

Date: April 28, 2017

To: Michael O. Geisel
City Administrator

From: Justin Wyse, AICP
Director of Planning and Development Services

RE: Placement of Solid Waste Containers



II.A.

The Finance and Administration Committee asked the Planning and Public Works Committee to consider modifications to Section 25-28(a) of the City Code pertaining to placement of solid waste containers. The topic was presented at the February 22, 2017 meeting of the Planning and Public Works Committee where Staff was directed to draft an ordinance to revise the requirement.

The requested revision was presented to the Planning and Public Works Committee on March 9, 2017. Concern was raised that the proposed ordinance may not have the intended effect that would address current debates regarding placement and code requirements. A motion was passed to hold the ordinance pertaining to the placement of solid waste containers until the next Planning and Public Works Committee of the Whole meeting. At the direction of the Mayor, this item is being brought back to committee for discussion and recommendation.

Action Recommended

This matter should be forwarded to the Planning and Public Works Committee for consideration for a recommendation to the full City Council.

Attachments: February 24, 2017 Memo
Draft Ordinance (presented March 9, 2017)
City Code, Section 25-28
February 10, 2017 Memo

*Please add to next
PPW Committee
for consideration
mor
4/28/2017*



DATE: February 24, 2017

TO: Michael O. Geisel, P.E.
City Administrator

FROM: James A. Eckrich, P.E.
Public Works Director / City Engineer

RE: Placement of Solid Waste Containers

As directed by the Planning and Public Works Committee, an ordinance revising Section 25-28(a) of the City of Chesterfield Municipal Code has been drafted for consideration. That ordinance (attached) requires that residents store their solid waste containers inside the garage or within any side or rear yard, such that the containers are not visible from any street which abuts the property. This ordinance has been reviewed by the City Attorney.

Action Recommended

This matter should be forwarded to Planning and Public Works Committee for consideration. Should the PPW Committee find the ordinance acceptable, it should recommend approval to the full City Council.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI REPEALING AND REPLACING SECTION 25-28(a) OF THE CITY OF CHESTERFIELD MUNICIPAL CODE REGARDING THE PLACEMENT OF SOLID WASTE CONTAINERS.

WHEREAS, the City of Chesterfield strives to be a beautiful and safe place for residents to live, work, and drive; and

WHEREAS, the City of Chesterfield is proud of its residential neighborhoods and desires to maintain a positive appearance for all neighborhoods within the City; and

WHEREAS, in order to maintain the appearance of its residential neighborhoods, the City of Chesterfield desires to restrict the placement of solid waste containers for each residential property such that solid waste containers are not visible from any street which abuts that residential property.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 25-28(a) of the City of Chesterfield Municipal Code is repealed in its entirety, and replaced with the following:

Residential solid waste containers, recycling containers, and yard 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. Containers shall be stored inside the garage or within any side or rear yard, such that the containers are not visible from a street which abuts the property. 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 end of the driveway, near the curb or mailbox, prior to the scheduled pickup. Waste containers, including bundles of yard waste permitted by this chapter, shall be placed at the required collection point, no earlier than 5:00 p.m. on the day prior to the regularly scheduled collection day. Waste containers shall be returned to their lawful storage area no later than 11:59 p.m. on the day of collection.

Section 3. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2017.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: _____

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 (½) 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.



DATE: February 10, 2017

TO: Michael O. Geisel, P.E.
City Administrator

FROM: James A. Eckrich, P.E. 
Public Works Director / City Engineer

RE: Placement of Solid Waste Containers

As directed by the Finance and Administration Committee of City Council, consideration of 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.