

Memorandum

Department of Planning & Development Services



To: Planning and Public Works Committee
From: Justin Wyse, AICP
Director of Planning & Development Services
Date: May 18, 2017
RE: Placement of Solid Waste Containers

As directed at the May 4, 2017 Planning and Public Works Committee meeting, Staff has prepared two draft ordinances for placement of solid waste containers. Both ordinances have been amended to include language regarding registering complaints that is included in other sections of code. Inclusion of this language will clarify the administration aspects of the code. The existing language (see Section 07-11 of the City Code) states:

Any person desiring to register an allegation regarding any structure or land which may be in violation of this ordinance shall be required to state his or her name and address which shall be placed on record with the City as a condition precedent to the filing of an allegation. No anonymous allegations shall be accepted or recorded by the City. All allegations must state specifically the violation or violations being reported.

Draft Ordinance 'A' includes the current language from the City Code regarding placement of solid waste containers with the inclusion of the language above.

Draft Ordinance 'B' includes revised language regarding the placement of solid waste containers with the inclusion of the language above.

Both draft ordinances are provided with redline and strikethrough changes to assist in the review of the drafts.

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: Draft Ordinance 'A'
Draft Ordinance 'B'

DRAFT ORDINANCE 'A'

BILL NO. _____ **ORDINANCE NO.** _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI REPEALING AND REPLACING SECTION 25-28 OF THE CITY OF CHESTERFIELD MUNICIPAL CODE REGARDING THE PLACEMENT OF WASTE CONTAINERS, TREE WASTE AND FIREWOOD.

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 a 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 of the City of Chesterfield Municipal Code is repealed in its entirety, and replaced with the following:

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

- (a) 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. 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 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.
- (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.
- (d) Any person desiring to register an allegation regarding any structure or land which may be in violation of this ordinance shall be required to state his or her name and address which shall be placed on record with the City as a condition precedent to the filing of an allegation. No anonymous allegations shall be accepted or recorded by the City. All allegations must state specifically the violation or violations being reported.

Section 2. The 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:

DRAFT ORDINANCE 'B'

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, MISSOURI REPEALING AND REPLACING SECTION 25-28 OF THE CITY OF CHESTERFIELD MUNICIPAL CODE REGARDING THE PLACEMENT OF WASTE CONTAINERS, TREE WASTE AND FIREWOOD.

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 a street which abuts that residential property.

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

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

- (a) 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. ~~The containers shall be stored in a place not visible from the street which the residential structure faces.~~ **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.
- (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.
- (d) Any person desiring to register an allegation regarding any structure or land which may be in violation of this ordinance shall be required to state his or her name and address which shall be placed on record with the City as a condition precedent to the filing of an allegation. No anonymous allegations shall be accepted or recorded by the City. All allegations must state specifically the violation or violations being reported.

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Passed and approved this _____ day of _____, 2017.

PRESIDING OFFICER

Bob Nation, MAYOR

ATTEST:

Vickie Hass, CITY CLERK

FIRST READING HELD: