

AN ORDINANCE REPEALING CERTAIN ORDINANCES REGARDING RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION AND DISPERSAL AND ENACTING NEW ORDINANCES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEOSHO, MISSOURI

SECTION ONE: Sections 12-16, 12-17, 12-18, 12-19, 12-20, 12-21, 12-22, 12-23 and 12-24 are hereby repealed in their entirety.

SECTION TWO: The following ordinances are hereby enacted: 12-16, 12-17, 12-18, and 12-19.

ARTICLE II. COLLECTION AND DISPOSAL

Sec. 12-16. Authorized Collectors.

(a) Collection from businesses by commercial haulers. All businesses and residents will be responsible for contracting with a commercial hauler for the collection, removal, and disposition of all solid waste, garbage and trash within the City Limits.

(1) Commercial residential haulers must meet the following qualifications:

- a. They must use a totally enclosed packer unit truck or a roll-on and roll-off truck unit to be inspected and accepted by the City.
- b. They must have a business phone with a 451 exchange and an office within the City Limits of Neosho.
- c. They must have a certificate of insurance for standard liability insurance and property insurance in the amount of five hundred thousand dollars (\$500,000).
- d. Their drivers must have valid commercial driver's license.
- e. They must have a regular City business license.
- f. A permit application must be completed and approved prior to license issuance. Permits are renewable July 1 of each year.
- g. The day of pickup for residential haulers shall be according to a map of the City to be maintained by the City Manager.
- h. The hours of pickup shall be from 7 a.m. to 7 p.m.

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- i. All solid wastes collected by the contractor shall be disposed of at a processing facility or disposal area approved by the City and complying with all requirements of the Missouri Solid Waste Management Act of 1990 (Sections 260.200 to 260.432, RSMo) and the officially adopted rules and regulations thereunder.
- j. Submit to the City of Neosho a quarterly report on recycling activities per Missouri Solid Waste Management law.
- k. Pay to the City of Neosho 5% of gross sales within the City of Neosho. Payments will be made on a quarterly basis. This fee shall be used for enforcement of solid waste disposition and related items.

Sec. 12-17. Duty of owner to provide; placement; specifications.

- (a) It is hereby made the duty of every owner, occupant, tenant or lessee occupying a business establishment, dwelling, house, or apartment, and every person in charge of a hotel or other living quarters in the City, to provide and maintain suitable containers for garbage and trash, and further that all trash placed in said containers shall be placed on or near the property line on the alley or street adjacent to the occupied premises and where the trash pickup ordinarily occurs or as specified by the hauler.

Sec. 12-18. Prohibited practices.

It shall be unlawful for any person to:

- (a) Deposit solid waste in any solid waste container or trash bag other than his own, without the written consent of the owner of such container or trash bag;
- (b) Interfere in any manner with solid waste collection and transportation equipment, or with solid waste collectors in the lawful performance of their duties;
- (c) Dispose of solid waste at any facility or location which is not approved by the City and the Missouri Department of Natural Resources;
- (d) Engage in the business of collecting, transporting, processing or disposing of solid waste within the corporate limits of the City without a permit from the City, or operate under an expired permit, or operate after a permit has been suspended or revoked.

Sec. 12-19. Collection vehicles.

- (a) All vehicles used in the collection, removal, and disposal of garbage and trash shall be maintained in a safe, clean and sanitary condition and be so constructed as to prevent such

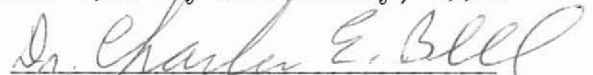
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waste matter from spilling, blowing, or falling off while being transported. No solid waste shall be transported in the loading hoppers. All garbage and trash shall be removed to and dumped at the place designated therefor by the City Manager. All solid waste becomes the property of the hauler, once it is picked up.

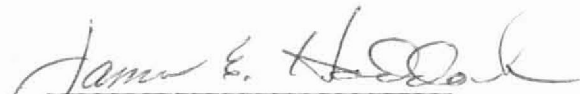
- (b) The vehicles mentioned in this section shall at all times be subject to inspection by any person duly authorized to enforce the provisions of this chapter, and if found to be defective or unfit for such services, shall not be used therefor until such defect is remedied and the use of the vehicle approved by such official. The City Manager will enforce those provisions.

This ordinance shall be in full force and effect March 1, 1991.

Approved after final passage this 19th day of February, 1991.


Mayor

Attest:


City Clerk