

Chapter 13.20 SOLID WASTE DISPOSAL AND SANITATION

Sections:

- 13.20.010 Purpose.
- 13.20.020 Definitions.
- 13.20.030 Litter and sanitation.
- 13.20.040 Refuse, service.
- 13.20.050 Service requests and billing.
- 13.20.060 Rates, fees and charges.
- 13.20.070 Recycling.
- 13.20.080 Penalty.

13.20.010 Purpose.

The purpose of this chapter is to regulate the storage, collection, processing, recovery and disposal of solid waste in order to protect the public safety, health, welfare and the environment for the people of the Municipality. [Code 1979 Ch. 9.]

13.20.020 Definitions.

The following words, terms, and phrases when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Abandoned vehicle, heavy equipment, or vessel” means a motor vehicle, heavy equipment, or vessel that has been stripped, wrecked, or is otherwise inoperable due to mechanical failure; has not been repaired because of mechanical difficulties or because the cost of repair required to make it operable exceeds the fair market value of the vehicle, heavy equipment or vessel; or exhibits visible signs of inoperability, including but not limited to broken glass or missing parts.

“City limits” means the City of Saint Paul, Alaska, and includes all of the territory contained within a three nautical (geographical) mile perimeter and lying above the mean low water line surrounding St. Paul Island, Sea Lion Rock, Walrus Island and Otter Island of the Pribilof Group at Latitude 57°10'N. and Longitude 170°15'W.

“Container” means a solid waste receptacle approved by the Municipality with a tightly fitted, secured cover.

“Hazardous or toxic waste” means a waste as defined in 40 CFR 261, as amended, which includes any substance determined by the federal government or State of Alaska to pose a significant health and safety hazard, including but not limited to items that are flammable, corrosive, reactive, explosive, toxic, including but not limited to: oil, lead acid batteries, antifreeze, oil and fuel filters, paint, paint thinners, and solvents.

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Deleted: waste that requires special handling or protection to avoid illness or injury to persons or damage to the environment or property and any material or substance categorized as hazardous waste under State and Federal law.

“Marine debris” means any ~~solid waste~~ that has washed up on shore, ~~dilapidated or unwanted fishing or vessel gear, including but not limited to fishing net, line, buoys, or any materials or equipment related to fishing.~~

“Motor Vehicle” means any vehicle propelled or drawn on land by a motor, such as but not limited to passenger cars, trucks, truck trailers, semitrailers, vans, buses, campers, motorcycles, minibikes, go-carts, snowmobiles, amphibious craft on land, dune buggies or racing vehicles.

“Municipality” means the administrative staff of the City of Saint Paul and its associated departments.

“Nuisance” means a ~~condition of~~ property or course of conduct that interferes with the legal rights of others, ~~including by causing damage, annoyance, inconvenience, endangering the health, safety and welfare of another, or interfering with another’s property rights or the environment.~~

“Putrescible solid waste” means organic solid waste matter capable of being decomposed by microorganisms, ~~including but not limited to food waste, used diapers, animal waste, animal carcasses and hides.~~

“Solid waste” means useless, unwanted or discarded material with insufficient liquid content to be free-flowing, ~~including but not limited to garbage; Marine debris; an abandoned vehicle, heavy equipment, or vessel; and waste generated in construction and demolition activities.~~

“Solid waste collection service” means the ~~collection of solid waste by the municipality in accordance with this Chapter.~~

“Solid waste disposal” means the interim containment of solid waste, in an approved manner, after generation and prior to ~~solid waste~~ collection.

“Townsite” means the residential, commercial, industrial and institutional land developed between the National Weather Service, Kaminista Quarry, the municipal watershed, East Landing and the area surrounding the municipal water tanks.

“Vessel” means a craft travelling on water, including any motorized or non-motorized ship, boat, or barge.

13.20.030 Litter and sanitation.

(a) Generally.

- (1) *Illegal Dumping in Townsite.* It is unlawful for any person to deposit ~~solid waste~~ on any land, along roadways, in waterways or bodies of water, or in any part of the Townsite other than in containers designated for garbage or waste disposal.
- (2) *Illegal Dumping in Undesignated Area.* It is unlawful for any person ~~to deposit solid waste~~ in any undesignated area on ~~Saint~~ Paul Island.
- (3) *Unsecured Load.* It ~~is unlawful to operate a motor vehicle on a public way, with unsecured material~~ that may be deposited on the public way.
- (4) *Solid Waste on Another’s Property.* ~~It is unlawful to dispose of solid waste except in accordance with this Chapter, or to use a container owned or leased by another without their permission.~~

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Deleted: “Tribal ECO” means, formally, the Tribal Government of St. Paul Ecosystem Conservation Office. [Code 1979 Ch. 9.]

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(c) *Abandoned Vehicle, Heavy Equipment, and Vessel.* It is unlawful to place an abandoned vehicle, heavy equipment, or vessel on real property owned or controlled by the municipality, or on another person's property without the property owner's consent.

(d) *Construction.* It shall be the duty of all individuals and entities engaged in construction and demolition activity to secure all solid waste in containers for self-haul off Island or disposal as outlined in this chapter.

(e) *Hazardous or Toxic Waste and/or Materials.* It is unlawful to abandon or dispose of hazardous or toxic waste in the municipal landfill or elsewhere on the Island. Hazardous or toxic waste must be disposed of at approved collection sites in accordance with applicable Federal, State and City laws. Failure to comply with the requirements of this subsection is unlawful and shall result in the violator being solely responsible for the cost of clean-up.

(f) *Marine Debris.* It is unlawful to abandon or dispose of marine debris in the municipal landfill or elsewhere on the Island. Marine debris must be disposed of at the approved collection site. Failure to comply with the requirements of this subsection is unlawful and shall result in the violator being solely responsible for the cost of clean-up. This subsection does not prohibit the disposal of rubber gloves or personal waterproof gear if otherwise disposed of in accordance with this Chapter.

(g) *Food Source; Containers.* It is unlawful to have an uncontained food source, as defined in Chapter 16.10.020. Containers shall be maintained in as functional and safe a condition as provided by the municipality and the municipality may require containers be periodically cleaned as a condition of the solid waste collection service.

(i) *Nuisance.* It is unlawful to permit real property, whether owned, leased, rented, or otherwise possessed, to constitute a nuisance. In the event the nuisance is not remedied in accordance with municipal orders, the municipality may remedy the nuisance and charge the property owner, and seek collection through any lawful means, including addition of the expense on other Municipal accounts related to the real property. The Public Works Department shall be responsible for notifying individuals involved in the nuisance or owners of the underlying property of the nuisance and allowing a reasonable time for corrective measures, as set forth on the notice. Failure to comply with the notice will result in citation and punishment in accordance with Code. [Code 1979 § 9.02.] [Code 1979 § 9.01.]

13.20.040 Solid waste collection service.

(a) *Use of municipal collection service required.* Owners and occupants of real property in the Townsite shall use the system of solid waste collection and disposal provided by the municipality and are responsible for transporting the solid waste to their designated container or collection point. The City Manager or designee is authorized to provide an exemption from this subsection if the municipality cannot provide solid waste collection and disposal service.

(b) *Municipal Solid Waste Collection Services.* The municipality shall provide the following solid waste collection services:

- (1) Regular Municipal Collection Service
- (2) Self-Haul Service
- (3) Special Municipal Collection Service

Deleted: (b) *Burning.*

(1) It shall be unlawful for any person to burn any garbage, rubbish, trash or have a bonfire within the Townsite unless a permit is obtained from the City's Department of Public Safety prior to burning. (Level II offense.)

(2) Burning anything outside the Townsite does not require a permit but notification to the City's Department of Public Safety is encouraged. Residents are always encouraged to use historical bonfire sites to limit damage to the land and environment. Unburnable litter and waste material shall be brought back from campsite, picnic and bonfire areas and disposed of in containers designated for garbage or waste disposal. During certain seasons, burning may be prohibited.

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Deleted: Any person who disposes of or abandons marine debris, derelict fishing gear, and/or unwanted fishing gear [6]

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Deleted: (h) Dumping of sewerage is prohibited within the Saint Paul Townsite. (Level II offense)

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(c) *Schedule.* The Public Works Department shall develop a collection schedule to be posted in public areas. Schedules may be affected by adverse weather conditions, equipment malfunction and other unforeseen circumstances beyond the municipality's control.

(d) *Secure Refuse and Collection Site Cleanliness.* It is the responsibility of the recipient of solid waste collection service to ensure solid waste inside the container is not loose and is secured within a disposable bag or box or other means, and for ensuring the container is fully closed at the time of collection. Prior to placing in the container, all solid waste shall be temporarily stored in accordance with all Federal, State and municipal laws, and in a manner that does not create a nuisance.

(1) The municipality may refuse service to properties for failure to: locate the container in a location approved by the municipality, keep the container unobstructed from snow or other barriers to collection; or otherwise comply with the requirements of this Chapter.

(2) It is the responsibility of the recipient of solid waste collection service to ensure there is no solid waste outside the container in a manner that otherwise violates this Chapter, and to clean up solid waste outside of the container, including but not limited to waste scattered due to animals or weather conditions.

(3) It is the responsibility of the recipient of solid waste collection service to ensure only items intended for disposal are within a five-foot radius of the container. The municipality shall not be liable for disposing of items within a five-foot radius of the container.

(4) It is the responsibility of the recipient of solid waste collection service to ensure their container and surrounding property does not constitute a nuisance.

(e) *Putrescible Solid Waste.* All putrescible solid waste shall be drained of surplus liquids and sealed in watertight bags before being placed in the container. It is the responsibility of the recipient of municipal refuse services to ensure such waste is properly sealed, including but not limited to use of double bagging or heavyweight plastic bags; improperly sealed items will not be collected. This subsection does not prevent utilization of other permissible disposal means, including historical disposal sites identified by the Municipality.

(f) *Residential Customer Requirements.* It is the responsibility of the recipient of solid waste collection service, whether residential or commercial, to provide and maintain a hard surface or pad on the property for the container so that the container is accessible for collection. The Public Works Director and Landfill Operator shall approve the site design and location. The municipality reserves the right to prepare the site if not done in a timely or proper manner and to bill the utility customer for the expense.

(g) *Complementary Services.* The municipality shall provide the following free solid waste collection services for residential solid waste; these services shall not be utilized for waste generated by commercial means:

(1) A container for disposal of cardboard on designated days during the week. Cardboard must be flattened to fit into the container.

(2) Refuse containers for disposal of refuse at two times during the year.

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Deleted: (b) *Secure Refuse.* It shall be the duty of every person preparing refuse for pickup to deposit any and all refuse, rubbish, or garbage in garbage bags or cardboard boxes, securely fastened inside their covered garbage container. (See "container" in CCO 13.20.020 for allowable container size.) Cardboard boxes shall not be used for wet garbage. ... [12]

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13.20.060 Service requests and billing.

(a) *Service Requests.* ~~It is the responsibility of the individual or entity desiring solid waste collection service to apply for service through the City's Finance Department. Solid waste collection service shall remain in effect until discontinued by the customer or municipality.~~ It shall be the responsibility of the customer to notify the municipality of any changes that may affect the regular basic monthly charge.

(b) Billing.

(1) Billing for solid waste collection service will commence with the date of use or occupancy. The municipality shall have the right to determine how and to whom solid waste collection charges are to be billed based on the application filed prior to service request. If an application is not on file with ~~the City's~~ Finance Department, a billing determination will be made based on information gathered. Failure to receive a bill or failure to apply for service does not relieve the customer of responsibility for the charges.

(2) All solid waste collection charges shall be the obligation of the owner or applicant serviced by the municipality. Credit for vacant residential units may be applied to the account if a temporary vacancy exceeds one month and the customer notifies the municipality in advance of the scheduled vacancy.

(3) ~~Overcharges or undercharges for solid waste collection services, credit and debit adjustments shall be handled by the City's Finance Department.~~ [Code 1979 § 9.04.]

13.20.050 Rates, fees and charges.

~~Rates and fees for Refuse Utility shall be recommended by the City Manager and approved by the City Council by two readings of a resolution in two separate regular meetings. The new rates will be added to the City of Saint Paul Master Rate Schedule and posted publicly.~~

13.20.060 Recycling.

~~Individuals on Saint Paul Island are strongly encouraged to recycle their aluminum cans at designated disposal sites in accordance with the posted rules of disposal.~~

13.20.070 Penalty.

Any person acting in violation of this chapter is, upon conviction, guilty of a Level II City offense and is punishable as set forth in CCO 9.05.020. [Code 1979 § 9.08.]

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