

ORDINANCE # 22-013

**AN ORDINANCE PERTAINING TO THE OPERATION OF A SOLID WASTE COLLECTION CENTER.**

**WHEREAS**, the Bucklin City Council recognizes the need for ensuring the public health, safety, and welfare of citizens insofar as providing an option for the disposal of household furnishings, bulky materials, appliances, small privately completed construction project waste, and recyclables; and

**WHEREAS**, the Bucklin City Council has established a solid waste collection site for city residents and commercial businesses within the Bucklin city limits; and

**WHEREAS**, said city residents and commercial businesses located within the Bucklin city limits are assessed a monthly trash fee in part to fund and operate the aforementioned solid waste collection site.

**NOW THEREFORE, THE BUCKLIN CITY COUNCIL ADOPTS THE FOLLOWING ORDINANCE GOVERNING THE CITY'S SOLID WASTE COLLECTION SITE:**

**Section I: Definitions**

---

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them:

**APPLIANCE** or **APPLIANCES** shall mean stoves, washing machines, and dryers, but shall not include refrigerators or freezers.

**BULKY MATERIALS** shall mean refuse in quantities exceeding those normally collected from residences or businesses and may include building materials, furniture, fixtures, plumbing, plastic and metal objects and appliances, as those terms may be defined by this Ordinance.

**CONSTRUCTION DEBRIS** shall mean discarded building materials and rubble, including (but not limited to) wire, cans, flooring material, lumber, and plaster resulting from the construction, remodeling, repair, or demolition of any structure, but shall not include any hazardous materials to include, but not be limited to asbestos.

**CONTRACTOR** shall mean any hired or retained individual, business, firm, or organization receiving any form of compensation, hired or retained as an independent contractor and not as an employee, to perform any work of any type for any individual or business within the Bucklin city limits, for any compensation whatsoever, including but not limited to compensation with goods, services, and/or currency.

**CUSTOMER** shall mean the city resident or business that is an account holder of record with the City of Bucklin as receiving utility services from the City.

**DUMPSTER** shall mean any container for trash or refuse that is provided to the customer for the collection and disposition of such trash or refuse.

**HAZARDOUS MATERIALS** shall mean items that present a risk of physical or other harm to the life or health of individuals, animals, or flora and fauna if such items are not stored, moved, or handled per strict safety protocols and shall include but not be limited to items such as lead batteries, waste oil, paint, pesticides, fertilizers, asbestos, and other toxic materials.

**METAL GOODS** shall mean discarded equipment, furnishings, and building supplies composed primarily of metallic substances such as aluminum, iron, steel, copper, or other similar materials.

**RECYCLABLES** and **RECYCLABLE MATERIALS** shall mean, glass, plastic, metal, and paper waste generated by either a household or business capable of being recycled as listed on Dodge City CREW's list of acceptable recyclable materials.

**RESIDENTIAL** shall mean any building or portion thereof which is designed, built, rented, leased, let, or hired out to be occupied as a home, abode, and/or sleeping place of any person. This shall include, but not be limited to, single-family homes, apartments, duplexes, and boarding houses, but shall not include hotels and motels.

- (1) **Dwellings** shall mean and include all single-family dwellings and duplexes or two-family dwellings.
- (2) **Apartments** shall mean and include all residential buildings having three or more separate living quarters but shall not include hotels and motels.

**SOLID WASTE** shall mean garbage, refuse, and trash as defined herein:

- (1) **Garbage** shall mean any waste accumulation of animal, fruit, or vegetable matter used or intended for food and any waste, which accompanies the preparation, handling, serving, or storage of food, but shall not mean any animal carcasses or animal parts resulting from butchering or rendering.
- (2) **Refuse** shall mean small items determined to be useless and discarded from a residence or business, but shall not include any item created from contractor construction work.
- (3) **Trash** shall mean all solid waste that would fit into a 3-gallon trash bag that emanates from a residence or business, but shall not include appliances, brush, yard waste, bulky materials, construction debris, garbage, hazardous materials, metal goods, and yard waste.

**YARD WASTE** shall mean grass clippings, leaves, weeds, tree trimmings, branches, and garden waste.

## **Section II: Prohibited Acts**

It shall be unlawful for any person to commit any of the following acts individually or on behalf of any entity:

- (1) To cause, allow, or permit any materials of any kind or nature, other than recyclables, to be deposited in any collection container designated solely for the collection of recyclables.
- (2) To deposit, place, or leave any materials, including but not limited to bulky materials, construction debris, solid waste, or recyclables at any place and in any manner other than in an approved collection container for such materials and following any applicable ordinance or statute governing the collection and disposal of such materials, unless specifically allowed in writing as part of the disposal preparation requirements established from time to time by the Bucklin City Council.
- (3) To deposit, throw, place or leave any materials of any type and of whatever character, including but not limited to, appliances, bulky materials, construction debris, solid waste, recyclables, or any other materials, in any place where such materials can be scattered by wind or otherwise upon any public or private property within the Bucklin city limits, except in approved containers.
- (4) To cause or allow any materials of any type and of whatever character to burn without the express written consent of the City of Bucklin and any other appropriate governing authority.
- (5) To upset, turn over, damage, remove, or carry away any approved collection container designed for the collection of solid waste.
- (6) To deposit, throw, place, or leave any approved collection container, or any material of any kind and of whatever character, within or upon any portion of any highway, street, road, or alleyway easements maintained for vehicular traffic or parking.
- (7) To deposit, throw, place, or leave any solid waste or construction debris, rocks and concrete resulting from industrial or manufacturing processes or operations, tires, ashes, medical waste, and/or hazardous waste, in any place within the Bucklin city limits, other than in approved collection containers for such materials, if any exist.
- (8) For any contractor, or non-resident of the City of Bucklin to use any dumpster, collection container, or the solid waste collection facility operated by the City of Bucklin without the express written consent of the City.

### **Section III: Enforcement**

---

Any person who shall violate this Ordinance by committing any act specified in Section II shall be punished as provided in this Ordinance. The performance on each day of any prohibited act or practice, or the failure to perform on each day of any required act or practice, shall consist a separate offense and shall be punished as such.

**Section IV: Penalty**

---

Any person, or person acting on behalf of any firm, partnership, corporation, organization, or business entity found guilty of violating any of the provisions of this ordinance shall be punished by a fine not exceed \$2,500.

**Section V: Severability**

---

If any section, subsection, or clause of this Ordinance of the City of Bucklin shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

**Section VI: Effective Date**

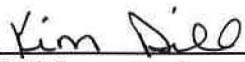
---

This Ordinance shall take effect and be in full force from and after the date of its passage, adoption, and publication in the official newspaper for the City of Bucklin.

**PASSED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF BUCKLIN, KANSAS THIS 13<sup>th</sup> DAY OF DECEMBER, 2022.**

  
\_\_\_\_\_  
**Clay Sellard, Mayor**

**ATTEST:**

  
\_\_\_\_\_  
**KIM DILL, CITY CLERK**