

## Chapter 10 YARD WASTE AND SOLID WASTE

-----  
\*Editor's note-- Ord. No. 1774-13, <sec><sec> 3-5, amends Chapter 10 which is renumbered to be consistent with the amendments, and transfers certain provisions to Chapters 9 and 9A.

Ord. No. 1033-91, <sec> 2, adopted Dec. 4, 1991, amended the Code to read as herein set out. Prior to inclusion of said ordinance, Art. I, <sec><sec> 10-1--10-2.3 and Art. II, <sec><sec> 10- 3--10-14 pertained to similar subject matter and derived from:

Ord. No.	Date	Section
117	10-03-39	1, 2
203	01-10-56	1--13
243	10-03-61	1
245	10-03-61	1, 2
256	08-21-62	1
317	09-02-69	1, 5
384	09-19-72	1, 2(a)
460	06-17-75	2
480	08-18-76	1
522-78	07-19-78	1
527-78	09-28-78	1
544-79	07-07-79	1
548-79	08-01-79	1
574-79	11-07-79	1
593-79	04-16-80	1
602-80	09-17-80	1
644-81	08-18-81	1
647-81	10-07-81	1
693-81	08-18-82	1
730-83	12-07-83	1
741-84	03-21-84	2
767-84	09-13-84	1
808-85	09-18-85	1
848-86	10-15-85	1
870-87	03-04-87	1
889-87	10-07-87	1
969-89	10-18-89	1
997-90	09-19-90	1

### ARTICLE I

#### YARD WASTE

##### Sec. 10-1. Disposal of Yard Waste.

Yard waste shall be disposed of by one or more of the following methods:

- (a) Preparation for pick-up by the City as described in Article II of Ch. 10, Punta Gorda Code.
- (b) Placement in an on-site compost system or mulching system for use on-site of the premises for grass, trees, shrubs, flowers clippings and their beds that is otherwise allowed under this code and other applicable laws.
- (c) Leaving grass clippings only, in lieu of bagging, on the yard surface where mowed for absorption by the turf so long as an accumulation as referenced in this chapter does not occur.
- (d) Commercial mulching operations granted by franchise under this chapter.
- (e) Deposit in an appropriate, licensed landfill.

{Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 8-20-97; Ord. No. 1774-13, <sec> 3, 11-20-2014}

## ARTICLE II

### SOLID WASTE

#### Sec. 10-2. Solid waste.

The City Council is authorized to grant nonexclusive franchises, not to exceed ten (10) years, for collection that will supplement present and future City programs within the corporate limits of the City and other such places as the City is authorized to collect solid waste. The City is exempt from the requirement for any franchise under this chapter. No franchise shall be required, however, for collection of construction and demolition debris, unless and until this Section is amended to require same.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1216-98, <sec> 1, 04-15-98; Ord. No. 1827-15, <sec> 1, 10-07-2015)

#### Sec. 10-3. Definitions.

The following words, terms and phrases, when used in this article, shall be construed to have the same meaning as hereinafter defined:

- (a) "Garbage" means every waste accumulation of animal or vegetable matter which attends the preparation, use, cooking, processing, handling or storage of meats, fish, fowl, fruits, vegetables or other matter which is subject to decomposition, decay, putrefaction or the generation of noxious or offensive gases or odors or which during or after decay may serve as breeding or feeding material for flies, other insects or animals.
- (b) "Trash" means any accumulation of paper, magazines, packaging, containers, sweepings, and all other accumulations of a nature other than garbage or yard waste, which are usual to housekeeping and to the operation of stores, offices and other business places.
- (c) "Construction, lot clearing and demolition debris" means all waste materials generally considered to be not water soluble and non-hazardous in nature, including, but not limited to, steel, glass, brick, concrete or clay or asphalt roofing material, pipe, gypsum wallboard and lumber, resulting from the construction or destruction of a structure, and includes rocks, soils, tree remains and other vegetative matter which normally results from land clearing or land development operations for a construction project.
- (d) "Yard waste" means every waste accumulation of lawn, grass and shrubbery cuttings, dry leaf rakings, palm fronds, tree branches or limbs, tree trunks, bushes or shrubs or parts thereof, green leaf cuttings and other vegetation, generated by the nature of normal yard maintenance or trimming.
- (e) "Bulk waste" is furniture, any yard waste item that exceeds either three (3) inches in diameter or four (4) feet in length, and any building materials resulting from homeowner 'do-it-yourself' repairs, other than construction and demolition debris as described herein, and similar waste materials, of weights or volumes greater than those allowed for containers, which are generated incidental to the use of the occupancy of the property where the bulk waste is placed for collection.

- (f) "White goods" means discarded washers, dryers, refrigerators, ranges, water heaters, freezers, small air conditioning units and other similar domestic appliances generated by the use of the residential unit where the appliance is placed for collection.
- (g) "Special collection items" means bulk waste, white goods, scrap metal, and any other item requiring special collection.
- (h) "Garbage can" means an impervious metallic or plastic container which has a removable lid designed to act as a close fitting hood, which has two (2) handles upon the sides of the can with which it may be lifted, and which has a capacity of no more than thirty-two (32) gallons.
- (i) "Container" means any impervious plastic or metallic rear-load dumpster, compatible with the City truck dumping system and ranging from one (1) to eight (8) cubic yards in size, constructed so that the contents will be intact therein and in which garbage and trash shall be deposited. The size, design and location of all containers shall be approved by the Director of Public Works, based on compatibility with the truck dumping system and the amount of trash and garbage generated by a non-residential customer.
- (j) "Director of Public Works" means the Director of the City Public Works Department or his or her designated representatives.
- (k) "Yard waste container" means a can or container for yard waste of the same size and material as required for a garbage can or container and paper bags specifically designed for yardwaste and approved by the City of Punta Gorda Public Works Department.
- (l) "Recyclables" means newspapers, magazines, office paper, brown paper bags, paperboard cartons, paper cardboard, dairy and juice containers, junk mail, phonebooks, flattened cardboard, plastic bottles and containers #1-7, glass bottles and jars, aluminum cans, aluminum foil and pie tins, and tin or steel cans.
- (m) "E-waste" means electronic equipment including but not limited to computers, monitors, printers, televisions, VCRs and DVD players.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 8-20-97; Ord. No. 1291-00, <sec> 1, 11-15-00; Ord. No. 1646-10, <sec> 1, 7-7-10; Ord. No. 1827-15, <sec> 1, 10-07-2015)

#### **Sec. 10-4. Garbage cans, containers or bags required.**

All owners of residences and non-residential establishments located within the City are hereby required to provide a sufficient number of cans or containers to hold four (4) days' accumulation of garbage and trash for single-family residential uses and as many cans or containers as the Director of Public Works may require for non-residential uses, based on the amount of garbage and trash generated and the frequency of collection necessitated by the amount any type of garbage and trash. If any residential unit requires more than four cans for twice a week collection, the owner of such unit shall notify the Director of Public Works as to how many cans are necessary, and the monthly rate for such unit shall be adjusted in accordance with Section 10-11. If any residential unit requires less than one full can for collection, and there is no broken glass or other sharp objects in the trash, the owner may place a single plastic heavy

duty trash bag directly at the curb. The trash bag shall be of sufficient thickness, not less than 1.0 mill, or be double bagged, so as to eliminate ripping or tearing. The property owner shall be solely responsible for the cleanup of any mess caused as a result of leaving a plastic trash bag at the curb.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 8-20-97; Ord. No. 1827-15, <sec> 1, 10-07-2015)

#### **Sec. 10-5. Yard waste cans or paper bags required.**

All owners of single-family residences located within the City can to provide at least one (1) but no more than three (3) yard waste cans or paper bags for once a week collection. Each multi-family residence and each non-residential use located within the City shall have a number of yard waste cans or paper bags as determined by the Director of Public Works, based on the amount and type of vegetation on the premises. Each yard waste can shall be labeled as such. If a garbage can is used for yard waste, the label shall be placed on one side, and that side shall face the street when the yard waste is placed curbside for pick-up; at all other times, the label shall either be covered or face away from the street. Yard waste shall be placed in each can, without the use of any liner, bag, box, paper, plastic, cardboard or other material. Limbs, branches and similar yard waste which is less than four (4) feet in length and does not weigh more than thirty-five (35) pounds shall be tied with string or rope into bundles.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 8-20-97; Ord. No. 1827-15, <sec> 1, 10-07-2015)

#### **Sec. 10-6. Recycling carts required.**

All single-family and multi family residences within the City shall be provided with appropriate recycling carts by the City. Recyclables contaminated with non-recyclable materials may not be collected and may be left for the resident to re-sort or place out as regular trash for later collection.

(Ord. No. 1291-00, <sec> 2, 11-15-00; Ord. No. 1419-05, <sec> 1, 09-21-05; Ord. No. 1646-10, <sec> 2, 7-7-10; Ord. No. 1827-15, <sec> 1, 10-07-2015)

#### **Sec. 10-7. Accessibility and inspection of garbage cans or containers.**

Garbage cans or containers shall be kept in a place easily accessible to the employees of the City; they shall not be located upon property not in the ownership or tenancy of the person by whom the garbage and trash placed therein is accumulated, and shall be subject to inspection and approval of condition by the appropriate City personnel.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 8-20-97)

#### **Sec. 10-8. Disposition, lids on containers.**

All garbage should be deposited daily in the cans or containers herein above required. Garbage cans and containers shall be kept tightly covered at all times except when it is necessary to lift the cover to deposit garbage or trash in the garbage can or container. Before being placed into a can or container, garbage and trash shall first be enclosed

in a plastic or paper bag, cardboard box, or other container sufficient to inhibit any liquids from leaking. No garbage or trash shall be stored outside a residence or non-residential use except in an appropriate can or container. No garbage, trash, yard waste or recyclables shall be buried in the City. No garbage or trash shall be placed in containers so as to extend above the top edge of the container sides. Yard waste no more than three (3) inches in diameter or four (4) feet in length shall either be disposed of pursuant to subsections (b) through (e) of section 10-1.3 or be placed in yard waste cans or containers.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No 1188-97, <sec> 1, 8-20-97; Ord. No. 1827-15, <sec> 1, 10-07-2015)

### **Sec. 10-9. Collection.**

- (a) Garbage and trash. All cans and containers shall be emptied and disposition made of the contents thereof twice weekly for single-family and multi-family residences and at such times and frequency as shall be designated by the Director of Public Works for non-residential uses, depending on the number and size of containers and the amount and type of garbage and trash generated. Residential uses utilizing garbage cans which require side-door pick-up for medical reasons shall provide documentation from a physician to the Director of Public Works. All other garbage cans and bags shall be placed at the street curb for collection no earlier than twenty-four (24) hours prior to the scheduled collection. To assure collection, garbage cans should be placed at the curb prior to 6:00 a.m. of the day of scheduled collection.
- (b) Yard waste. Yard waste shall be picked up once each week. All yard waste cans shall be placed at the street curb, with the label facing the street, for collection not earlier than twenty-four (24) hours prior to scheduled collection. To assure collection, yard waste cans should be placed at the curb prior to 6:00 a.m. of the day of scheduled collection. Limbs, branches, and similar yard waste which is appropriately secured with string or rope into bundles may be placed curbside anytime during the week prior to the regularly scheduled collection date.
- (c) Special collection items. For collection of special collection items, customers shall call the Administration Office of the Public Works Department to arrange a pick-up and shall place the special collection items curbside no earlier than twenty-four (24) hours prior to the day of the scheduled special collection.
- (d) Construction and demolition debris. Construction and demolition debris shall either be deposited, by the owner of the property on which the construction or demolition project occurred or by the contractor for such project, in an appropriate landfill or be picked up and disposed of by a company having a valid franchise agreement with the City for the collection and disposal of such materials.
- (e) Weight limitation. Garbage, trash and yard waste cans and bundled yard waste shall not weigh more than thirty-five (35) pounds. Cans weighing more than thirty-five (35) pounds shall not be picked up.
- (f) Recycling carts. Recycling carts shall be emptied once per week for single family and multi-family residences. Recycling carts shall be placed curbside or at an

assigned location for collection no earlier than twenty-four (24) hours prior to the scheduled collection. To assure collection, recycling carts should be placed at the curb or an assigned location prior to 6:00 a.m. on the day of scheduled collection.

- (g) Tires. Residents may place up to six (6) tires per year at the curb on their recycling day for collection. Tires shall not be placed in the recycling carts.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 8-20-97; Ord. No. 1291-00, <sec> 3, 11-15-00; Ord. No. 1385-04, <sec> 1, 10-20-04; Ord. No. 1419-05, <sec> 2, 09-21-05; Ord. No. 1646-10, <sec> 3, 7-7-10; Ord. No. 1827-15, <sec> 1, 10-07-2015)

#### **Sec. 10-10. Unlawful acts.**

It is hereby declared unlawful and a violation of this Code for any person to do or permit to be done any of the following acts or practices. Violations of the provisions contained herein shall constitute a civil offense and violators will be subject to the issuance of a citation to be heard by the Code Enforcement Board imposing the following penalties; First Offense – Written Warning, Second Offense – \$25.00 fine, Third Offense – \$50.00 fine, each subsequent offense after the Third Offense – \$250.00 fine.

- (a) To deposit on or bury in, or cause to be deposited on or buried in, any land, public square, street, alley, vacant lot or unoccupied lot, the waters of the Peace River, Charlotte Harbor or any other creek, watercourse or ditch within the City limits, any garbage, trash, yard waste or other waste material or other noxious, malodorous or offensive matter, except in strict conformance with the terms of this article.
- (b) To deposit or place in or cause to be deposited or placed in a garbage can any materials other than those defined in this article as garbage or trash.
- (c) To deposit or place in or cause to be deposited or placed in a recycle cart any materials other than those defined in this article as recyclables.
- (d) To deposit or place in or cause to be deposited or placed in a yard waste can or container any materials other than those defined in this article as yard waste or, when a yard waste can is used as a garbage can, garbage and trash.
- (e) To fail or neglect to keep or cause to be kept clean and sanitary or tightly covered and in good state of repair all garbage cans, containers, recycling carts and yard waste cans and containers.
- (f) To use or supply yard waste cans, containers, garbage cans and containers and recycling carts other than those defined and provided for in this article.
- (g) To place or allow to be placed upon the streets, alleys, curbs or sidewalks of the City any litter, debris, trash or waste materials of any kind which may be unsightly or a menace to vehicular or pedestrian traffic or which may endanger the proper operation of the city's sanitary or stormwater sewer system.

- (h) To collect or permit to be collected the garbage, trash or yard waste from any garbage can or container, or yard waste can or container or recyclables from any recycling cart, or any white goods or scrap metal placed at the curb by the resident for collection by anyone other than persons regularly employed by the City for that purpose or by persons working under contract with the City or pursuant to a valid franchise from the City. This subsection shall not apply, however, to the collection of construction and demolition debris.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 8-20-97; Ord. 1216-98, <sec> 1, 04-15-98; Ord. No. 1291-00, <sec> 4, 11-15-00; Ord. No. 1646-10, <sec> 4, 7-7-10; Ord. No. 1827-15, <sec> 1, 10-07-2015)

#### **Sec. 10-11. Fees for removal and disposal--Generally.**

- (a) Schedule of rates and charges. There is hereby established the following uniform schedule of rates and charges for services and facilities of the municipal solid waste collection and disposal system of the City, to be paid by the owner of each residential unit and each non-residential use, except for those non-residential uses which are customers of another solid waste collector pursuant to valid franchise granted by the City:
  - (1) Monthly charge for services available to single-family units: Seventeen dollars (\$17.00) per residential unit whether occupied or not, for two (2) collections of up to four (4) garbage cans and one (1) collection of up to three (3) yard waste containers per week. If more than four (4) garbage cans are required for any single-family residential unit, there shall be an additional charge of two dollars and sixty-seven cents (\$2.67) per can per month. Monthly charge of five dollars and sixty-two cents (\$5.62) per residential unit whether occupied or not, for one (1) collection per week of recyclables.
  - (2) Monthly charge for services available to multi-family units using individual garbage cans: Twelve dollars (\$12.00) per residential unit plus five dollars (\$5.00) per residential unit, whether occupied or not, for two (2) collections of up to (4) garbage cans per unit and one (1) collection of yard waste per week. Monthly charge of five dollars and sixty-two cents (\$5.62) per residential unit whether occupied or not, for one (1) collection per week of recyclables, including newspapers, clear glass, aluminum beverage cans, steel cans, cardboard, plastics 1 & 2 and brown and green glass.
  - (3) Monthly charge for services available to multi-family units using containers for consolidated waste: Ten dollars (\$10.00) per residential unit plus five dollars (\$5.00) per residential unit, whether occupied or not, for two (2) container collections per week and one (1) collection of yard waste per week. Monthly charge of five dollars and sixty-two cents (\$5.62) per residential unit whether occupied or not, for one (1) collection per week of recyclables.
  - (4) Additionally, owner(s) of multi-family units may request the five dollars (\$5.00) charge per residential unit be recalculated by providing the City with a current property survey indicating the location of and summarizing the total square footage of pervious and impervious areas of the entire parcel owned.

Residential unit charges will be recalculated based upon each five thousand (5,000) square feet, or fraction thereof, of pervious area equaling one (1) five dollar (\$5.00) charge. The property owner(s) are responsible to provide the City with updated property surveys indicating the location of and summarizing the square footage of pervious and impervious areas of the entire parcel owned in the event changes are made to existing structures.

- (5) Monthly charge for services to non-residential establishments: All non-residential establishments in the City, except for those non-residential uses which are customers of another solid waste collector pursuant to valid franchise granted by the City, shall pay for collection of garbage, trash and yard waste according to the following schedule:

- a. If containers are used:

Container size (cubic yards)	Number of pick-ups per week						Extra Pick-up
	1	2	3	4	5	6	
1	\$ 39.09	\$ 78.18	\$117.27	\$156.36	\$195.45	\$234.54	\$ 15.39
2	\$ 54.00	\$108.00	\$162.00	\$216.00	\$270.00	\$324.00	\$ 18.40
3	\$ 68.92	\$137.84	\$206.76	\$275.68	\$344.60	\$413.52	\$ 21.17
4	\$ 83.84	\$167.78	\$251.52	\$335.36	\$419.20	\$503.04	\$ 24.45
6	\$113.65	\$227.30	\$340.95	\$454.60	\$568.25	\$681.90	\$ 30.50
8	\$143.47	\$286.94	\$430.41	\$573.88	\$717.35	\$860.82	\$ 36.52

- b. If garbage cans are used:

Number of cans	Number of pick-ups per week						Extra Pick-up
	1	2	3	4	5	6	
1	\$ 28.35	\$ 56.70	\$ 85.05	\$113.40	\$141.75	\$170.10	\$ 5.75
2	\$ 32.51	\$ 65.02	\$ 97.53	\$130.04	\$162.55	\$195.06	\$ 6.58
3	\$ 36.67	\$ 73.34	\$110.01	\$146.68	\$183.35	\$220.02	\$ 7.43
4	\$ 40.84	\$ 81.68	\$122.52	\$163.36	\$204.20	\$245.04	\$ 8.27
5	\$ 45.00	\$ 90.00	\$135.00	\$180.00	\$225.00	\$270.00	\$ 9.12
6	\$ 49.17	\$ 98.34	\$147.51	\$196.68	\$245.85	\$295.02	\$ 9.96

- c. Extra collections. Non-residential establishments requiring a pick-up in addition to their regularly scheduled pick-ups shall arrange for such extra pick-ups at least twenty-four (24) hours in advance. When non-residential establishments use containers and one or more containers are blocked by vehicles or other obstructions at the normal collection time, one additional attempt to empty the container(s) will

be made the same day; such establishments shall be charged the extra collection rate set out above if further attempts are necessary.

- d. Minimum charge. Each non-residential use, whether occupied or not, shall pay a minimum charge of twenty-three dollars and forty-five cents (\$23.45) per month.

(6) Special collection items: The charges for the pick-up of special collection items shall be established by the Director of Public Works, based on the actual cost of providing the service, including administrative costs.

- (b) Billings; fixing charges; changing or establishing service. All fees and charges shall be payable monthly. The Director of Public Works shall fix the proper rate for each residence or non-residential establishment based upon the above schedule. Any non-residential owner or occupant wishing to establish or change the type or number of garbage cans or containers or the frequency of collection shall first notify the Director of Public Works who, if the requested service arrangements are approved, shall establish the correct charge for such instituted or altered service in compliance with the above schedule.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1076-93, <sec> 1, 6-2-93; Ord. No. 1188-97, <sec> 1, 08-20-97; Ord. No. 1285-00, <sec> 1, 10-04-00; Ord. No. 1291-00, <sec> 5, 11-15-00; Ord. No. 1339-02, <sec> 2, 11-20-02; Ord. No. 1359-03, <sec> 1, 09-17-03; Ord. No. 1385-04, <sec> 1, 10-20-04; Ord. No. 1419-05, <sec> 3, 09-21-05; Ord. No. 1420-05, <sec> 1, 09-21-05; Ord. No. 1646-10, <sec> 5, 7-7-10; Ord. No. 1827-15, <sec> 2, 10-07-2015; Ord. No. 1856-16, <sec> 1, 09-21-2016; Ord. No. 1884-17, <sec 1>, 11-01-2017; Ord. No. 1906-18, <sec 1>, 09-05-2018; Ord. No. 1926-19, <sec 1>, 10-02-2019)

### **Sec. 10-12. Same--Purpose of charges.**

The rates and charges set forth in section 10-9, are imposed to provide revenue for the purpose of paying the costs of the operation and maintenance of the solid waste collection and disposal system of the City and extensions thereof and replacements thereto.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 08-20-97)

### **Sec. 10-13. Same--Method of payment and collection.**

- (a) The rates and charges established by this article shall be paid to and collected by the City in conjunction with and at the same time as other bills and charges are paid and collected for any and all other utility facilities owned and operated by the City; provided, however that all funds collected hereunder shall be deposited in the utility fund of the City and shall be disbursed and credited monthly to the general fund of the City to be appropriated and expended for the operation and maintenance of the solid waste collection and disposal system of the City and for extensions thereof and replacements thereto.

- (b) The rates and charges set forth in section 10-9 shall be included in the regular monthly bills or statements rendered to the owners of the property connected to the City's utility system. Nonpayment of the charges shall render the property

owner subject to any and all penalties provided for nonpayment of utility charges. All bills or statements evidencing charges for the collection and disposal of garbage, trash and yard waste shall be payable to the City by the property owners/users of the utility at the same times that bills for the use of other utilities of the City are payable. Persons using the services and facilities of the municipal solid waste collection and disposal system who are not consumers of water shall be rendered monthly billings or statements for the use of the services and facilities of the system. These billings or statements shall be payable at the same time and in the same manner and subject to the same penalties as in the case of a failure of a property owner/user of the other utilities of the city to pay the rates and charges imposed under the terms of this article.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 08-20-97)

#### **Sec. 10-14. Special waste materials.**

Trash, litter or debris located upon vacant property must be removed by the owner of the property. Waste products of packing houses, industrial plants and similar business, and spent oils or greases accumulated at garages, fuel dispensing facilities or similar establishments, as well as all other toxic or hazardous waste, must likewise be removed by the owner or occupant of the premises on which such wastes are generated. All of such materials shall be disposed of at a properly licensed facility.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 08-20-97)

#### **Sec. 10-15. Use of collection system; records to be kept.**

The Director of Public Works shall cause to be kept an accurate record of all persons using the services and facilities of the municipal solid waste collection and disposal system of the City and to apply charges in accordance with the rates and charges herein established.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 08-20-97)

#### **Sec. 10-16. Prima facie evidence.**

Any residence or any non-residential establishment occupied or in operation shall be prima facie evidence that garbage is being produced and accumulated in such premises and it shall be the duty of the Director of Public Works of the City to inspect the premises and to arrange for removal therefrom of any and all garbage found thereon provided that the owner or occupant of such premises is not in default in the payment of the required fees and charges imposed pursuant to the terms of this article.

(Ord. No. 1033-91, <sec> 2, 12-4-91; Ord. No. 1188-97, <sec> 1, 08-20-97)