

First reading: 03/11/24  
Second reading: 03/25/24

Introduced by the Board as a Whole

**BILL NO. 24-11**

**ORDINANCE NO. 4619**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE II, CHAPTER 235: SOLID WASTE MANAGEMENT OF THE TOWN AND COUNTRY MUNICIPAL CODE**

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**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF TOWN AND COUNTRY, MISSOURI AS FOLLOWS:**

**Section 1.** Chapter 235: Solid Waste Management of Title II of the Municipal Code of the City of Town and Country, specifically Section 235.030 Collection of Solid Waste and Recyclable Material, is hereby amended to read as follows: (additions shown as underline; deletions shown as strikethrough)

**Section 235.030 Collection of Solid Waste and Recyclable Material.**

- A. The City shall provide for the collection of all residential solid waste and recyclable materials as follows:
1. The City shall regulate collections of all residential solid waste and recyclable materials in the City; provided however, that the City shall license a person or persons, a corporation or corporations or other legal entities, County or other City or a combination thereof, for the entire City or portions thereof, as deemed in the best interests of the City.
  2. It shall be the duty of commercial establishments to provide for collection of all solid waste produced upon any such premises.
- B. All solid waste and recyclable material from premises to which collection services are provided within the City shall be collected, except bulky rubbish as defined herein. Bulky rubbish will be collected in accordance with the rules and regulations as promulgated by the Director.
- C. Tree limbs and yard wastes, as described in Sections 235.020(E) and (F) respectively, shall be placed at the curb for collection. Solid waste containers as required by this Article for the storage of other residential solid waste shall be ~~placed~~stored at the rear of the building ~~for collection unless other service is approved by the Director.~~ Any solid waste containers, tree limbs, yard wastes, or other solid waste permitted by this Article to be so placed at the curb for collection shall not be so placed until the regularly scheduled collection day.
- D. The Director shall establish the procedure for collecting bulky rubbish.
- E. Solid waste collection agencies operating under license from the City, are hereby authorized to enter upon private property for the purpose of collecting solid waste therefrom as required by this Article. Solid waste collectors shall not enter dwelling units or other residential buildings for the purpose of collecting residential solid waste without prior permission of the owner. Commercial solid waste may be removed from within commercial establishments upon written request of the owner.

- F. The following collection frequencies shall apply to collections of solid waste and recyclable material within the City:
1. There shall be at least one (1) residential solid waste and recyclable material collection per week in accordance with the rules set forth by St. Louis County.
  2. All commercial solid waste shall be collected at least twice weekly and shall be collected at such lesser intervals as may be fixed by the Director or requested by the commercial establishment upon a determination that such lesser intervals are not harmful to the health and/or safety of the public.
  3. Solid waste shall not be collected on Sunday, or before 8:00 A.M. or after 7:00 P.M. on Saturday, or before 7:00 A.M. or after 7:00 P.M. on any other day of the week in the following zoning districts: Estate, Suburban Estate, Major Educational Campus, Suburban Low, Suburban Medium, Nursing Home, Assisted Living or Continuum of Care Facility and Park.
  4. Solid waste shall not be collected between the hours of 7:00 P.M. and 7:00 A.M. on any day of the week in the following zoning districts: Campus Office, Office, Commercial and Planned Office Park.
- G. *Storage And Collection — Generally.*
1. Residential solid waste containers and recycling containers shall be stored upon the residential premises. Commercial solid waste containers shall be stored upon private property, unless the owner shall have been granted written permission from the City to use public property for such purposes. The storage site shall be well drained, fully accessible to collection equipment, public health personnel and fire inspection personnel.
  2. All residential waste and recyclable material collection service must provide rear yard only pickup at a point on the premises to the rear of the building setback line, or curbside pickup adjacent to the property being serviced. The person responsible for the proper storage of refuse on the premises and the collector shall agree upon a designated collection point, at which point all containers to be emptied shall be placed prior to 7:00 A.M. on the collection day(s).
  3. ~~Subdivisions may opt-out of the rear yard collection requirement if:~~
    - a. ~~The subdivision board of trustees or a representative of the homeowners' association provides written notice to the Director of Public Works stating that all houses within said subdivision will use curbside collection.~~
    - b. ~~The subdivision board of trustees/homeowners' Association certifies that curbside collection is not contrary to the current indentures of the subdivision.~~
  4. ~~Residents of subdivisions opting for curbside collection may obtain a waiver for rear pickup due to any health condition that makes taking solid waste or recycling containers to the curb a hardship.~~
  5. ~~Residents of dwellings on major roads that do not belong to a subdivision or a homeowners' association may not opt-out for curbside collection due to safety concerns, trucks stopping and blocking roadways while making pickups.~~

- a. ~~Any person residing on a major road may apply for a waiver for curb side pickup if the applicant demonstrates that trash or recycling trucks stopping on the road to pickup trash do not affect the health, safety and welfare of citizens and motorists.~~
6. ~~The Director of Public Works shall designate specific days of the week for solid waste pickup, recycling pickup and yard waste pickup in specific subdivisions. All attempts shall be made to limit the number of days in a week solid waste, recycling and yard waste trucks are in specific subdivisions.~~
- H. A solid waste collection agency operating under license from the City shall be responsible for the collection of solid waste from the designated pickup location to the transport vehicle, provided the solid waste was stored in compliance with the provisions set forth in this Article. Any spillage or blowing litter caused as a result of the duties of the solid waste collector shall be collected and placed in the transportation vehicle by the solid waste collector.
- I. Any institution or commercial establishment generating hazardous waste within the City limits shall notify the Director of the type and quantity and the means and frequency of disposal.

**Section 2.** Chapter 235: Solid Waste Management of Title II of the Municipal Code of the City of Town and Country, specifically Section 235.060 Rules and Regulations, is hereby amended to read as follows: (additions shown as underline; deletions shown as ~~strikethrough~~)

**Section 235.060 Rules and Regulations.**

- A. The Director shall make, amend, revoke, and enforce reasonable rules and regulations, governing, but not limited to:
1. Preparation, drainage and wrapping of garbage deposited in solid waste containers.
  2. Specifications for solid waste containers, including the type, composition, equipment, size and shape thereof.
  3. Identification of solid waste containers and of the covers thereof, and of equipment thereto appertaining, if any.
  4. Weight limitations on the combined weight of solid waste containers and the contents thereof, and weight and size limitations on bundles of solid waste too large for solid waste containers.
  5. Storage of solid waste in solid waste containers.
  6. Sanitation, maintenance and replacement of solid waste containers.
  - ~~7. Schedules of and routes for collection and transportation of solid waste.~~
  - ~~8.~~ 7. Collection points of residential and/or commercial solid waste containers.
  - ~~9.~~ 8. Collection, transportation, processing and disposal of solid waste.
  - ~~10.~~ 9. Handling of special wastes such as sludges, agriculture, construction, bulky items, tires, automobiles, oils, greases, etc.

~~41. Police check of all listed employees and the employee's right to work in the City.~~

~~42~~10. Regulations requiring periodic reports from waste collectors regarding the collection and disposal of recyclable solid waste.

**Section 3.** Chapter 235: Solid Waste Management of Title II of the Municipal Code of the City of Town and Country, specifically Section 235.100 Application, is hereby amended to read as follows: (additions shown as underline; deletions shown as ~~strikethrough~~)

**Section 235.100 Application.**

- A. The City Clerk shall provide an application form for waste collection licenses. The form shall call for the following information:
1. Name of corporation, partnership, association, or person ("applicant") applying for a waste collection license.
  2. For corporations, partnerships or other associations, the names and addresses of each principal officer, partner, owner or associate, who owns an interest of ten percent (10%) or more.
  3. The nature of the activity or activities for which the waste collection license is desired, including storage, collection, transportation, processing or disposal of solid wastes.
  4. The characteristics of the solid waste to be stored, collected, transported, processed and/or disposed of. The applicant must specify whether the proposed activities will involve a commercial solid waste, residential solid waste or both.
  5. The type of equipment to be used within the City by or on behalf of the applicant.
  6. The number of solid waste collection and/or transportation vehicles to be operated by or on behalf of the applicant.
  7. The recyclable solid waste which the applicant shall pickup and the manner in which the applicant shall ensure that such material is reused.
  8. The precise location or locations of solid waste processing or disposal facilities to be used.
  9. The insurance information required by Section 235.130 herein.
  - ~~10. The names and addresses of employees, agents and/or servants of the applicant who will solicit, drive or perform work or labor for the applicant within the City.~~
- ~~44~~10. Date of inspection and approval of waste collection equipment by the Chief of Police or his/her designee.
- ~~42~~11. Such other information required by the Director.

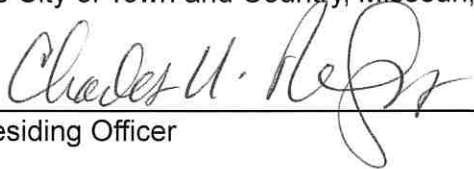
**Section 4.** All other sections contained in Chapter 235: Solid Waste Management shall remain unchanged unless otherwise noted above.

**Section 5.** It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses and phrases of this ordinance and the Code hereby adopted are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance or the Code hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance or the Code hereby adopted.

**Section 6.** The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the Municipal Code of the City of Town and Country upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations the editor may also change other designations and numerical assignment of code sections to accommodate such changes.

**Section 7.** This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

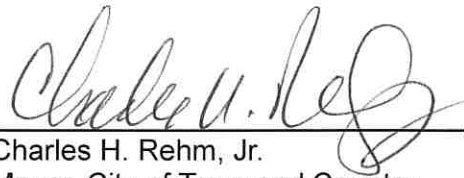
Passed by the Board of Aldermen for the City of Town and Country, Missouri, this 25<sup>th</sup> day of March, 2024.

  
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Presiding Officer

Attest:

  
\_\_\_\_\_  
Ashley McNamara, City Clerk

Signed this 25<sup>th</sup> day of March, 2024.

  
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Charles H. Rehm, Jr.  
Mayor, City of Town and Country

Attest:

  
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Ashley McNamara, City Clerk