

## **Garbage Collection Ordinance – Ordinance 96-9**

Sec. 25-1. Garbage collection.

(a) *Definitions.* The following terms and phrases shall have the meanings set forth below, unless the context clearly indicates otherwise.

*Collection point* shall mean the swale, parkway or area adjacent to the street, where the garbage is placed for collection. The collection point shall not include public walkways, sidewalks or streets.

*Garbage* shall mean refuse, rubbish, waste and trash from residential, commercial or industrial activities, including kitchen and table waste, animal or vegetative waste that is attendant with or results from the storage, preparation, cooking, or handling of food; paper; cloth; plastics; discarded household goods and appliances; and similar materials. "Garbage" does not include yard trash, such as branches or clippings, that is customarily a product of yard or garden tending.

*Refuse containers* includes garbage cans, trash cans, recycling bins, crates, boxes, or other type of container used to hold or contain garbage.

(b) *Hours of placement of garbage for collection.*

(1) Refuse containers for garbage shall be placed for collection in accordance with the following:

a. All refuse containers shall be placed at the collection point no earlier than 3:00 p.m. on the day preceding the day upon which refuse collection is customarily made.

b. Refuse containers shall be removed from the collection point on the same day collection is made.

(2) It is the responsibility of the property owner or occupant, tenant, lessee or agent, to comply with these regulations.

(3) Properties where refuse containers are confined to a designated collection area and are secured from accidental dislodging or disturbance are exempt, e.g. fenced areas typically found on multi-family properties.

(c) *Enforcement.* It shall be unlawful for any person to fail, neglect, or refuse to comply with and abide by each provision of this section. The performance on each day of any prohibited act or practice, or the failure to perform on each day any required act or practice shall constitute a separate offense and shall be punishable as such.

(d) *Notice of violation of ordinance.* The county code enforcement division shall be responsible for notifying property owners or occupants of initial violations of this section. The code enforcement division shall provide notice to the property owner or occupant for any garbage placed for collection in violation of this section. The notice shall be written and posted on the door of the dwelling and shall inform the occupant of the regulations contained within the garbage collection ordinance, the occupant's violation of the regulations, and state that the occupant of the premises must remove the garbage within a fixed number of hours or days. The time allowed shall depend on the nature of the violation and the time necessary to comply with the provisions of this section. If the occupant fails to timely remove the garbage, or if the occupant receives more than one (1)

such written notice by the code enforcement division, the code enforcement division may cite the owner or occupant for the alleged violation(s) of this section.

(e) *Code violation, citation and procedure.* The code enforcement division, if warranted, may issue a citation to the property owner or occupant for any violation(s) in accordance with the process and procedure set forth in the Citation System Ordinance of Palm Beach County, Florida (Ordinance No. 90-45, as amended from time to time). Alternatively the code enforcement division may issue a notice of violation and/or a notice of hearing directing the violator to appear before the county code enforcement board, in accordance with Section 14.2 of the Palm Beach County Uniform Land Development Code.

(f) *Applicability.* This section shall be applicable in the unincorporated areas of Palm Beach County.

(Ord. No. 96-9, §§ 2--7, 3-19-96)