

ORDINANCE NO. 2417

AN ORDINANCE AMENDING CHAPTER 106, UTILITIES, ARTICLE IV. SOLID WASTE, DIVISION 1. GENERALLY, AND DIVISION 2. MUNICIPAL COLLECTION SERVICE, SECTION 106-301, DEFINITIONS, SECTION 106-303, BURNING OF REFUSE, SECTION 106-304(a) UNLAWFUL SCATTERING, STORING, ETC., SECTION 106-306, AND REMOVAL OF WASTE MATERIAL, CONSTRUCTION DEBRIS, AND DIVISION 2, MUNICIPAL COLLECTION SERVICE, SECTION 106-321, CITY'S EXCLUSIVE RIGHT TO COLLECT AND REMOVE REFUSE, SECTION 106-323, GENERAL REFUSE CONTAINER AND STORAGE REQUIREMENTS – FOR PERMISSIBLE SOLID WASTE FOR RESIDENTIAL UNITS, SECTION 106-324, SAME – FOR LARGE COMMERCIAL AND INDUSTRIAL UNITS, SECTION 106-325, MAINTENANCE, REPAIR AND REPLACEMENT OF POLYCARTS AND COMMERCIAL DUMPSTERS, SECTION 106-326(a), PROHIBITING THE UNAUTHORIZED DEPOSIT OF REFUSE IN CONTAINERS BELONGING OR ASSIGNED TO SOMEONE ELSE, SECTION 106-327, CHARGES FOR REMOVAL OF PERMISSIBLE SOLID WASTE, SECTION 106-328, RECYCLING AND ADDING SECTION 106-329, ADMINISTRATIVE PROCEDURES OF THE CODE OF ORDINANCES OF THE CITY OF McALESTER; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF McALESTER, that:

SECTION 1: CHAPTER 106, UTILITIES, OF THE CODE OF ORDINANCE CITY OF McALESTER, OKLAHOMA, IS HEREBY AMENDED TO READ AS FOLLOWS:

DIVISION 1. GENERALLY

Chapter 106, Utilities. Article IV. Solid Waste, Division 1. Generally, Section 106-301, Definitions, Section 106-303. Burning of Refuse, 106-304(a). Unlawful scattering, storing, etc., and Sec. 106-306. Removal of waste material, construction debris of the Code of Ordinances of the City of McAlester is hereby amended to read as follows:

Sec. 106-301. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Bags* means kitchen and table refuse leavings, offal, swill and every accumulation of animal and vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, fowls, birds, fruits and vegetables.~~

~~*Garbage* means kitchen and table refuse leaving, offal, swill and every accumulation of animal and vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish fowls, birds, fruits and vegetables~~

~~*Refuse* means both garbage, and trash, as defined in this section.~~

~~*Trash* means crockery, bottles, broken bricks, tin cans, metal vessels, trimmings from lawns, trees and flower gardens, pasteboard boxes, berry boxes, rags, papers, straw boxes, sawdust, packing materials, shavings, ashes and all rubbish or other refuse.~~

~~*Waste material* means natural soil, earth, sand, clay, gravel, loam, stones, bricks, brickbats, plaster, Portland cement, glass and glassware, cinders, metals and all other noncombustible waste mater.~~

Bags means plastic sacks designed to store garbage with sufficient wall strength to maintain physical integrity when lifted by the top. Total weight of a bag and its contents shall not exceed 35 lbs.

Bin or Commercial Dumpster means a metal receptacle designed to be lifted and emptied mechanically for use primarily at municipal facilities and large commercial and industrial units.

Bulky Waste means stoves, refrigerators (with all CFC removed), water tanks, washing machines, furniture and other similar items, and, materials other than Construction Debris, Large Dead Animals, Hazardous Waste or Stable Matter with weights or volumes greater than those allowed for bins or polycarts, as the case may be.

Bundle means tree, shrub and brush trimmings or newspapers and magazines securely tied together forming an easily handled package not exceeding four (4) feet in length or thirty-five (35) lbs. in weight.

Commercial and Industrial Refuse means Construction Debris, Garbage, Rubbish and Stable Matter generated by a Producer at a Large Commercial and Industrial Unit.

Construction Debris means waste building materials resulting from construction, remodeling, repair or demolition operations at a Residential Unit, Municipal Facility or Large Commercial and Industrial Unit.

Excluded Waste means Bulky Waste, Hazardous Waste, Large Dead Animals, Offal Waste, Special Waste, Stable Matter and Vegetable Waste.

Garbage means any and all Small Dead Animals, every accumulation of waste (animal, vegetable and/or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including, but not by way of limitation, used tin cans and other food containers, and all putrescible or easily decomposable waste animal or vegetable matter which is likely to attract flies or rodents), except (in all cases) any matter included in the definition of Excluded Waste.

Hazardous Waste means any radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, toxic or listed or characteristic Hazardous Waste as defined by federal, state or local law or any otherwise regulated waste. Hazardous Waste shall include, but not be limited to, any amount of waste listed or characterized as hazardous by the United States Environmental Protection Agency or any state agency pursuant to the Resource Conservation and Recovery Act of 1976, as amended, and including future amendments thereto, and any other applicable federal, state or local laws or regulations.

House-side Handicapped means a location designated by the Public Works Director where there is no able-bodied person residing in a residential unit that can take the polycart to the curb. In such instances when the physical conditions of the resident(s), either permanent or temporary, is such that he/she cannot physically maneuver a polycart to the designated pick-up area, the city, through its duly authorized agent, representative or employee will retrieve the polycart from the side of the house and return it to its original location.

Institutional Solid Waste means solid waste originating from education, health care and research facilities such as schools, hospitals, nursing homes, laboratories and other similar establishments.

Large Commercial and Industrial Unit means all premises, locations or entities, public or private, requiring garbage and rubbish collection within the corporate limits of the city that are not classified as a Residential Unit or Municipal Facility.

Large Dead Animals means animals or portions thereof equal to or greater than ten

pounds (10 lbs.) in weight that have expired from any cause, except those slaughtered or killed for human use.

Multi-Family means all residential dwelling units of more than one (1) unit considered to be condominiums, apartment houses or grouped housing.

Offal Waste means waste animal (land or marine) matter from establishments such as butcher shops, slaughterhouses, food processing and packing plants, rendering plants and fertilizer plants.

Permissible Solid Waste means all nonhazardous, Solid Waste (including Garbage, Rubbish, Yard Waste and Recyclable Materials) generated at Residential Units, except any matter included in the definition of Excluded Waste.

Polycart means a receptacle designed for the purpose of curbside collection of Garbage, Rubbish and Yard Waste and is constructed of plastic, metal or fiberglass, having handles of adequate strength for lifting, and having a tight fitting lid. The mouth of a polycart shall have a diameter greater than or equal to that of the base. The weight of a polycart and its content shall not exceed 50 lbs.

Producer means an operator or occupant of a commercial or industrial facility or a Residential Unit who generates Garbage, Rubbish, Yard Waste or Recyclable Materials.

Refuse means garbage, rubbish, solid waste, small dead animals, vegetable waste and yard waste.

Residential Unit means a dwelling within the corporate limits of McAlester occupied by a person or group of persons comprising not more than four families. A Residential Unit shall be deemed occupied when either water or domestic light and power services are being supplied thereto. A condominium dwelling, whether of single or multi-level construction, consisting of four or less contiguous or separate single-family dwelling units, shall be treated as a Residential Unit, except that each single-family dwelling within any such Residential Unit shall be billed separately as a Residential Unit. For purposes of this article, a Residential Unit shall include a Producer at a small commercial business whose Garbage and Rubbish is placed in not more than one 95 gallon polycart, per collection day, including but not limited to, offices, stores, service stations, restaurants, amusement centers, schools, churches, etc. located within the boundaries of McAlester.

Rubbish means all waste wood, wood chips, shavings, sawdust, printed matter, paper, pasteboard, rags, straw, used and discarded mattresses, used and discarded clothing, used and discarded shoes and boots, combustible waste pulp and other products such as are used for packaging, or wrapping crockery and glass, ashes, cinders, floor sweepings, glass, mineral or metallic substances, and any and all other waste materials not included in the definition of Excluded Waste.

Small Dead Animals means animals or portions thereof less than ten pounds (10 lbs.) in weight that have expired from any cause, except those slaughtered or killed for human use.

Solid Waste means useless, unwanted or discarded materials with insufficient liquid content to be free-flowing, that result from domestic, industrial, commercial, agricultural, governmental and community operations which require proper storage, collection, transportation and disposal to prevent environmental pollution inimical to public health, safety and welfare. Solid Waste does not include sewage, earth or material used to fill land in accordance with construction codes, mining residues, slag, dissolved or suspended solids in industrial waste water effluents which are not acceptable for disposal in sanitary sewage treatment systems or any material included in the definition of Excluded Waste.

Special Waste means nonhazardous, solid waste that is subject to additional governmental regulations or special handling requirements in collection, transportation, processing or disposal as a result of the characteristics of, or processes which generate such

waste. Special Waste includes, but is not limited to:

- (a) Waste iron from a commercial or industrial activity;
- (b) Waste generated by an industrial process or a pollution control process;
- (c) Waste which may contain free liquids;
- (d) Waste which may contain residue and debris from the cleanup of a spill of petroleum, chemical or commercial products or wastes, or contaminated residuals;
- (e) Articles from the cleanup of a facility which generates, stores, treats, recycles or disposes of chemical substances, commercial products or wastes;
- (f) Wastes which are nonhazardous as a result of proper treatment pursuant to Subtitle C of the Resource Conservation and Recovery Act of 1976 ("RCRA");
- (g) Asbestos containing or asbestos bearing material that has been properly secured under existing federal, state and local laws, rules and regulations;
- (h) Containers that once contained hazardous substances, chemicals, or insecticides so long as such containers are "empty" as defined by RCRA;
- (i) Municipal or commercial solid waste that may have come into contact with any of the foregoing;
- (j) Filter cake sludge wastes from waste water treatment processes;
- (k) Wastes containing any regulated polychlorinated biphenyls; and,
- (l) Ash, sludge, tires and powders.

Stable Matter means all manure and other waste matter normally accumulated in or about a stable, or any animal, livestock or poultry enclosure, and resulting from the keeping of animals, poultry or livestock.

Vegetable Waste means putrescible solid waste resulting from the processing of plants for food by commercial establishments such as canneries. This definition does not include waste products resulting from the preparation and consumption of food in places such as cafeterias and restaurants.

Yard Waste means grass, leaves, flowers, stalks, stems, tree trimmings, branches, and tree trunks. For yard waste collection services, grass, pine needles, leaves, flowers, stalks, stems, and small tree trimmings (less than two (2) feet in length and less than two (2) inches in diameter) shall be in a container, bag or box the weight of which shall not exceed thirty-five (35) pounds. Larger tree trimmings shall be laid neatly in piles at curbside. The maximum weight of any item placed out for yard waste collection shall be thirty-five (35) pounds. Branches in excess of two (2) feet in length may, but are not required to be, in a container, bag or box. City or its duly authorized agents or representatives shall be obligated to collect no more than three (3) bags per week from each Residential Unit.

Sec. 106-303. Burning of refuse.

~~It shall be unlawful for any person to burn any refuse anywhere within the City. This section is hereby declared necessary for the proper protection of the property and health of the citizens of the City, and violation of this section is hereby declared to be a public nuisance and unlawful.~~

It shall be unlawful for any person to burn any refuse anywhere within the City. This section is hereby declared necessary for the proper protection of the property and health of the citizens of the City, and violation of this section is hereby declared to be a

public nuisance and unlawful. The burning of yard waste is permissible after obtaining the proper permits.

Sec. 106-304. Unlawful scattering, storing, etc.

~~(a) The scattering of refuse, the storage of refuse except in containers as provided for by this chapter or the accumulation of refuse by reason of nonpayment of fees or charges for its removal, is hereby declared to be a public nuisance and unlawful.~~

(a) The scattering of refuse, the storage of refuse except for permissible solid waste in containers as provided for by this chapter or the accumulation of refuse by reason of nonpayment of fees or charges for its removal, is hereby declared to be a public nuisance and unlawful.

Sec. 106-306. Removal of waste material, construction debris.

~~Waste material and the debris from the construction or repair of buildings, structures or dwellings shall be removed by the owner, tenant or contractor at his expense, and such waste material or debris shall not be stored in receptacles used for refuse collection by the sanitation department.~~

Waste material and the debris from the construction or repair of buildings, structures or dwellings shall be removed by the owner, tenant or contractor at his expense, and such waste material or debris shall not be stored in receptacles used for permissible refuse collection by the city or its duly authorized agents or representatives.

DIVISION 2. MUNICIPAL COLLECTION SERVICE

Chapter 106, Utilities, Article IV., Solid Waste, Division 2, Municipal Collection Service, Section 106-321, City's Exclusive Right to Collect and Remove Refuse, Section 106-323, General Container and Storage Requirements For Permissible Solid Waste for Residential Units, Section 106-324, Same for Large Commercial and Industrial Units, Section 106-325, Maintenance, Repair and Replacement of Polycarts and Commercial Dumpsters, Section 106-326(a), Prohibiting the Unauthorized Deposit of Refuse in Containers Belonging or Assigned to Someone Else, Section 106-327, Charges for Removal of Permissible Solid Waste, Section 106-328, Recycling and Adding Section 106-329, Administrative Procedures of the Code of Ordinances of the City of McAlester is hereby amended to read as follows:

Sec. 106-321. City's exclusive right to collect and remove refuse.

~~The city, through its duly authorized agents, or employees in the sanitation department, shall have an exclusive right to collect, remove and haul refuse within the city, and it shall be unlawful for any other person to collect, remove or haul refuse in the city, except as otherwise provided in section 106-322.~~

The city, through its duly authorized agents, representatives or employees, shall have an exclusive right to collect, remove and haul refuse within the city, and it shall be unlawful for any other person to collect, remove or haul refuse in the city, except as otherwise provided in section 106-322.

Sec. 106-323. General refuse container and storage requirements for dwellings.

~~It shall be the duty of every owner, tenant, lessee or occupant of any private dwelling house to comply with the following provisions pertaining to the storage of refuse:~~

~~(1) All garbage from dwellings shall be thoroughly drained of all liquid substances, wrapped in papers and stored in metal cans with tight fitting metal covers and convenient handles or bails for carrying. Such cans shall have a capacity of not less than twenty (20) gallons, nor a capacity of more than thirty (30) gallons and shall not weigh more than seventy five (75) pounds when fully loaded.~~

~~(2) Trash from dwellings may be stored in cans for the storage of garbage or in separate metal containers, with handles or bails, the cover of which shall not be fastened to the container in any manner which will interfere with emptying the contents of the container. Grass cuttings and brush trimmings may be stored in separate boxes, cartons or baskets of a capacity of not more than three (3) cubic feet, and shrub and tree trimmings may be securely tied in bundles not over four (4) feet in length and not over two (2) feet in diameter.~~

~~(3) Garbage and trash containers shall be located in a single place on each premises, which place should be easily accessible to the street or alley from which collections are made. No containers shall be permanently stored on the curb.~~

~~(4) Garbage and/or trash containers shall not be placed on the curb earlier than 5:00 P.M. on the day preceding scheduled pick-up.~~

~~(5) Garbage and/or trash containers shall be removed from the curb not later than 7:00 P.M. on the day of pick-up.~~

~~(6) Garbage and trash containers shall not be located directly under downspouts or eaves where they will be deluged with water during rain or storms.~~

~~(7) Unless the owner of a dwelling provides adequate storage facilities, the occupants of each dwelling shall provide a sufficient number of garbage or trash containers to afford storage of one week's accumulation of garbage and trash. Where several families occupy the same unit, such as an apartment house, the owner of the unit may provide common storage facilities for the occupants in such units.~~

~~(8) All garbage and trash containers as herein described, including plastic and sealed bags, shall be placed at the curb or alley prior to the established time and date of pick-up. All pick-up from alleys, rather than curbs, will be established and authorized by the Sanitation Superintendent.~~

Sec. 106-323. General container and storage requirements for permissible solid waste for residential units

It shall be the duty of every owner, tenant, lessee or occupant of any residential unit to comply with the following provisions pertaining to the storage of permissible solid waste:

(1) All permissible solid waste from residential units shall be properly stored in polycarts provided by the city or its agent or representative for such purpose. Polycarts shall remain the property of city or its agent or representative. Residents shall use polycarts only for their intended purpose and shall not overload (by weight or volume) or alter polycarts.

(2) Unless an additional polycart has been provided for such purpose, each residential unit may place for collection up to three bags of yard waste per week.

(3) Each polycart shall be out front and visible and placed at curbside for collection. Curbside refers to that portion of right-of-way adjacent to paved or traveled city roadways. Polycarts shall be placed as close to the roadway as practicable without interfering with or endangering the movement of vehicles or pedestrians. Polycarts cannot be placed in a fenced area. When construction work is being performed in the right-of-way, polycarts shall be placed as close as practicable to an access point for the collection vehicle. City may decline to collect any polycart not so placed or any solid waste not in a polycart as specified. House-side handicapped service will be provided upon determination of eligibility by the Public Works Director.

(4) Polycarts shall not be placed on the curb earlier than 4:00 P.M. on the day preceding scheduled pick-up.

(5) Polycarts shall be removed from the curb not later than 7:00 P.M. on the day of pick-up.

(6) Excluded Waste shall not be placed in a polycart. If Excluded Waste is discovered before it is collected by city or its authorized agent or representative, city shall take appropriate action to ensure that such Excluded Waste is removed and properly disposed of by the depositor or generator of the waste. In the event any Excluded Waste is not discovered before it is collected, city shall bill the depositor or generator of such Excluded Waste all direct and indirect costs incurred due to removal, remediation, handling, transportation, delivery and disposal of such Excluded Waste.

(7) Upon termination of solid waste service, a resident will account for the polycart(s) provided by the city or its authorized agent or representative and return the same in good and working condition, normal wear and tear excepted. Failure to comply with this section may result in the total value of the polycart(s) being charged against the resident on his final bill. Resident is required to notify the Utility Department upon termination of service.

~~Sec. 106-324. Same - For business and industrial establishments.~~

~~It shall be the duty of the owner, tenant, lessee or occupant of each business or industrial establishment to comply with the following provisions pertaining to the storage of refuse.~~

~~(1) All garbage from such establishment shall be stored in metal cans meeting the requirements prescribed in Section 106-323 for dwellings.~~

~~(2) All trash shall be stored in metal containers or other types of containers approved by the Sanitation Superintendent or the City Manager.~~

~~(3) Trash containers shall be ratproof and shall have waterproof lids.~~

~~(4) Garbage and trash containers, if located outside of buildings, shall not be located directly under downspouts or eaves where they will be deluged by water during storms.~~

~~(5) All empty cardboard boxes placed in trash containers must be flattened.~~

~~(6) Any and all business or industrial establishments which receive refuse collection by method of an established residential route may be required to comply with standards as established in Section 106-323 for dwellings.~~

Sec. 106-324. Same - large commercial and industrial units.

It shall be the duty of the owner, tenant, lessee or occupant of each large commercial or industrial unit to comply with the following provisions pertaining to the storage of - permissible solid waste.

(1) All - permissible solid waste from such establishment shall be stored in Commercial Dumpsters provided by the city or its agent or representative for such purpose. Commercial Dumpsters shall remain the property of city or its agent or representative. Commercial Dumpsters shall be used only for their intended purpose and shall not be overloaded (by weight or volume) or be altered.

(2) Excluded Waste shall not be placed in a commercial dumpster. If Excluded Waste is discovered before it is collected by city or its authorized agent or representative, city shall take appropriate action to ensure that such Excluded Waste is removed and properly disposed of by the depositor or generator of the waste. In the event any Excluded Waste is not discovered before it is collected, city shall bill the depositor or generator of such Excluded Waste all direct and indirect costs incurred due to removal, remediation, handling, transportation, delivery and disposal of such Excluded Waste.

(3) Upon termination of solid waste service, an establishment will account for the commercial dumpster(s) provided by the city or its authorized agent or representative and return the same in good and working condition, normal wear and tear excepted. Failure to account for such commercial dumpster(s) shall result in the total value of the commercial dumpster(s) being charged against the establishment on the final bill.

(4) Polycarts located outside of buildings, shall not be located directly under downspouts or eaves where they will be deluged by water during storms.

(5) Any and all business or industrial establishments which receive refuse collection service by method of an established residential route may be required to comply with standards as established in Section 106-323 for residential units.

~~Sec. 106-325. Maintenance, repair and replacement of refuse containers.~~

~~All refuse containers shall be kept in a clean and sanitary condition at all times, and shall be kept free of rodents, pests and stinging insects. Whenever a refuse container has deteriorated or has been damaged, and is no longer sanitary, rodent proof or capable of retaining its load, it shall be repaired or replaced by the owner. When the owner fails to repair or replace unsanitary containers after notice of this condition has been given by the city, the owner shall be guilty of a misdemeanor.~~

Sec. 106-325. Maintenance, repair and replacement of polycarts and commercial dumpsters.

All polycarts and commercial dumpsters shall be kept in a clean and sanitary condition at all times, and shall be kept free of rodents, pests and stinging insects.

~~Sec. 106-326. Prohibiting the unauthorized deposit of refuse in garage containers belonging to someone else.~~

~~(a) *Unauthorized depositing of refuse.* No person shall deposit any litter, refuse or cause or permit such to be deposited in, on, or around the garbage containers of another without the container owner's consent. No household garbage shall be deposited in City containers. The identification of mail or other material bearing the name(s) of a person identifying such person or entity deposited in, on, or around a container may constitute prima facie evidence of ownership.~~

Sec. 106-326. Prohibiting the unauthorized deposit of refuse in containers belonging or assigned to someone else.

(a) *Unauthorized depositing of refuse.* No person shall deposit any refuse or cause or permit such to be deposited in, on, or around the containers belonging or assigned to another without that person's consent. No household garbage shall be deposited in City containers. The identification of mail or other material bearing the name(s) of a person identifying such person or entity deposited in, on, or around a container may constitute prima facie evidence of ownership.

~~Sec. 106-327. Charges for removal of refuse.~~

~~(a) — The owner or occupant of each of the following premises shall pay to the City for removal of refuse the sum of \$17.95 per month:~~

- ~~1. Single family dwelling.~~
- ~~2. Duplex and/or apartment.~~
- ~~3. Church.~~

~~(b) Business establishments, industrial concerns and schools shall be charged on the basis of the schedule of minimum fees attached hereto.~~

Polycart	1 pickup/week	-	/Month
1-yard dumpster	2 pickups/week	23.00	/Month
1-yard dumpster	3 pickups/week	34.50	/Month
1-yard dumpster	4 pickups/week	46.00	/Month
1-yard dumpster	5 pickups/week	57.50	/Month
1-yard dumpster	6 pickups/week	69.00	/Month
2-yard dumpster	1 pickup/week	-	/Month
2-yard dumpster	2 pickups/week	46.00	/Month
2-yard dumpster	3 pickups/week	69.00	/Month
2-yard dumpster	4 pickups/week	92.00	/Month
2-yard dumpster	5 pickups/week	115.00	/Month
2-yard dumpster	6 pickups/week	138.00	/Month
2-yard dumpster	7 pickups/week	-	/Month
3-yard dumpster	2 pickups/week	69.00	Month
3-yard dumpster	3 pickups/week	103.50	Month
3-yard dumpster	4 pickups/week	138.00	Month
3-yard dumpster	5 pickups/week	172.50	Month
3-yard dumpster	6 pickups/week	207.00	Month

(f) ~~As long as water service is connected to the premises and billings are rendered therefor the charges for refuse removal shall accrue and it shall be conclusively presumed that removal services have been rendered by the city. Payment of such charge shall be made at the same time and in the same manner as water bills are paid, and all rules and regulations governing the collection of water bills shall apply in every particular to the collection of bills for refuse service.~~

Sec. 106-327. Charges for removal of permissible solid waste.

(a) The owner or occupant of each of the following premises shall pay to the City for removal of permissible solid waste the sum of Seventeen Dollars Ninety-Five Cents (\$17.95) per month:

1. Single-family dwelling.
2. Duplex and/or apartment.
3. Church.

(b) Business establishments, industrial concerns and schools shall be charged on the basis of the schedule of minimum fees.

<u>Polycart</u>	<u>1 pickup/week</u>	<u>\$ 24.00</u>	<u>/Month</u>
<u>2-yard dumpster</u>	<u>1 pickup/week</u>	<u>39.67</u>	<u>/Month</u>
<u>2-yard dumpster</u>	<u>2 pickups/week</u>	<u>74.33</u>	<u>/Month</u>
<u>2-yard dumpster</u>	<u>3 pickups/week</u>	<u>109.00</u>	<u>/Month</u>
<u>2-yard dumpster</u>	<u>4 pickups/week</u>	<u>143.67</u>	<u>/Month</u>
<u>2-yard dumpster</u>	<u>5 pickups/week</u>	<u>178.33</u>	<u>/Month</u>
<u>2-yard dumpster</u>	<u>6 pickups/week</u>	<u>213.00</u>	<u>/Month</u>
<u>2-yard dumpster</u>	<u>7 pickups/week</u>	<u>247.67</u>	<u>/Month</u>
<u>4-yard dumpster</u>	<u>1 pickup/week</u>	<u>74.33</u>	<u>/month</u>
<u>4-yard dumpster</u>	<u>2 pickups/week</u>	<u>143.67</u>	<u>/month</u>
<u>4-yard dumpster</u>	<u>3 pickups/week</u>	<u>213.00</u>	<u>/month</u>
<u>4-yard dumpster</u>	<u>4 pickups/week</u>	<u>282.33</u>	<u>/month</u>
<u>4-yard dumpster</u>	<u>5 pickups/week</u>	<u>351.66</u>	<u>/month</u>
<u>4-yard dumpster</u>	<u>6 pickups/week</u>	<u>421.00</u>	<u>/month</u>
<u>4-yard dumpster</u>	<u>7 pickups/week</u>	<u>490.33</u>	<u>/month</u>
<u>6-yard dumpster</u>	<u>1 pickup/week</u>	<u>109.00</u>	<u>/month</u>
<u>6-yard dumpster</u>	<u>2 pickups/week</u>	<u>213.00</u>	<u>/month</u>
<u>6-yard dumpster</u>	<u>3 pickups/week</u>	<u>317.00</u>	<u>/month</u>
<u>6-yard dumpster</u>	<u>4 pickups/week</u>	<u>421.00</u>	<u>/month</u>
<u>6-yard dumpster</u>	<u>5 pickups/week</u>	<u>525.00</u>	<u>/month</u>

<u>6-yard dumpster</u>	<u>6 pickups/week</u>	<u>629.00</u>	<u>/month</u>
<u>6-yard dumpster</u>	<u>7 pickups/week</u>	<u>732.99</u>	<u>/month</u>
<u>8-yard dumpster</u>	<u>1 pickup/week</u>	<u>143.67</u>	<u>/month</u>
<u>8-yard dumpster</u>	<u>2 pickups/week</u>	<u>282.33</u>	<u>/month</u>
<u>8-yard dumpster</u>	<u>3 pickups/week</u>	<u>421.00</u>	<u>/month</u>
<u>8-yard dumpster</u>	<u>4 pickups/week</u>	<u>559.66</u>	<u>/month</u>
<u>8-yard dumpster</u>	<u>5 pickups/week</u>	<u>698.33</u>	<u>/month</u>
<u>8-yard dumpster</u>	<u>6 pickups/week</u>	<u>836.99</u>	<u>/month</u>
<u>8-yard dumpster</u>	<u>7 pickups/week</u>	<u>975.66</u>	<u>/month</u>

(f) As long as water service is connected to the premises and billings are rendered therefore, the charges for permissible solid waste removal shall accrue and it shall be conclusively presumed that removal services have been rendered by the city. Payment of such charge shall be made at the same time and in the same manner as water bills are paid, and all rules and regulations governing the collection of water bills shall apply in every particular to the collection of bills for refuse service.

Sec. 106-328. Recycling.

~~The City hereby establishes a forty-cent (\$0.40) recycling fee per month for each and every customer of the City of McAlester to be charged on their monthly utility bill. The basic fee covers costs of recycling drop-off site(s), public education, and administration. These fees are intended to increase the diversion of recyclable materials from landfill disposal, conserve the capacity and extend the useful life of the McAlester Landfill, reduce greenhouse gas emissions, and avoid the potential financial and other consequences to the City of failing to meet state environmental requirements.~~

The City hereby establishes a forty-cent (\$0.40) recycling fee per month for each and every customer of the City of McAlester to be charged on their monthly utility bill. The basic fee covers costs of recycling drop-off site(s), public education, and administration.

Sec. 106-329. Administrative Procedures.

The Public Works Director is hereby authorized to develop supplemental administrative procedures consistent with the provisions of this division.

SECTION 2: EMERGENCY CLAUSE.

That an emergency is hereby declared to exist for the preservation of the public peace, health and safety by reason whereof it is necessary that this Act take effect immediately and be in full force and effect from and after its passage and approval.

APPROVED and the EMERGENCY CLAUSE ruled on separately this 13 day of March.



CITY OF McALESTER, OKLAHOMA
A Municipal Corporation

By Steve Harrison
Steve Harrison, Mayor

ATTEST:
Cora Middleton
Cora Middleton, City Clerk

Approved as to form and legality this 13th day of March, 2012.

By William J. Ervin
William J. Ervin, City Attorney