

ORDINANCE NO. 2025-20

**AN ORDINANCE AMENDING CHAPTER 82, SOLID WASTE OF THE CODE
OF ORDINANCES OF THE CITY OF VALDOSTA, GEORGIA**

BE IT ORDAINED by the Mayor and Council of the City of Valdosta, Georgia, and it is hereby ordained by authority of same, as follows:

Chapter 18, Solid Waste of the Code of Ordinances of the City of Valdosta, Georgia is hereby amended and replaced in its entirety as follows:

ARTICLE I. - IN GENERAL

Sec. 82-1. - Littering.

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

Household garbage means animal, vegetable, and fruit refuse matter and other refuse matter ordinarily generated as by-products of a household or restaurant, such as tin cans, bottles, paper, cardboard, plastics, and wrapping or packaging materials.

Litter means any organic or inorganic waste material, refuse, garbage, trash, poles, peelings, debris, grass, weeds, ashes, sand, gravel, slag, brickbats, metal, plastic and glass containers, broken glass, dead animals or intentionally or unintentionally discarded materials of every kind and description.

Public or private property means the right-of-way of any road or highway; any body of water or the shores, any park, playground, building, refuge, or conservation or recreation area; and residential properties.

(b) *Prohibition; penalty for violation.*

- (1) It shall be unlawful to throw or deposit litter upon any street, street right-of-way, sidewalk or other public place within the City.
- (2) It shall be unlawful for any person or persons to dump, deposit, throw, leave, cause, or permit the dumping, depositing, placing, throwing, or leaving of litter on any public or private property in the City or any water in this city, unless:
 - a. The property is designated by the City or by any of its departments, for the disposal of litter and the person is authorized by the proper public authority to use such property;
 - b. The litter is placed into a litter receptacle or container installed on such property; or
 - c. The person is the owner or tenant in lawful possession of such property or has first obtained consent of the owner or tenant in lawful possession or unless the act is done under the personal direction of the owner or tenant, all in a manner consistent with the public welfare.
- (3) It shall be unlawful for any person or entity to scatter, throw, place, sweep, or deposit anywhere within the City any litter in such a manner that it may be carried by wind, rain, water, or animals upon any public or private property. Where commercial or public litter receptacles are not available, all such litter shall be carried away by the person responsible for its presence and properly disposed of elsewhere and in appropriate containers.
- (4) It shall be unlawful for any person or entity to trespass on the rights of another through the neglect of property by causing or allowing unsightly litter, weeds and grass, yard waste, foul odor, dead animals, junk, unsecured appliances, or potentially dangerous devices to remain on or emanate

from property, or to discard or abandon or cause such on public property, private property, vacant lots or any pond, stream, or body of water or banks thereof within the City limits.

- a. Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon private property.
 - b. Lighted cigarettes, cigars and other flammable materials liable to start litter on fire shall not be placed in receptacles until completely extinguished.
- (5) The owner, occupant and lessee of all property, including, but not limited to, parking lots, not otherwise described herein, jointly and severally are required to remove all litter from any source, from their property and to place same in appropriate containers. Vacant lots, borders, embankments, fences, walls, driveways and sidewalks shall be kept free of litter.
 - (6) No person owning or occupying a place of business shall sweep into or deposit in any gutter, street, or other public place within the City the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the City shall keep the sidewalk adjacent to their business, all off-street parking areas, all loading and unloading areas, and all landscaped areas associated with their business premises free of litter.
 - (7) Every owner, manager, occupant, tenant or lessee using or occupying any commercial, institutional or individual building or property shall be obligated jointly or severally to provide an appropriate number of litter receptacles maintained in good, clean condition. The size, type and number shall be as specified by the Director of Public Works to be reasonably required to hold litter generated by operation of the business between periods in which they are emptied into a bulk container for regular city refuse collection. Such containers shall be weighted or attached to the ground as necessary to prevent spillage. Commercial sites where there are a large number of individual stores bound together by association or lease, such as malls, shopping centers or the downtown shopping area may consider the requirement for the number and placement thereof in the total picture rather than on an individual basis.
 - (8) Containers shall be made available for customers to extinguish cigarettes, cigars, lighted matches, etc., at a convenient-to-the-customer location at the entrance of stores, or when smoking is permitted, inside.
 - (9) Commercial sites with on-site parking shall, at a minimum, have its parking area cleaned or swept as needed to prevent an accumulation of litter and to maintain a neat and orderly appearance. Furthermore, said sites shall provide and maintain litter receptacles that are strategically placed throughout the parking lot for individuals using same to properly deposit litter and other refuse. The number of receptacles shall be determined as follows:
 - One receptacle for establishments with one to 25 parking spaces;
 - Two receptacles for establishments with 26 to 50 parking spaces;
 - One additional receptacle for each additional 100 parking spaces at any location.
 - (10) Any person convicted of a violation of any portion of this article shall be punished by a fine not exceeding \$500.00, or be required to work by removing litter, cutting grass or participating in other beautification projects as directed by the court or it's designee, on the public streets or highway or public right-of-way, and public property in the City not exceeding 30 days or any combination of both in the discretion of the judge of the municipal court. In the sound discretion of the judge of the court, the person may be directed to pick up and remove from any public park, private right-of-way, or, with the prior permission of the legal owner or tenant in lawful possession of such property, any private property upon which it can be established by competent evidence that the person has deposited litter, any and all litter deposited thereon by anyone prior to the date of execution of sentence. The court may, in its discretion, require any person convicted of a violation

of any portion of this article to publish said person's name and photograph, at the violator's expense, in the legal organ for the City.

(c) *Abandonment of freezer, refrigerators, etc.*

- (1) It shall be unlawful for any person to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded freezer, refrigerator or any container of any kind which has an airtight door or lock which may not be released for opening from the inside of said freezer, refrigerator or container.
- (2) It shall be unlawful for any person to leave outside of any building or dwelling in a place accessible to children any abandonment, unattended or discarded freezer, refrigerator or any other container of any kind which has an airtight door with snap lock or other similar device thereon without removing said snap lock or other similar device on the doors from said freezer, refrigerator or container.

(d) *Issuing citation; accused before judge.* Any City police officer, City marshal, firefighter, , code inspector, or building code inspector is empowered to enforce the provisions of this section by issuing a citation and bring the accused before the judge of the municipal court for the City.

(e) *Enforcement of section; person appointed; restriction; liability.*

- (1) Notwithstanding any law to the contrary, neither the City, nor any department, agency, board, or officer of the City, shall be liable or accountable for or on account of any act or omission of any person appointed pursuant to this section in connection with such person's enforcement of the provisions of this section.
- (2) It shall be unlawful for any person willfully to obstruct, resist, impede, or interfere with any person appointed pursuant to this subsection (e) in connection with such person's enforcement of this section or to retaliate or discriminate in retaliation for such enforcement.

(f) *Evidence and presumption of littering.*

- (1) Whenever litter is thrown, deposited, dropped, or dumped from any motor vehicle, boat, airplane, or other conveyance in violation of section, it shall be prima facie evidence that the operator of the conveyance has violated this section.
- (2) Except as provided in subsection (a) of this section, whenever any litter which is dumped, deposited, thrown, or left on public or private property in violation of O.C.G.A. § 16-7-43 is discovered to contain any article, including, but not limited to, letters, bills, publications, or other writings which display the name of a person thereon in such a manner as to indicate that the article belongs or belonged to such person, it shall be a rebuttable presumption that such person has violated this section.

(g) *Receptacles and signs required on city property.* All city departments having supervision of properties of this city are authorized, empowered, and instructed to establish and maintain receptacles for the deposit of litter at appropriate locations where the property is frequented by the public, to post signs directing persons to the receptacles and serving notice of the provisions of this subsection, and to otherwise publicize the availability of litter receptacles and requirements of this subsection.

(h) *Vandalizing trash containers prohibited.* It shall be unlawful for any person to set fire to the contents of, indiscriminately scatter or disperse the contents of, or otherwise vandalize any containers provided for the dumping of trash or garbage.

(Ord. No. 2005-1, 1-6-2005; Ord. No. 2007-45, § 11-1013, 9-6-2007)

State Law reference- Litter Control Law, O.C.G.A. § 16-7-40 et seq.; littering highways, O.C.G.A. § 40-6-249.

Sec. 82-2. - Solid waste management plan; adopted.

The City hereby adopt the Greater Lowndes Solid Waste Management Plan and amend the South Georgia Multi-Jurisdictional Solid Waste Management Plan and transmit notification to the South Georgia Regional Development Center and the Georgia Department of Community Affairs for certification of completion.

(Res. No. 2007-11, 3-22-2007)

Secs. 82-3-82-30. - Reserved.

ARTICLE II. - REFUSE COLLECTION AND DISPOSAL^[2]

Footnotes:

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Editor's note- Ord. No. 2013-30, adopted Dec. 5, 2013, amended art. II in its entirety to read as herein set out. Former art. II, §§ 82-31-82-45, pertained to similar subject matter, and derived from Code 1976, §§ 4-2001-4-2008; Ord. No. 92-16, § 4-2009, Apr. 23, 1992; Ord. No. 95-38, adopted Nov. 9, 1995; Ord. No. 99-5, §§ 4-2001-4-2002, adopted Feb. 11, 1999; Ord. No. 2006-2, adopted Jan. 19, 2006; Ord. No. 2006-23, adopted Apr. 20, 2006; Ord. No. 2006-49, adopted Aug. 24, 2006; and Ord. No. 2010-10, § 1, adopted Feb. 25, 2010.

Sec. 82-31. - Definitions.

For the purpose of these regulations, the following words and phrases shall have the meanings ascribed to them in this section:

"Additional Fees" means the fees for bulk items or yard trash piles larger than 4 ft. x 8 ft. x 5 ft.

"Appliances, furniture or white goods" means items or rubbish that weigh more than 25 pounds gross weight.

"Bulk Items" means a variety of combustible and non-combustible waste not subject to rapid decomposition derived from places of residence, commercial areas and institutions and shall include paper, rags, plastics, cartons, boxes, metals, minerals, crockery, excelsior, bedding, discarded clothing, and similar materials.

"Central downtown area" shall mean that area consisting of the area bounded on the north by Magnolia Street, on the east by Lee Street, on the south by Branch Street, and on the west by Toombs Street. Said area shall include all properties abutting on the north side of Magnolia Street, the east side of Lee Street, the south side of Branch Street, and the west side of Toombs Street in the area described.

"City" means the City of Valdosta, Georgia.

"City Manager" means the person occupying this position as provided in the Charter of the City, or his representative.

"Collector" means the person or persons, as defined herein, who under formal agreements, verbal or written, with or without remuneration, do the work of collecting and/or, hauling solid wastes.

"Construction Site" means any private or public property upon which repairs or renovations to existing buildings, construction of new buildings, or demolition of existing structures is taking place.

"Construction Waste" means solid waste that is produced or generated during construction, demolition, remodeling, or repair of pavements, houses, commercial buildings, or other structures. Construction waste includes, but is not limited to, scrap lumber, wire, sheet rock, broken brick, shingles, glass, pipes, concrete, paving materials, and metal and plastics if the metal or plastics are a part of the material of construction or empty containers of such materials.

"Disposal Area" means a site, location, tract of land, or facility, used or intended to be used for the final disposal of solid waste, garbage, decayable waste, hazardous waste, or other waste, except that it shall not include, the land or facility used for the disposal of solid waste or other waste from a single-family dwelling on which the owner, occupant or lessee of said land or facility resides.

"Garbage" means food, waste, including waste accumulation of animal or vegetable matter used for or intended for food or that attends the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetables.

"Hazardous Waste" means material in a solid or semi-solid state resulting from the manufacture or use of pesticides or drugs (other than normal household use), pathological wastes, chemical wastes, flammable or explosive materials, and similar waste material in a solid or semi-solid state that the City Manager may consider a likely hazard to the public health or safety, except radioactive waste materials, as provided in rules of the Georgia Department of Natural Resources.

"Industrial Waste" or "industrial solid waste" means the solid waste materials from factories, processing plants and manufacturing enterprises, and includes food processing waste, meat and poultry processing waste, hatchery waste, construction and demolition waste, condemned food, ashes and cinders from power plants, agriculture products waste, land clearance waste, and similar waste.

"Litter" means any organic or inorganic waste material, refuse, garbage, trash, poles, peelings, debris, grass, weeds, ashes, sand, gravel, slag, brickbats, metal, plastic and glass containers, broken glass, dead animals or intentionally or unintentionally discarded materials of every kind and description.

"Mayor and Council" means the legally designated governing body of the City, namely the Mayor and Council.

"Move-out Pile" means a collection of bulk items, garbage, personal belongings, etc., that is located outside of the residence as a result of a person being evicted or moving-out from their current residence.

"Mobile Recycle Drop Site" means a designated site where recyclable items may be brought and sorted in a designated collection bin as outlined in the instructions per site location.

"Person" means any person, partnership, public or private corporation, association, institution, individual or other entity.

"Premises" means land, buildings or other structures, vehicles, watercraft, or parts thereof, upon or in which solid waste is stored.

"Primary Contractor" means the contractor that pulls a permit with the City of Valdosta and is responsible for the entire construction project.

"Recyclable Materials" means newspapers, glass bottles, metal cans, aluminum cans, plastic bottles and corrugated boxes.

"Scavenge" means uncontrolled rummaging through discarded solid waste materials.

"Solid Waste" means decayable and non-decayable waste, except human body waste, and shall include garbage bulk items, paper, cartons, boxes, wood, tree branches, yard trimmings, furniture, appliances, metals, tin cans, glass, crockery, dunnage, ashes, street refuse, dead animals, waste materials generated in industrial operations, residue incineration, food processing wastes, demolition wastes, construction wastes, and any other wastes in a solid or semi-solid state, not otherwise defined in this section.

"Waste" means unwanted or discarded material, except human body waste.

"Yard Waste" means leaves, pine straw, limbs, grass or cuttings from bushes.

(Ord. No. 2013-30, 12-5-2013)

Cross reference- Definitions generally, § 1-2.

Sec. 82-32. - Administration and appeals.

- (a) **Responsibility for administration.** The Mayor and Council, in order to protect the health and safety of the people in the City, authorizes and directs the City Manager, by implementing and enforcing the provisions of these regulations, to control the storage, collection, and disposal of solid waste in the incorporated areas of the City. The City Manager shall plan, organize, procure equipment and personnel, and manage a publicly owned and operated solid waste collection and disposal service and/or, establish criteria for evaluation of private collection and disposal services, make recommendations to the mayor and council regarding contracts for solid waste collection and/or, disposal between the mayor and council and private collectors and/or, disposal site owners and/or operators, and shall regulate the establishment, maintenance and operation of public or private solid waste collection, and/or, disposal systems, methods and sites.
- (b) **Functions of City Manager.** Collection, transportation and disposal of solid waste shall be under the supervision and control of the City Manager, who shall have authority to establish routes and days of collection, types and locations of solid waste containers, and such other necessary matters pertaining to collection, transportation and disposal of solid waste and to change and modify the same after notice as required by law, provided such measures are not contrary to the provisions of these regulations.
- (c) **Collection by City.** All residential solid waste generated or accumulated in the incorporated areas of the City shall be collected, transported and disposed of by the City through its designated agents, employees, or contract representatives. no other person shall collect, transport or dispose of any residential solid waste generated or accumulated in the City. All commercial solid waste shall also be collected, transported and disposed of by the City or through private firms licensed and franchised by the City.
- (d) **Industrial solid waste.** These rules and regulations shall not prohibit the producers of industrial solid waste or the owner of premises upon which industrial solid waste has accumulated from collecting, transporting and disposing of such waste, subject to laws and regulations pertinent thereto, if such service is not provided by the City.

(Ord. No. 2013-30, 12-5-2013)

Sec. 82-33. - Pre-collection.

(a) **Containers.**

- (1) All residential and some small-commercial customers will utilize 96-gallon roll-out containers issued from City of Valdosta Public Works. These containers will be provided to every residence and qualifying small-commercial customers on a one-time basis. If a container is removed from the residential or small-commercial location, the replacement container will be paid for by the occupant or owner of the residential or commercial location.
- (2) Residential customers will receive one 96-gallon roll-out for the base service charge. Residents may request additional 96-gallon roll-outs for an additional service charge of \$8.00 per month. Any privately owned containers will not be emptied. Additional bagged garbage outside of the 96-gallon roll out will not be collected. Residential customers are encouraged to request the necessary 96-gallon roll-outs to properly dispose of the generated garbage or litter. Absolutely no residential household garbage will be mixed with yard trash or bulk material.
- (3) Small commercial customers who pay for twice weekly pickup may utilize up to four 96-gallon containers furnished by the City.

(b) **Preparation.**

- (1) Garbage and bulk items shall be drained of excess liquids before being placed for collection.
- (2) All bulk items shall be placed at the curbside or streetside for collection in a neat and orderly pile. It should not be placed near fences, fire hydrants, phone/cable boxes, utility poles, or water meters whenever possible. The maximum size of the consolidated pile will not exceed four feet

wide by eight feet long by five feet high or 160 cubic feet. There will be charges applied to the resident's sanitation account for piles greater than those dimensions.

- (3) Roll-out containers shall be placed at the curbside or streetside for collection the night before collection. This includes residential and small business locations. If the roll-out container is not placed by the curbside or streetside for collection by the time the sanitation truck arrives and the roll-out container is not picked up, the citizen can request a go back for a pickup for a fee of \$15.00. Only two go backs per month.
- (4) Yard waste from trimmings performed by the resident shall be placed at the curbside or streetside for collection. It should not be placed near fences, fire hydrants, phone/cable boxes, utility poles, or water meters whenever possible. Limbs or cuttings shall not be over four feet in length and eight inches in diameter. Yard waste that exceeds these dimensions will not to be picked up by the City. The maximum size of the consolidated pile will not exceed four feet wide by eight feet long by five feet high or 160 cubic feet. There will be charges applied to the resident's sanitation account for piles greater than those dimensions.

TABLE 4.1: Oversized Pile Price Chart

1 Unit = 4 ft wide x 8 ft long x 5 ft high 160 cubic feet	Yard Debris Cost \$45 per unit, no limit	Mixed Trash Debris Cost \$65 per unit, no limit
less than 1 unit (less than 160 cubic feet)	\$0	\$0
1 unit (160 cubic feet)	\$45	\$65
2 units (320 cubic feet)	\$90	\$130
3 units (480 cubic feet)	\$135	\$195
4 units (640 cubic feet)	\$180	\$260
5 units (800 cubic feet)	\$225	\$325
6 units (960 cubic feet)	\$270	\$390
7 units (1,120 cubic feet)	\$315	\$455
8 units (1,280 cubic feet)	\$360	\$520
9 units (1,440 cubic feet)	\$405	\$585
10 units (1,600 cubic feet)	\$450	\$650
11 units (1,760 cubic feet)	\$495	\$715
For yard debris, \$45 will be added for each additional unit		
For trash debris, \$65 will be added for each additional unit		

- (5) Trees, large bushes or shrubbery that are trimmed by anyone other than the resident and left for pickup or by commercial trimmers or tree surgeons, will not be picked up by the City. All persons cutting trees, large bushes or shrubbery shall be responsible for disposing of the residue of trees, bushes or shrubbery.
- (6) Construction waste, tires, batteries, and dirt will not be collected. These items will be the responsibility of the resident to coordinate proper disposal.
- (7) Move-out piles. When there is a scheduled eviction, the responsible property owner/management must contact City of Valdosta Public Works no less than 48 hours before scheduled eviction to communicate debris removal plan. Move-out piles are required to be removed from property no more than 48-hours after move-out piles are positioned on property. Any move-out piles collected by City of Valdosta Public Works that exceed four feet wide by eight feet long by five feet high or 160 cubic feet will be assessed a pickup fee of no less than \$150.00.

(c) **Construction site.**

- (1) a. **Litter prohibited.** It shall be unlawful for any owner or agent of a construction site, or any contractor on a construction site, to cause, to permit, or allow the presence of litter or construction waste on such site outside of a proper receptacle or to cause, permit, or allow litter or construction waste to be spilled, discharged, or blown by wind or water. It shall be the responsibility of the owner or agent of the property and the primary contractor performing work on the site to keep the property free of litter. All litter and construction waste from construction activities or any related activities shall be picked up at the end of each workday and placed in containers, which will prevent litter and construction waste from being carried by the elements to adjoining premises.
- b. **Receptacles required.** The owner, agent, or primary contractor in charge of a construction site shall furnish on such site receptacles sufficient to contain worker's litter and receptacles sufficient to contain all construction waste. All receptacles shall be conveniently available and maintained and secured or covered so as to prevent litter and construction waste from being spilled, discharged, or blown by wind or water. The primary contractor should determine the number and capacity of receptacles to be present at each construction site. All receptacles shall be emptied as necessary, but not less frequently than weekly. All receptacles required under this subsection shall remain conveniently available on the site from the time construction activity commences until the construction activity ceases.
- c. **Construction site stormwater runoff control.** Per 40 Code of Federal Regulations (CFR), Part 122.34(b)(4)(ii)(C), incorporated into NPDES Permit No. GAG610000, the construction site operator(s) is required to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site that may cause adverse water quality impacts.
- d. **Exclusion.** The requirement for receptacles in this section shall not apply to any construction site on which only repair or renovation of the building is taking place, and this work is being performed by the owner of the property, who is also a resident on the property, where work is being performed. This provision in no way eliminates any responsibility of any party regarding subsection (a) under this provision regarding keeping the property free of litter.
- e. **Penalties.** Failure to abide by this Ordinance shall subject the violating party to a fine not less than \$100.00 and not more than \$500.00 per first offense. The second offense and each offense thereafter shall have a minimum fine of \$350.00. The offender shall be billed no less than \$75.00 per pickup if the material is picked up by the City of Valdosta.

(d) **Storage.**

- (1) Bulk Items, appliances, furniture or white goods shall be stored five feet from the residence building until the day of garbage collection. Appliances shall be emptied of contents and doors removed. Items shall be placed on the curb with the roll out container no earlier than 12:00 p.m. of the day before the day of collection. Items must not be placed under low electrical wires, or low hanging

tree limbs and must be at least five feet from any fences, fire hydrants, phone/cable boxes, utility poles, or water meters whenever possible

- (2) Roll-out containers shall be stored at least five feet from the rear or side of the residence building. Roll-out containers shall be placed on the streetside or alleyway no sooner than 12:00 p.m. of the day before the day of collection. Roll-out containers shall be removed from the streetside or alleyway and stored in the proper storage location by 12:00 p.m. of the day following the collection day. Roll-out containers that are positioned on the streetside or alleyway before or beyond this time period shall be subject to a \$20.00 charge per incidence that will be added to the monthly sanitation bill.
- (3) Yard waste may be placed at the curbside, streetside or alleyway at any time, but preferably on the day before collection. Items must not be placed under low electrical wires, or low hanging tree limbs and must be at least five feet from any fences, fire hydrants, phone/cable boxes, utility poles, or water meters whenever possible
- (4) Building materials generated by the residence building owner shall be stored five feet from the residence building until the day of garbage collection. Rubbish shall be placed on the curbside, streetside or alleyway with the roll-out container no earlier than 12:00 p.m. of the day before the day of collection.

(e) **Scavenging.**

No person other than the owner thereof, or an agent or employee of the City manager, or any employee of a person holding a contract with the City for collection of solid waste, shall interfere with any container placed for the purpose of storage of solid waste pending collection, or remove or take any of the contents thereof, or remove any such container from the location where same shall have been placed by the owner thereof, unless permission to do so has been granted by the City Manager.

(Ord. No. 2013-30, 12-5-2013)

Sec. 82-34. - Collection.

(a) **Limitations.**

No person shall contract for the collection, transportation or disposal of solid waste who does not possess a current license for such business operation in the City. Applications for licenses shall be written and shall be considered after evidence has been presented to show that the applicant has received a current permit, appropriate to the type of business concerned, as required under solid waste regulations of the Georgia Department of Natural Resources, pursuant to Georgia Code Annotated, tit. 12, Conservation and Natural Resources; ch. 8, Waste Management; art. 2, Solid Waste Management; pt. 1, General Provisions; O.C.G.A. § 12-8-24. Permits for solid waste or special solid waste handling, disposal, or thermal treatment technology facility; inspection of solid waste generators. Licenses shall then be issued in accordance with criteria established by the City Manager after payment therefore has been made in full.

(b) **Contract collectors.**

- (1) The mayor and council may contract with others to engage in the business of collecting, transporting or disposing of solid waste, provided such persons have applied for and obtained an appropriate solid waste permit in accordance with regulations of the Georgia Code Annotated, tit. 12, Conservation and Natural Resources; ch. 8, Waste Management; art. 2, Solid Waste Management; pt. 1, General Provisions; O.C.G.A. § 12-8-24. Permits for solid waste or special solid waste handling, disposal, or thermal treatment technology facility; inspection of solid waste generators. Persons contracting for solid waste collections shall, before engaging in such business, be licensed by the City, shall conform to all regulations providing for safe and sanitary collection and transportation of waste to a point of disposal, and shall execute a bond to the City in the sum of not less than \$25,000.00, with a responsible surety company duly authorized to do

business in the state to be approved by the City Council which shall establish conditions for the full and faithful performance of all agreements and covenants in the contract.

- (2) Vehicles to be used on streets and highways for solid waste collection, transportation or disposal shall be kept clean and shall be certified in regard to highway safety by the Motor Vehicle Division of the Georgia Department of Public Safety. Such vehicle bodies shall be in good condition and repair, covered and constructed in such manner that the contents thereof cannot be spilled or blown from the vehicle. The outside of the body shall be painted and identified by the name, telephone number, and permit number of the person owning the collection business in letters and numbers not less than three inches high and easily legible.

(c) **Dead animal collection.**

Small dead animals, not over 100 pounds in weight, if kept separate from garbage and bulk items, will be collected without charge upon notice to the City of Valdosta Public Works. A charge will be made for all such animals collected from animal hospitals, kennels, pet shops, and the like. Although owners of large dead animals shall be responsible for their removal and disposal, the City of Valdosta Public Works Director may, at their discretion, remove large dead animals upon request and charge an appropriate fee therefore.

- (d) **Recycling Collection.** The City of Valdosta has established one recycling drop site for the citizens of Valdosta. All citizens using this service are required to follow the established procedures posted at each site. Each collection container is marked highlighting the type/types of material that can be placed into it. Do not dispose of any hazardous material, bulk items, tires or any items not posted as excepted.

(Ord. No. 2013-30, 12-5-2013)

Sec. 82-35. - Management of disposal facilities.

Authorized sites. Sites approved for final disposal of solid waste shall be designated by appropriate signs posted near the roadside. Such sites shall be maintained in use until permanently closed in accordance with pertinent laws and regulations. At that time additional authorized sites shall be opened and publicized by posting and through the press. All solid waste shall be delivered and deposited at authorized disposal sites in accord with the directions and orders of the City Manager or his representative in charge of operation except privately operated sites may be used for sanitary disposal of industrial waste or other specified waste upon approval of the City manager and upon receipt of a disposal area permit issued pursuant to regulations of the Georgia Department of Natural Resources.

(Ord. No. 2013-30, 12-5-2013)

Sec. 82-36. - Control of private disposal sites.

- (a) It shall be unlawful for any person to deposit or permit to be deposited on land under their ownership and control any solid waste without having first obtained a disposal area permit as required by regulations of the Georgia Department of Natural Resources and acceptance of the site by the City manager for such use and purpose.
- (b) The City Manager or authorized representative of the department of natural resources shall be permitted to enter private disposal sites at any time during normal business hours for free and unhindered inspections to determine compliance with these and all other pertinent laws and regulations.

(Ord. No. 2013-30, 12-5-2013)

Sec. 82-37. - Air pollution controls.

No person shall set fire to, or burn, any papers or other solid waste deposited at the disposal site or on the grounds thereof. No garbage or other materials from which offense or noxious odors emanate during combustion shall be burned outside of any building.

(Ord. No. 2013-30, 12-5-2013)

Sec. 82-38. - Financing.

(a) Fees for collection and disposal services.

There is hereby fixed, established and imposed upon, and there shall be collected from each owner, and each occupant of residential or commercial property within the City a sanitation user fee computed in accordance with the following schedule (provided that only one such fee shall be collected with respect to any such property or unit thereof each month):

- (1) **Garbage can collection service for residential and multifamily.** For single-family residences a per-month charge shall be as set forth in the schedule of fees and charges on file in the office of the City Manager.
- (2) **Commercial.** For each store, shop, restaurant, hotel, motel, warehouse, office, boarding house, rooming house or other place of business operating in the City, per-month fees shall be as set forth in the schedule of fees and charges. Additional fees will apply to bulk items or yard waste piles larger than four feet x eight feet x five feet and is maintained on file in the office of the Public Works Director.

(b) Deposits.

A deposit to secure payment of refuse collection service bills shall be paid to the City at the time service is granted, for those customers not serviced by the City's water system as follows:

- (1) Residential customers shall deposit twice the monthly fee at the time of receipt of service. When a homeowner has a satisfactory record of payment for a period of two years, his deposit will be refunded in full upon demand. Deposits shall not be refunded to renters.
- (2) Multiple-dwelling units shall deposit twice the monthly fee as computed in subsection (b)(1) above.
- (3) Commercial accounts shall deposit twice the monthly fee.

(c) Commercial dumpster rates:

- (1) **Charges for collection.** Charges for collection of dumpster containers shall be based on: (1) size of the container; and (2) frequency of collections per week. Fees shall be as set forth in the schedule of fees and charges on file in the office of the City Manager.
- (2) **Method of computing charges.** The number of pickups per week, multiplied by the charge per pickup multiplied by 4 1/3 equals monthly charge per container. The size of the dumpster in cubic yards dictates the "charge per pickup."
- (3) **Container size defined.** The size of each container in cubic yards shall be determined by the Director of Public Works by actual measurement of each container, and this determination shall be final. (Example: (1) containers with a capacity of 3.5 to 4.499 cubic yards shall be considered a four-cubic yard container; (2) containers with a capacity of 4.5 to 5.499 cubic yards shall be considered a five-cubic yard container, etc.).
- (4) **"Container in use" defined.** "Container in use" for the purposes of this section shall mean a container of any size which has, or which is subject to have, any amount of solid waste deposited therein by a business or businesses during any calendar month.
- (5) **Minimum fee for container collection.** The minimum fee for collection of dumpsters shall be

determined by the size of the container. The minimum fee charged shall be for one collection per week for each container in use by the customer. The minimum fee shall be imposed for each container in use, regardless of whether or not the solid waste generated each week is less than the capacity of the container.

- (6) **Shared containers.** When more than one business shares in the use of a dumpster, the total monthly fee shall be divided by the total number of users, and each user will be billed an equal share of the total fee.
- (7) **Determination of minimum pickups per week.** Unless additional pickups are desired and requested by the users of a container or containers, the minimum number of pickups required by a business shall be determined by the Director of Public Works, using the following procedures:
 - a. During one or more weekly periods selected by the Public Works Director, the cubic yards of solid waste generated by a business or businesses shall be measured and recorded.
 - b. Each container of the entire system will be considered separately as to volume and pickups required.
 - c. The weekly cubic yard total for each separate container in use shall then be divided by its individual cubic yard capacity to determine the minimum pickups for each container, with any fraction remaining constituting an additional pickup.
 - d. When more than one container is required by a business or businesses, the individual charge for each container shall be added to comprise the final charge.
- (8) **Container overflow.** Should a container or containers in use by a business or businesses become overflowed twice in any given month because of excessive quantities being generated by the user, a charge for an additional pickup shall be imposed by the Director of Public Works, on the user or users of such container. The business (or businesses) is responsible to ensure that any overflow is cleaned up and disposed. The City will not clean up overflow.
- (9) **Limit on the size of dumpsters.** Any container hereafter added into the collection system shall not exceed an eight-cubic yard capacity.
- (10) **Weight limit of dumpsters.** Limits on the weight of a dumpster served by the City, when filled, shall not exceed 3,000 pounds gross weight.
- (11) **Responsibility for repair of dumpsters.** The responsibility for general repairs of dumpsters served by the City is as set forth below:
 - a. Public Works shall repair and maintain the following items on dumpsters which are presently in the collection system and on such additional containers that are added to the system that have been constructed in accordance with the specifications in current use (if damaged by city equipment):
 1. Container lifting sleeves.
 2. Container lids or doors.
 3. Casters.
 - b. All other repairs, preservation and repainting of the dumpster shall be at the expense of the owners or users of these containers.
- (12) **Purchasing and furnishing of commercial containers and provisions for monthly repayment.** The Director of Public Works shall be authorized upon request of commercial customers to purchase and provide to commercial customer commercial dumpsters. The cost of said containers shall be reimbursed to the City on a monthly basis with payments for a total of 60 months and interest at the rate of eight percent per annum.
- (13) **Special handling charge.** For slaughterhouses, chemical businesses, fish houses, or any other commercial or residential establishments which require special handling of solid waste generated by such establishments, the rate shall be computed by the Director of Public Works on the actual

cost of handling. The fee shall include collecting, transporting, disposal and all associated overhead costs in each individual case, provided that the sanitation fee imposed and collected with respect to any such place of business shall not be less than the minimum commercial fee,

Sec. 82-39. - Penalties.

Any person who violates any of the provisions of this Article and is convicted therefore shall be fined in accordance with the aforementioned sections or as is allowable by the City Charter for each separate offense. Each violation hereof shall be deemed a separate offense and each day's failure to comply herewith shall constitute a separate offense and shall be punishable as such.

(Ord. No. 2013-30, 12-5-2013) Secs. 82-40-82-80. - Reserved.

ARTICLE III. - YARD TRIMMINGS DISPOSAL REGULATIONS^[3]

Footnotes:

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State Law reference- Yard trimmings disposal restrictions, O.C.G.A. § 12-8-40.2.

Sec. 82-81. - 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:

Commercial solid waste means all types of solid waste generated by stores, offices, restaurants, warehouses and other nonmanufacturing activities, excluding residential and industrial sites.

Composting means the controlled biological decomposition of organic matter into a stable, odor-free humus.

Leachate collection system means a system at a landfill for collection of the leachate which may percolate through the waste and into the soil surrounding the landfill.

Municipal solid waste means any solid waste derived from households, including garbage, trash and sanitary waste in septic tanks, and includes solid waste from single-family and multifamily residences, hotels and motels, bunkhouses, campgrounds, picnic grounds, and day use recreation areas. The term includes yard trimmings and commercial solid waste but does not include solid waste from mining, agricultural or silvicultural operations or industrial processes or operations.

Municipal solid waste disposal facility means any facility or location where the final deposition of any amount of municipal solid waste occurs, whether or not mixed with or including commercial or industrial solid waste, including but not limited to municipal solid waste landfills.

Municipal solid waste landfill means a disposal facility where any amount of municipal solid waste, whether or not mixed with or including commercial waste, industrial waste, nonhazardous sludge or small-quantity generator hazardous waste, is disposed of by means of placing an approved cover on the waste.

Yard trimmings means leaves, brush, grass clippings, shrub and tree pruning, discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development and maintenance, other than mining, agricultural and silvicultural operations.

(Code 1976, § 4-4001; Ord. No. 96-42, 9-5-1996)

Cross reference- Definitions generally, § 1-2.

Sec. 82-82. - Prohibitions.

- (a) It shall be unlawful to place or mix yard trimmings with municipal solid waste within the City.
- (b) Yard trimmings shall not be disposed of at any municipal solid waste disposal facility having a liner and leachate collection system or requiring vertical expansion located within the City.

(Code 1976, § 4-4002; Ord. No. 96-42, 9-5-1996)

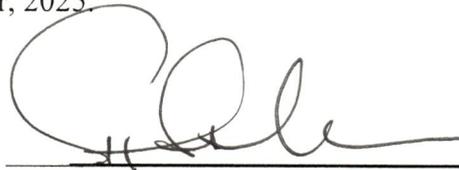
Sec. 82-83. - Sorting, storing, composting and collecting yard trimmings.

Yard trimmings shall be sorted and stored in the following manner:

- (1) Yard trimmings shall not be placed in or mixed with other solid wastes.
- (2) Yard trimmings shall be sorted and stored separately for collection in such a manner as to facilitate collection, composting or other handling.
- (3) Yard trimmings may be sorted in stockpiles or chipped, composted, used as mulch, or otherwise beneficially reused or recycled.

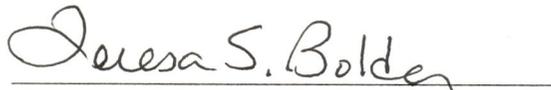
(Code 1976, § 4-4003; Ord. No. 96-42, 9-5-1996)

SO ORDAINED, this 25th day of September, 2025.



Scott James Matheson
Mayor, City of Valdosta

ATTEST:



Teresa S. Bolden
Clerk of Council