

1 Introduced March 23, 2004, by
2 Councilwoman Burkhalter, seconded by
3 Councilwoman Livaudais (both by request of
4 Administration)

5 **Item No. 04-03-2405**

6
7 **ORDINANCE NO. 3178**

8
9 An ordinance amending the Code of Ordinances of the City of Slidell,
10 Section 23 Solid Waste, so as to comport with the recently approved garbage contract
11 and related matters.

12 WHEREAS, the City of Slidell recently approved a garbage contract with
13 Coastal Waste Services, Inc.; and

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15 WHEREAS, Section 23 of the Code of Ordinances was largely made
16
17 obsolete by the approval of the garbage contract; and

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19 WHEREAS, this ordinance is intended to make Section 23 consistent with
20 the garbage contract and with the methods by which the City does business in this area.

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22 NOW THEREFORE BE IT ORDAINED by the Slidell City Council that
23 Section 23 Solid Waste is hereby deleted in its entirety and replaced with the following:

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25 **"Sec. 23-1. Adoption of Contract.**

26
27 The Contract dated December 16, 2003, by and between the City and Coastal
28 Waste Services, Inc., effective May 1, 2004, as it may be from time to time amended or
29 superceded is hereby incorporated by reference. Unless otherwise specified in this
30 Section, the terms of the said Contract shall control the collection of solid waste within
31 the City's limits.
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35 **Sec. 23-2. Collection fee.**

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37 (a) Each residential unit within the City shall be charged the sum of \$7.22 per
38 month for the collection of solid waste and recyclable materials.
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4 (b) The fee specified herein shall be adjusted to reflect changes in the cost of
5 doing business, as measured by the Consumer Price Index, All Urban Consumers,
6 (CPI) published by the Department of Labor, Bureau of Labor Statistics. At the start of
7 the fiscal year, beginning July 1, 2005, and every fiscal year thereafter, the fee shall be
8 adjusted by a percentage amount equal to the percentage in the CPI for the previous
9 calendar year or five percent (5%) whichever is less.

10 (c) Each residential unit shall be sent a bill at the address of the unit or at such
11 other address as the owner shall indicate to the City. The owner is responsible for the
12 payment of the bill. If the bill for the services is not paid within 60 days of its due date,
13 the City shall serve separate 30-day notices by certified mail to the owners as listed on
14 the property tax rolls.

15 (d) Thereafter, the contractor may withhold solid waste collections serviced to the
16 unit, and the City shall have, when duly recorded in the records of St. Tammany Parish,
17 a lien and privilege upon the real property of such owners for the reimbursement of such
18 expenses including attorney's fees, and such amount shall be carried as an assessment
19 against the property upon the tax rolls and may be collected in the same manner as are
20 all taxes of the City.

21 (e) When solid waste collection services are withheld to a unit because of
22 nonpayment of fees due, it shall be the duty of the resident and owner separately to
23 have the solid waste removed from the premises weekly and to see that no undue
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4 accumulation has occurred. Failure to do so is hereby deemed a misdemeanor
5 punishable as provided in Section 1-12 of this Code.
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7 **Sec. 23-3. Commercial units.**
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9 All commercial units within the City limits shall provide containers capable of
10 containing a week's accumulation.
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12 Each commercial unit within the City limits shall provide for collection of garbage
13 generated by such unit not less frequently than weekly.
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15 **Sec. 23-4. Hours of collection.**
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17 Collection of residential refuse shall not commence before 6:00 o'clock a.m., and
18 shall be completed by 8:00 o'clock p.m. on any single collection day. Emptied garbage
19 cans, recycle bins and uncollected material exceeding collection standards shall be
20 removed from the street right-of-way by noon on the day following that day on which the
21 collection vehicle has completed collections in the particular geographical collection
22 area. Failure to remove the garbage can, recycle bin or other material by noon on the
23 day following collection shall be considered littering. The Slidell Police Department and
24 the Slidell Department of Building Safety shall have the authority to enforce this
25 provision regarding hours for the removal of garbage cans, recycle bins, and other
26 materials for collection.
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33 Collection of commercial refuse or commercial recyclables may not be conducted
34 where the dumpster or other commercial refuse container is within 200 feet of any
35 private residence between the hours of 10:00 p.m. and 6:00 a.m. Where the dumpster
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4 or other commercial refuse container is more than 200 feet from residential property,
5 then the collection times stated above do not apply. For the purposes of this provision,
6 collection of commercial refuse or commercial recyclables at apartments, apartment
7 houses or complexes, condominium, and/or co-ops will be classified as commercial
8 collection.
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12 **Sec. 23-5. Disposal of waste not classified as garbage or trash.**
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14 (a) Building debris such as plaster, roofing, concrete and brickbats resulting from
15 construction, repair or remodeling of any building or appurtenances on private property
16 will not be removed by the solid waste collectors. The owner must cause this waste to
17 be privately removed.
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20 (b) Any person desiring to dispose of any waste, debris or rubbish from dwellings,
21 business establishments or other places, due to regular business or from rebuilding or
22 remodeling or new construction or other substances not coming within the definition of
23 garbage or trash provided in this article and who desires to place the same between the
24 curblin and the sidewalk line for collection by private collectors, or by himself, must
25 securely tie, wrap or place the same in a container so that the substance cannot be
26 scattered upon the streets of the city. Such waste, debris, rubbish or other substance
27 shall not be left between the curblin and the sidewalk more than six hours.
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33 (Code 1966, § 11-29)
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4 **Sec. 23-6. Tampering with containers.**

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6 It shall be unlawful for any person to molest, remove, handle or to otherwise
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8 disturb the garbage containers or the contents which have been placed on city property
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10 for servicing by the solid waste collectors, provided that this section does not apply to
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12 the owner, occupant, lessee or tenant of the residence or dwelling so placing the
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14 container and contents.

15 (Code 1966, § 11-31)

16 **Sec. 23-7. Placing substances in streets, sidewalks, alleys and ditches.**

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18 (a) It is hereby declared unlawful for any person to throw, place or cause to be
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20 placed on any sidewalk or on paved street or in the gutter on any paved street or on any
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22 unpaved street or in the drainage ditches adjoining any unpaved street, or in any
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24 drainage ditch or drainage space, any nails, tacks, bottles, rocks, bricks, paper, trash or
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26 other debris of any kind, or any other substance whatsoever, provided that this
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28 subsection does not apply to regularly designated maintenance crews of the city or
29
30 public utility companies as provided by law.

31 (b) Notwithstanding the provisions of subsection (a) of this section, any person
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33 placing or throwing in any street or alley any dead cats, chickens, rats or other animals,
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35 tainted meat, decayed fruits or vegetables, filthy water, human or other excrement, or
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37 anything of like nature, or any substance in any manner other than as provided in this
38
39 chapter, shall be guilty of causing a nuisance.

(Code 1966, §§ 11-32, 15-1, 15-2)

4 **Sec. 23-8. Dumping on private property.**

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6 It shall be unlawful for any person to dump, or cause to be dumped, any garbage,
7 trash or refuse upon any property other than his own without written consent of the
8 owner of such property.
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10 (Code 1966, § 11-34; Ord. No. 3016, 7-10-2001)

12 **Sec. 23-9. Tampering with recyclable materials.**

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14 (a) *Prohibited acts.* No person, other than the current resident of the property on
15 which the items are placed, or an authorized carrier, shall remove, pick up, or transfer
16 recyclable materials left at curbside. Materials left at curbside in either specifically
17 marked recovery containers or any other type of container are to be picked up by a
18 designated carrier for the purpose of removal of recyclable materials. Materials referred
19 to, and to be left at curbside in specifically marked containers, will include recyclable
20 materials included in the city's recycling program.
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22 (b) *Penalty.* Each removal of items from a location shall constitute a separate
23 violation of this section. Unauthorized persons removing materials or bins other than
24 those persons designated in subsection (a) of this section shall be fined as follows:
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26 (1) Upon first conviction of violation of this section, the person shall be fined
27 \$25.00 for each such violation.
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29 (2) Upon second conviction of violation of this section, the person shall be
30 fined \$100.00 for each violation.
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4 (3) Upon third and subsequent convictions of violation of this section, the
5 person shall be fined \$200.00 for each such violation.

7 (Code 1966, § 11-36.1)

9 **Sec. 23-10. Disposal of refrigerators, deep freezers and similar air-tight**
10 **containers.**

12 It shall be unlawful for any person, organization, firm or corporation to abandon or
13 place out-of-doors on any lot, tract, parcel of ground, right-of-way, or area where
14 children may be playing or have access in the city limits, any icebox, refrigerator, deep
15 freezer or any other container of any kind which has an airtight door, or which may not
16 be released for opening from the inside of such icebox, refrigerator, deep freezer or
17 container, or any abandoned, unattended or discarded icebox, refrigerator, deep freezer
18 or any other container of any kind which is airtight and has a snap lock or other device
19 thereon without first removing such snap lock or door from such icebox, refrigerator or
20 container.
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22 (Code 1966, § 11-37)

23 State Law References: Similar provisions, R.S. 14:324.

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30 **Sec. 23-11. Hauling swill through streets.**

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32 All persons hauling or conveying swill, slop and like refuse through the streets of
33 the city shall carry the same in closed metal containers, securely covered, so that the
34 contents may not be spilled or odors emitted therefrom.

35 (Code 1966, § 11-38)

4 **Sec. 23-12. Christmas tree lots.**

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6 (a) Every person who engages in the sale of non-artificial Christmas trees shall
7 remove all trees from the premises upon which they are offered for sale which are
8 remaining on such premises on December 27 of the year they are offered for sale.
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11 (b) The tree removal required in subsection (a) shall be accomplished no later
12 than seven days from the said December 27 date.
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14 (c) In addition to the persons engaged in the sale of non-artificial Christmas trees,
15 the owner of the property upon which such trees are offered for sale shall be subject to
16 the provisions of this section.
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19 (d) Failure of any person who is subject to this section to comply with the
20 provisions hereof shall result in the denial of a permit to engage in the sale of Christmas
21 trees the following year in addition to all other applicable penalties.
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24 (e) All persons who apply for a permit to engage in the sale of Christmas trees
25 shall deposit with the city the sum of \$1,000.00 in the form of cash or cashier's check
26 made payable to the City of Slidell. In the event remaining trees are not removed as
27 required by this section, the deposit shall be automatically forfeited. The deposit shall be
28 returned to the person to whom the permit was issued within 24 hours of verification by
29 the city of compliance with this section.
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33 (Ord. No. 3053, 2-26-02)"
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4 **ADOPTED** this 27th day of April, 2004.

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8 DELIVERED 2:00 p.m.
4/29/04 to the Mayor
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10 RECEIVED 3:50 p.m.
5/3/04 from the Mayor
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Elsie Burkhalter
Elsie Burkhalter
President of the Council
Councilwoman, District A

Ben O. Morris
Ben O. Morris
Mayor

Shawn B. McManus
Shawn B. McManus
Clerk of the Council