

Chapter 20

**SOLID WASTE**

**Art. I. In General, §§ 20-1—20-21**

**Art. II. Collection by City, §§ 20-22—20-35**

**Art. III. Litter Control, §§ 20-36—20-61**

## ARTICLE I. IN GENERAL

### Sec. 20-1. Reserved.

### Sec. 20-2. Private collectors.

(a) The city shall have the exclusive right to collect, remove, and dispose of garbage, trash, rubbish and other debris within the city or to contract with a private firm for such collection, removal, and disposal. No private individual, business, agent, or other operator shall be permitted to haul garbage, trash, and rubbish produced in the city, without first having obtained a permit or contract from the City Council. The city may enter into a contract with a private collector granting an exclusive franchise for garbage collection in the city.

(b) Application for a permit under this section shall be filed with the Council. The application shall give the details of the applicant's operation, any charges to be made and such other information as may be required by the Council. Such permit shall be issued in the name of the applicant and shall not be transferable. The fee for such permit shall be set by City Council by resolution.

(c) The City Manager shall have full authority to make reasonable regulations governing the hauling of garbage, trash and rubbish over city streets and thoroughfares by collectors having a permit or contract under this section.

### Secs. 20-3—20-21. Reserved.

## ARTICLE II. COLLECTION

### Sec. 20-22. Charges

The charges for services rendered by the city in collecting garbage and other debris shall be as established from time to time by the City Council or through a contract with a private firm contracted to collect, remove, and dispose of garbage for the city.

### Sec. 20-23. Same—Against whom made; billing, delinquencies.

The charges referred to in Section 20-22 shall be made against the owner, occupant, tenant, or lessee of the premises receiving the service. Procedures for delinquent payments, if not established in a contract with a private firm contracted by the city for the collection, removal, and disposal of garbage in the city, shall follow the same process as delinquent utility payments as established in Chapter 23 of this Code.

### Sec. 20-24. Penalties for leaving garbage cans at curb.

It is prohibited for residents to keep garbage cans or other receptacles at the curb at any other time than the day before scheduled pickup, the day of scheduled pickup, and the day after scheduled pickup. Violators will be cited by the code enforcement officer of the city and shall be penalized with a fee of \$25 for each day that such a violation exists. The code enforcement officer, at his or her discretion, may issue warnings rather than citations to first time offenders.

### Sec. 20-25. Yard waste pick-up.

(a) *Definition.* Yard waste includes organic waste generated during regular household landscaping and gardening activities. Examples include: straw, hedges, shrubs, tree trimmings, and other inert

materials resulting from general residential yard cleaning. Rocks, dirt and gravel are not considered yard waste.

(b) *Storage.* Yard waste may be placed at the curbside or street-side preferably on the day of collection. Yard waste shall be sorted and stored in the following manner:

- (1) Yard waste shall not be placed in or mixed with other solid wastes.
- (2) Yard waste shall be sorted and stored separately for collection in such a manner as to facilitate collection by the Public Works Department.

(c) *Preparation of yard waste.*

- (1) Yard waste shall not be mixed with household waste or other solid waste.
- (2) Yard waste shall be placed within five (5) feet of the curb or edge of pavement and at least three feet away from other collection items and obstacles such as mailboxes, phone poles, vehicles, etc. Do not block the sidewalk. If the Public Works Department is unable to reach the yard waste due to an obstruction, it will not be collected.
- (3) Separate brush, limbs and logs into piles that are no larger than five (5) inches in diameter, five (5) feet wide and five (5) feet high. Piles larger than these dimensions shall result in an additional collection charge of \$25 per load.
- (4) Put yard waste in one (1) pile. Collection crews will only pick up one (1) pile and will not move their truck multiple times at the same residence to pick up yard waste without an additional fee of \$25 per pickup pile.
- (5) Should pile weigh more than city collection equipment can handle, the Public Works Department will notify the homeowner.
- (6) Leaves, straw, hedges, shrubs, tree trimmings, grass and other inert materials resulting from general residential yard cleaning should not be placed in ditches or along the curbs. When ditches and storm drains get clogged with leaves and debris, water no longer drains from the street it ponds along streets and can flood intersections and homes.

(d) *Yard waste that will not be collected.*

- (1) Yard waste generated by private contractors performing tree removal, mowing, trimming or other landscaping activities at residences. All nurseries, landscape gardening firms, clearing, grading and building contractors and logging and pulpwood related operations shall remove all solid waste which they generate through their work.
- (2) Trimmings where trees are trimmed or cut for compensation whether the compensation is in cash or in the wood from the trees trimmed.
- (3) Trimmings from the original development of a lot.
- (4) Tree stumps and root balls.
- (5) Yard debris on vacant lots.
- (6) Yard waste that is not properly prepared or is mixed with garbage or other solid waste.

Any contractor working on the property of another person or owner shall, upon completion of the work undertaken or upon termination of the undertaking for any other reason, remove from the work site property all yard rubbish or trash that is on such property as a result of the contractor, its subcontractor, agent or employee working thereon, including but not limited to, yard rubbish or trash resulting from trimming trees, clearing land, excavating, bulldozing, cutting trees and site preparation for building. Any such materials found in the right-of-way shall be immediately removed by the city, and the costs of such removal will be billed to the property owner.

Note: Trimmings generated by tree surgeons are collected by the department of public works only after a natural disaster.

(e) *Frequency of collections.* Yard waste pickup shall be any time from 7:30 a.m. until 5:30 p.m. on the day of collection, once per week. Modifications to collection schedules may occur due to holidays, changes in weather conditions, crew assignment and equipment problems which shall cause the pickup time to be earlier or later in the day. Yard waste placed out for collection should always be out by 7:00 a.m. on collection day.

**Monday Route**

Powerhouse Road District  
Betsy Lynn District  
Brandywine District  
Indian Springs Drive District  
West Johnston Street District  
Country Club Drive District  
Fletcher Heights District  
Central District  
MLK Drive District  
Blount Hill District  
District West Sharp Street District  
West Main Street District

**Tuesday Route**

East Sharp Street District  
South Lee Street District  
Kimball Street District  
East Main Street District  
Newton Drive District  
Holiday Circle District  
East Johnston Street District  
Evergreen District  
KOA District  
Milledge Circle

**Secs. 20-26—20-35. Reserved**

**ARTICLE III. LITTER CONTROL**

**Sec. 20-36. Definitions.**

The following word when used in this article, shall have the meaning ascribed to it in this section, except where the context clearly indicates a different meaning:

*Litter.* Includes, but is not limited to, sand, gravel, rubbish, waste material, refuse, garbage, trash, debris, dead animals, discarded materials of every kind and description, and excessive or unreasonable amounts of unprocessed animal manure.

**Sec. 20-37. General prohibition against littering.**

(a) It shall be unlawful for any person to sweep, throw or deposit any litter into, upon or along a drain, gutter, vacant lot, or upon any public or private property within the corporate limits of the city. Nothing

in this section shall prevent the placing of such items on private property, at or near the front property line thereof, for routine pickup in accordance with the policies of the city as established elsewhere in this Chapter.

(b) It shall be unlawful for any person to place, store, dump, or park any junk, metal, stones, plaster, lumber, trash, garbage, litter, furniture, appliances, tires, paper, or similar rubbish or junk upon any street, road, sidewalk, or other public property in the city, except as otherwise allowable under Georgia law.

**Sec. 20-38. Crates, boxes, and other containers on streets or other public property.**

It shall be unlawful for any person to keep, on the streets, sidewalks or public property in the city, any crates, boxes, or similar containers, except authorized trash receptacles as permitted under this Chapter, other than when loading, unloading, packing, or unpacking merchandise.

**Sec. 20-39. Placing handbills, circulars, etc., on motor vehicles.**

It shall be unlawful for any person to place, in or on any automobile or other motor vehicle in the city, any handbill, bumper sticker, circular, pamphlet, poster, postcard or other literature, except with the permission, express or implied, of the owner or occupant of such vehicle.

**Sec. 20-40. Distribution of handbills, circulars, etc., in public property.**

(a) It shall be unlawful for any person to distribute or place, on public property, any handbill, circular, pamphlet, poster, postcard or other literature, except with the express permission of the City Council.

(b) This section is not intended to regulate or prohibit a merchant placing or allowing the placement of literature within his commercial establishment or on his storefront.

**Sec. 20-41. Securing of vehicle loads.**

(a) It shall be unlawful for any person to transport any garbage, trash, litter, refuse or other cargo upon the public thoroughfares in the city, if the same is likely to be deposited from the transporting vehicle onto the public rights-of-way, unless the cargo is secured by container, tarpaulin or other device in such fashion as to effectively prevent such deposit on the public rights-of-way.

(b) The duties and responsibilities imposed by this section shall be applicable alike to the owner of the transporting vehicle and the operator.

**Sec. 20-42. General duty of property owners and occupants as to litter control.**

The owner, occupant and lessee of all private property, jointly and severally, are required to remove all litter from such property and place the same in proper containers. Vacant lots, borders, parking lots, embankments, fences, walls and sidewalks shall be kept reasonably free from litter. The owners and occupants of parking lots, shopping centers, convenience stores, drive-in restaurants and all other commercial and industrial enterprises shall maintain such property reasonably free from litter.

**Sec. 20-43. Garbage storage areas to be kept clean.**

Every owner, occupant, and lessee of a house, or other building, or other private property shall be jointly and severally required to maintain garbage storage areas in a clean condition and to ensure that all garbage is properly contained.

**Sec. 20-44. Litter containers for commercial, institutional or industrial property generally.**

Every owner, occupant, tenant, and lessee using or occupying any commercial, institutional, or industrial building property shall be obligated to provide litter containers of such size, number, and type as may be specified by the City Manager or his or her designee to be reasonably necessary to hold litter generated by operations on the premises. Specifically, the requirement for such containers shall apply to shopping centers, supermarkets, convenience stores, fast food restaurants, service stations, and similar establishments and shall likewise apply to commercial establishments, garages, schools, and churches.

**Sec. 20-45. Containers for litter created by packing, repacking, and construction operations.**

All work areas, including but not limited to, loading and unloading areas, shall be provided with containers for the deposit of litter created by packing, repacking, or construction operations. The owner of the premises and the occupant shall ensure that all litter is placed in the proper container and the area is kept clean.

**Sec. 20-46. Removal by city of litter from private property.**

In cases where litter has remained on private property for a period of 30 calendar days following written notice, by registered or certified mail, from the Code Enforcement Officer or other designated city official to the owner of such property to remove the same, the designee of the City Manager is authorized, but not required, to cause such litter to be removed, to bill the owner for the cost, and to declare such litter a public nuisance. Upon conviction of creating a public nuisance under this section, violators will be penalized according to Section 1-14 of this Code.

**Secs. 20-47—20-59. Reserved.**

**Sec. 20-60. Construction and yard litter refuse.**

(a) All refuse resulting from building, repairing, remodeling or any kind of construction shall be moved by the contractor, owner of property, or person having work done. All trees, limbs, bushes, trash, and other refuse resulting from cleaning up or improving property shall be removed by the contractor, tree surgery company, owner of property, developer or person having work done, with the exception that a person otherwise subject to the collection of garbage and trash by the City of Forsyth (and at their own premises only) shall be allowed to place for collection limbs and other yard litter refuse so long as not greater than five feet in length or fifty pounds in weight.

(b) No person, firm, institution or corporation of any kind whomsoever or whatsoever shall deposit any refuse resulting from building, repairing, remodeling or any kind of construction, or deposit any trees, limbs, bushes, trash, and other refuse resulting from cleaning up or improving any property within the City of Forsyth other than a duly licensed and approved landfill facility.

(c) No person, firm, institution, or corporation shall bury upon any lot or premises within the City of Forsyth any refuse resulting from building, repairing, remodeling or any kind of construction, or trees, limbs, bushes, trash, and other refuse resulting from cleaning up or improving property.

(d) Any violations of the provisions of this section shall, upon conviction, be punished by a fine or imprisonment in accordance with Section 1-14 of this Code.

**Sec. 20-61. Disposal of dead animals and animal litter.**

(a) The disposal of dead animal and animal litter and waste shall be in compliance with this Code section.

(b) The term “dead animals” shall mean the carcasses, parts of carcasses, or blood of animals. The term “animal litter or waste” shall mean animal manure, feces, and waste products of animals, including any products in which such waste products may be mixed, such as the product normally designated as “cat litter.”

(c) It shall be unlawful for any person who owns or is caring for an animal which has died or has been killed to abandon the animal, its parts, or blood within the limits of the City of Forsyth. Such person shall dispose of any such dead animal, within 24 hours of the death of the animal, as hereafter set out. Under no conditions may dead animals be abandoned in wells or open pits of any kind on private or public land. No person shall dispose of a dead animal by burial as hereafter allowed on the land of another without the specific permission of the owner of the land.

(d) Dead animals may be disposed of in the following manners and ways:

(1) After placing the animal in the proper disposal container, calling the city for a pickup of the dead animal; or

(2) Burial of the animal in the proper disposal container on the land of the owner or of another person with the specific permission of the other person. Burial must be at least three feet below ground level and with a complete cover of dirt over the burial site.

(e) Animal litter as defined herein may be disposed of as follows:

(1) By placing all such animal litter in a heavy-duty plastic bag or other moisture-proof container, and bound in such a way that the container will not come open so as to spill the contents; and

(2) Placing such container with the regularly scheduled garbage pickup.