7 *Garbage Containers.* Property owners and tenants shall deposit all garbage for collection in leakproof containers equipped with a bail or with handles on both sides thereof. Such containers shall have closefitting covers. (Ord. No. 41, §7)

13-1.8 *Rubbish.* Property owners and tenants shall deposit all combustible and non-combustible rubbish for collection in substantial containers constructed of wood, metal or other material that will not permit the contents thereof to sift or pass through any opening therein. Such container shall have a capacity and weight not exceeding that which the collector, by contract, has agreed to pick up.

Tree trimmings, shrubs, branches and other combustible rubbish not reasonably susceptible to being placed in con-

tainers may be deposited for collection in securely tied bundles not longer and not heavier than the collector, by agreement, has agreed to pick up.

Non-combustible rubbish not reasonably susceptible of being placed in containers, may be deposited for collection without being placed in containers if no item exceeds in weight or length what the collector, by agreement, has agreed to pick up. (Ord. No. 41, §8)

13-1.9 *Garbage and Rubbish Mixed.* When garbage and rubbish is stored together in the same container, such container shall be leak-proof, metal, equipped with a bail or handles and have a tight fitting cover. Such container shall have a capacity and weight not exceeding that which the collector, by agreement, has agreed to pick up.

All garbage deposited in such containers shall be thoroughly drained and wrapped prior to placement in such container. (Ord. No. 41, §9)

13-1.10 *Use of Cardboard Boxes or Paper Bags.* A cardboard box or paper bag shall not be used as a container for garbage. Such boxes or bags may be used as containers for rubbish only if same are securely tied and secured so as to prevent winds from removing the contents thereof. (Ord. No. 41, §10; Ord. No. 112, §2; Ord. No. 78-13, §2)

13-1.11 *Keeping Container Lids Closed.* It shall be unlawful for any property owner or tenant to fail to keep a lid securely placed or fastened on a rubbish container or bin so as to prevent winds from removing the contents of such containers. It shall be unlawful for any private disposal firm to fail, after each collection, to replace the lids on bins and to clean up any litter dropped during unloading of such containers.

It shall be unlawful for any private disposal firm to provide a property owner or tenant with metal bins or other containers which do not have lids or covers capable of being closed to prevent winds from removing the contents thereof. If such bins or containers are damaged in the process of collection, the private disposal firm shall immediately replace the bins or containers with bins or containers meeting the requirements of this section.

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Any private disposal firm contracting with property owners or tenants to collect garbage or rubbish and providing bins to the property owners or tenants for such collection purposes shall stencil on each such bin in a conspicuous place on the front thereof, with letters at least three inches high, the following wording: "Keep lids closed when not in use." Such stenciling shall be completed on all such containers in use by January 1, 1979. (Ord. No. 41, §11; Ord. No. 112, §4; Ord. No. 78-13, §3)

13-1.12 Enforcement. The City Administrator, with the assistance and cooperation of the Chief of Police, the Chief Building Inspector, the City Planner, and the City Code Enforcement Officer, shall conduct a program of inspecting garbage and rubbish containers for compliance with the provisions of this section. If after written warning a property owner or tenant or private disposal firm fails to comply with the provisions of this section, the City Administrator shall request the Chief of Police to issue a citation for violation of the provisions of this section. (Ord. No. 41, §12; Ord. No. 112, §4; Ord. No. 78-13, §3)

13-1.13 Placement of Containers at Curb or Alley. The collector may agree with the occupant of a dwelling or other building to collect garbage and rubbish from the rear yard or other portion of the property. The Health Officer may direct or permit the collection of garbage or rubbish from a particular location on or near the property. The collector shall collect all garbage and rubbish as so agreed to, directed or permitted. Otherwise, the collector shall collect all garbage or rubbish from the curb along the street, in front of each dwelling or human habitation if no paved alley exists in the rear of such properties, or such alley is:

- a. A blind alley;
- b. An alley less than 15 feet wide;
- c. An alley that is "L" or "T" shaped and not wide enough to be safe for collection trucks to turn without damage to them or to adjacent improvements on private property;
- d. An alley the surface of which is of such material as to endanger the safety or the convenient operation of the trucks at all seasons of the year.

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Otherwise, the collector shall collect all garbage or rubbish from the paved alley, in which case the garbage and rubbish to be collected shall be placed on the premises within two feet of the rear property line, if physically possible, and if freely accessible from the alley; if not, then off premises within two feet of the rear property line. (Ord. No. 41, §11)

13-1.14 *Time of Placement of Containers.* A person shall not place any rubbish, or any container containing garbage, or rubbish, or both at the place of collection before 6:00 p.m. of the day preceding the scheduled collection of the said garbage or rubbish, or both, or leave any such container at the place of collection after 8:00 p.m. on the day of actual collection, or more than two hours after actual collection, whichever is later. (Ord. No. 41, §12)

13-1.15 *Penalties.* Any person who violates any provision of this section shall be guilty of a misdemeanor and shall be liable to the penalty established in Section 1-5. (Ord. No. 41, §13)