File #: 66678, **Version:** 2

Fiscal Note
No appropriation required.
Title
SUBSTITUTE - Repealing Section 7.36(7) of the Madison General Ordinances and creating Section 27.05(2)(cc) of the Madison General Ordinances to reflect current manner of garbage carts, garbage handling and garbage container storage.
Body
DRAFTER'S ANALYSIS: This amendment is updated to reflect the current manner of garbage carts and garbage handling by the City as well as simplify and clarify where garbage and recycling carts must be stored when not out for collection.

The Substitute incorporates a recommendation of the Board of to further specify the location of garbage carts adjacent to buildings on corner lots.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (7) of Section 7.36 entitled "Collection and Disposition of Garbage" is repealed.

2. Subdivision (cc) entitled "Storage of Trash and Recycling Carts" of subsection (2) of Section 27.05 entitled "Safe and Sanitary Maintenance of Property" is created as follows:

"27.05(2)(cc) Storage of Trash and Recycling Carts. When not out for collection, trash and recycling carts shall be stored in accordance with one of the following criteria:

1. If the property has a driveway that leads to the rear of the property, the carts must be stored in the garage or adjacent to the building behind the front wall and corner lot street side wall of the house or garage.

2. If the driveway terminates at the front of the building or no driveway exists, the carts must be stored in the garage or adjacent to the building.

3. If the Building Inspection Director or their designee has designated another location for a particular property, the carts must be stored in the designated location."

EDITOR'S NOTE:
Subsection (7) of Section 7.36 currently reads as follows:

"(7) (a) Vessels for Holding Garbage to be Provided - Manner of Depositing Garbage in Same. It shall be the duty of all householders, tenants, hotel keepers, boarding house keepers, restaurants and all retail dealers dealing in or storing food-stuffs, excepting those dealers which handle only raw meat, commonly known as meat markets, to provide or cause to be provided and at all times to keep or cause to be kept, portable vessels or containers for holding garbage, said vessels or containers to be watertight, provided with handles and covers which shall not be removed except when necessary.

Garbage containers for residences must not be less than five (5) gallons nor more than fifteen (15) gallons in size. Garbage containers of restaurants, hotels, boarding houses and retail stores as above defined shall not be more than thirty-five (35) gallons in size. If more capacity is needed additional containers or vessels must be provided as ordered by the Sanitation Supervisor. All containers or vessels shall be constructed of or lined with metal and shall be kept in a clean and sanitary manner at all times.

(b) Placing of Garbage Containers. Garbage containers or vessels shall be kept adjacent to the principal in the rear of the house or buildings or in such other place as shall be designated by the Sanitation Supervisor which is easily accessible to the collector, not above the ground floor, but shall not be placed on the sidewalk, street, alley or other public place or in any manner so as to create a nuisance. When leaky or in any way defective such containers or vessels shall be replaced with new containers or vessels as ordered by the Sanitation Supervisor. The Sanitation Supervisor is hereby authorized to permit or order the installation of approved types of garbage container receivers either below or above the surface of the ground or the construction of such shields or enclosures for containers or vessels as will abate a garbage nuisance.

(c) Preparation of Garbage. All garbage from residences shall be drained and wrapped in paper before being placed in garbage containers or vessels. Garbage dealers, as above provided, shall deposit garbage in garbage containers, after draining, without wrapping. It shall be unlawful for any person to place in the garbage containers any ashes, earth, glass, crockery, tin cans, excess paper, paper boxes or other refuse than garbage. Containers containing any of the above shall not be emptied by the collector. Persons not conforming to these rules shall not be entitled to garbage collection service."