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Please PPW, Thanks
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2/13/2017*

DATE: February 10, 2017
TO: Michael O. Geisel, P.E.
City Administrator
FROM: James A. Eckrich, P.E. *[Signature]*
Public Works Director / City Engineer
RE: Placement of Solid Waste Containers

As directed by the Finance and Administration Committee of City Council, modifications to Section 25-28(a) of the City of Chesterfield Municipal Code – Placement of Waste Containers should be considered by the Planning and Public Works Committee. Section 25-28 is attached in its entirety. However, the specific sentence in question is as follows:

The containers shall be stored in a place not visible from the street which the residential structure faces.

This requirement has generated the question of whether a house on a corner lot can store its solid waste containers on the side of the house, which also fronts a street and is considered a front yard within the City's Unified Development Code. In order to rectify this problem, and clarify the requirement, the City Staff recommends the City Council take one of the following actions:

- 1) Revise the code to require that solid waste containers cannot be stored within any yard that faces the street. This could be accomplished by replacing the requirement with the following: *The containers shall be stored inside the garage, or within any side or rear yard which does not abut a street.*
- 2) Revise the code to require that solid waste containers cannot be stored within any yard that faces the street, and cannot be visible from a public street. *The containers shall be stored inside the garage, or within any side or rear yard which does not abut a street. Additionally, said containers shall not be visible from a street which abuts the property.*
- 3) Revise the code to simply require that solid waste containers cannot be visible from the street: *The containers shall be stored in a place not visible from a street which abuts the property.*
- 4) Eliminate this requirement and allow individual subdivisions to enact their own rules regarding the storage of solid waste containers. This could be accomplished by simply removing the italicized sentence.

Should the Planning and Public Works Committee determine that it is more appropriate for individual subdivisions to set rules regarding the storage of solid waste containers, I recommend that the Planning and Public Works Committee choose option 4. If the Committee desires to continue to legislate the location of solid waste containers, it is my opinion that option 1 is the most reasonable requirement.

Action Recommended

This matter should be forwarded to Planning and Public Works Committee for consideration. The PPW Committee should recommend a modification to Section 25-28(a). That recommendation will be incorporated into an ordinance and submitted to the full City Council for approval.

City of Chesterfield, MO
Friday, February 10, 2017

Chapter 25. Solid Waste

Article II. Generation and Storage

Sec. 25-28. Placement of waste containers, tree waste and firewood.

[Ord. No. 541, § 2(H), 1-21-1991; Ord. No. 599, § 1, 8-19-1991; Ord. No. 1781, §§ 1, 2, 9-5-2001]

- (a) Residential waste containers and tree waste shall be stored upon the premises where the waste was generated, unless written permission for storage on other premises is obtained from a person having authority to grant such permission. The containers shall be stored in a place not visible from the street which the residential structure faces. Waste containers used for the storage of residential waste, other than waste from multifamily premises having four (4) or more units, shall be placed at the curb or mailbox or backyard or side yard as required by the hauler for collection. Waste containers and bundles of tree waste permitted by this chapter shall be placed at the collection point, i.e., in front of the premises or on the street no earlier than 5:00 p.m. on the day prior to the regularly scheduled collection day. Waste containers shall be returned to their appropriate storage place no later than 12:00 midnight on the day of collection.
- (b) Nonresidential solid waste containers and tree waste generated on nonresidential premises shall be stored upon the nonresidential premises where the waste was generated, unless written permission for storage on other premises is obtained from a person having authority to grant such permission.
- (c) Fireplace wood shall be stored on a pallet with a six-inch clearance at the bottom. Such pallet shall be of wood or metal. No more than one-half ($\frac{1}{2}$) cord (four (4) feet by four (4) feet by eight (8) feet) may be stored on the premises in front of the building, and no more than four (4) cords may be stored on the premises behind the front building line.