



REQUEST FOR COMMISSION ACTION
CITY OF INDEPENDENCE
June 24, 2021

Department Administration/Sanitation

Director Approval David Cowan/John Garris

AGENDA ITEM Consider adopting ordinances related to the implementation of residential sanitation poly carts.

SUMMARY RECOMMENDATION Authorization of changes to City Ordinances related to how the new sanitation carts will be used and changing the frequency of sanitation services to once per week for residential customers, and changes to the associated fees if additional carts are required by a residence or business.

BACKGROUND The City has purchased new sanitation carts for distribution and use throughout the City. Since the containers are larger and are easier to move, changing the frequency of refuse collection to once per week is desirable to optimize both costs and service. This is consistent with current practice in every municipality that has been reviewed.

This also provides a mechanism for providing extra carts as required for those that frequently dispose of greater than 95 gallons per week of solid waste.

SUGGESTED MOTIONS

I move to adopt an ordinance amending the current ordinances having to do with collection of solid waste.

I move to adopt an ordinance amending Appendix D to include fees for collection of solid waste in City provided containers.

SUPPORTING DOCUMENTS Ordinances prepared by the City Attorney

ORDINANCE NO. _____

**An Ordinance Amending Current Ordinances
having to do with Collection of Solid Waste**

BE IT ORDAINED by the Governing Body of the City of Independence, Kansas:

Section 1. City Code Section 90-31 – Containers, (a) Residential Customers, is amended in its entirety to read as follows:

“Section 90-31. – Containers.

- (a) *Residential customers.* Containers for refuse shall be provided by the city at the city’s expense and shall be delivered to each residential customer. Residential customers having custody and control of the containers are responsible for any cost associated with any damage caused to the container through their negligence or misuse, normal wear and tear excluded. All refuse placed in the container shall be in plastic bags capable of being lifted by one person. Any refuse which does not fit into the container provided by the city may be placed in a secondary container of a type and nature approved by the sanitation officer, and of a size capable of being lifted by one person. Secondary containers shall not be less than 20 gallons in size nor more than 32 gallons in size. Both the container provided by the city and any secondary container maintained by the customer shall be kept in a clean and sanitary condition at all times, shall have tight fitting covers, and shall be water tight. The sanitation officer shall have the authority to refuse collection services for non-compliance with this ordinance. A residence that regularly (more than once a month in two out of the three previous calendar months) uses secondary containers shall be required to obtain an additional container provided by the city and pay any additional fees associated therewith.”

Section 2. City Code Section 90-34 – Collection frequency, is amended in its entirety to read as follows:

“Section 90-34. – Collection frequency.

- (a) All residential refuse, other than bulky wastes, shall be collected once each week on a day designated by the sanitation officer which may vary depending on the city holiday schedule. All commercial wastes shall be collected at least once each week, or at more frequent intervals as may be determined by the sanitation officer upon a finding that more frequent collections are necessary for the preservation of the health or safety of the public, and general appearance.
- (b) Hazardous wastes shall not be collected, transported, or disposed of by the city, but shall be disposed of as directed by the sanitation officer at the expense of the owner or possessor thereof.”

Section 3. City Code Section 90-89 – Penalty, is amended to correct the spelling of the word “jurisdiction” in the last sentence of the Section.

Section 4. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the _____ day of _____, 2021.

LOUIS YSUSI, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk

ORDINANCE NO. _____

**An Ordinance Amending Appendix D to Include Fees
for Collection of Solid Waste in City Provided Containers**

BE IT ORDAINED by the Governing Body of the City of Independence, Kansas:

Section 1. Appendix D, Chapter 90, Solid Waste, (1) Residential, is amended to add the following additional language:

“Chapter 90. Solid Waste

(1) Residential:

- a. Single-family household unit: . . .
 - 4. Additional city provided container, per month, per unit.
.....\$14.58
- b. Hardship rates: . . .
 - 3. Additional city provided container, per month, per unit.
.....\$14.58”

Section 2. Appendix D, Chapter 90, Solid Waste, (2) Commercial and all other establishments, is amended to add the following:

“Chapter 90. Solid Waste

(2) Commercial and all other establishments:

- a. Once-a-week collection service, using one standard city provided container:
 - 1. Per month\$24.89
 - 2. Plus, per each additional 32-gallon container or less, per month\$15.05
- b. Six-day-a-week collection service, using one standard city provided container:
 - 1. Per month\$64.60
 - 2. Plus, per each additional 32-gallon container or less, per month\$35.01”

Section 3. This Ordinance shall take effect upon its publication in the official City newspaper.

Adopted by the Governing Body of the City of Independence, Kansas, on the _____ day of _____, 2021.

LOUIS YSUSI, Mayor

ATTEST:

DAVID W. SCHWENKER, City Clerk