

ORDINANCE NO. 2021- \_\_\_\_\_

AN ORDINANCE OF THE SOUTH SALT LAKE CITY COUNCIL ENACTING SECTION 13.72.400 AND AMENDING SECTIONS 3.11.100, 13.72.010 AND 13.72.020 OF THE SOUTH SALT LAKE CITY MUNICIPAL CODE TO ALLOW FOR CURBSIDE GLASS RECYCLING IN SOUTH SALT LAKE CITY.

**WHEREAS**, the South Salt Lake City Council (the “City Council”) is authorized to enact and amend ordinances establishing regulations related to the health, safety, and welfare of the residents of the City of South Salt Lake (the “City”); and

**WHEREAS**, the City Council finds that allowing for the curbside collection of glass recycling is in the best interest of the City of South Salt Lake; and

**WHEREAS**, the Mayor and City staff has contracted with a qualified glass recycling company to perform a curbside glass recycling program; and

**WHEREAS**, the City Council hereby determines that amending sections 3.11.100, 13.72.010, and 13.72.020, and enacting section 13.72.400 of the South Salt Lake Municipal Code to allow for a curbside glass recycling program is in the best interest of the health, safety, and welfare of the residents of South Salt Lake City;

**NOW THEREFORE, BE IT ORDAINED**, by the South Salt Lake City Council as follows:

**SECTION 1. Enactment.** Section 13.72.400 of the South Salt Lake Municipal Code is hereby enacted and Sections 3.11.100, 13.72.010, and 13.72.020 are amended, as attached hereto and incorporated by reference in “Exhibit A.”

**SECTION 2. Severability.** If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 3. Conflict with Existing Ordinances, Resolutions, or Policies.** To the extent that any ordinances, resolutions, or policies of the City of South Salt Lake conflict with the provisions of this ordinance, this ordinance shall prevail.

**SECTION 4. Effective Date.** This ordinance shall become effective upon Mayor’s signature and publication, or after fifteen days of transmission to the office of the Mayor if neither approved nor disapproved by the Mayor, and thereafter, publication.

(signatures appear on separate page)

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DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

BY THE CITY COUNCIL:

\_\_\_\_\_  
Sharla Bynum, Council Chair

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

City Council Vote as Recorded:

Huff	_____
Thomas	_____
Bynum	_____
Mila	_____
Siwik	_____
deWolfe	_____
Pinkney	_____

Transmitted to the Mayor's office on this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Craig D. Burton, City Recorder

MAYOR'S ACTION: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Cherie Wood, Mayor

ATTEST:

\_\_\_\_\_  
Craig D. Burton, City Recorder

## Exhibit A:

### Curbside Glass Recycling Program

#### 3.11.100 Utilities.

##### A. Water.

<b>Culinary water</b>	
Meter size (5,000-gallon allowance for all meters)	Minimum monthly fee*
0.75" meter	\$13.00
1" meter	\$21.00
1.5"	\$34.00
2" meter	\$49.00
3" meter	\$91.00
4" meter	\$138.00
6" meter	\$269.00
Metered hydrant use	\$91.00
Excess water (all meter sizes and uses)	
Usage between 5,000 and 30,000 gal.	\$2.25 per 1,000 gallons
Usage greater than 30,000 gal.	\$2.75 per 1,000 gallons

\* Includes monthly \$2.00 fluoride charge

Fire line	
3" line	\$13.65/month
4" line	\$18.15/month
6" line	\$27.22/month
8" line	\$36.29/month
10" line	\$45.36/month
12" line	\$54.44/month
16" line	\$72.58/month
22" line	\$99.80/month
36" line	\$163.31/month
Tampered fire line fee	\$100.00
Inspection of new fire line installation	\$50.00
Fire flow test	\$50.00

<b>Other fees</b>	
Reconnection and new service reconnection	
Monday—Friday 8:00 a.m.—3:00 p.m.	\$25.00
Monday—Friday after 3:00 p.m.; any time on weekends or holidays	\$65.00

Tenant water deposit	\$75.00
Active deployment fee waiver	\$75.00/month waived
Bankruptcy deposits (based on prior 12 months' history)	60-day usage
Service of disconnection notice w/in 12 months of prior notice	\$15.00

B. Sewer and Industrial Waste.

User fee (all users)	Base fee
Base User Fee (calculated using average winter water usage or actual usage, whichever is greater)*	\$7.00 per 1,000 gallons
Beginning July 1, 2020, Base User Fee (calculated using average winter water usage or actual usage, whichever is greater)*	\$9.00 per 1,000 gallons

\* New residential accounts are charged based on actual usage or for 5,000 gallons per unit per month until an average winter water usage amount is determined, whichever is greater. New accounts for multi-family residential dwellings are calculated using previous average winter water usage or 5,000 gallons per unit per month, whichever is greater. New business accounts are charged based on the average winter consumption for the previous business or the actual monthly consumption if the business type has changed, until a winter average history can be obtained. Average winter water usage may be prospectively adjusted during the year if the customer provides proof of leakage, repair, and data supporting lower water usage.

C. Industrial Waste Fee.

Additional fees for industrial waste:

Sewer connections, which are included in the categories below, will be subject to an industrial waste fee based on a strength multiplier. The base user fee will be multiplied by the following multiplier based on category:

Large grocery stores with meat/bakery functions	1.22
Nursing homes/care centers	1.23
Restaurants/fast food/food preparation facilities	1.34

D. High Strength Contributors Fee.

Certain connections are considered high strength contributors and will be assessed a strength component based on individual samples and the information below:

Additional fees for industrial waste	
Total suspended solids (TSS)	$(\text{Sample in mg/l} - 250) \times 8.34 \times (\text{sewer average in thousands of gals./1,000,000}) \times (\text{rate assessed by Central Valley})$
Biochemical Oxygen Demand (BOD)	$(\text{Sample in mg/l} - 200) \times 8.34 \times (\text{sewer average in thousands of gallons/1,000,000}) \times (\text{rate assessed by Central Valley})$

\* Classification and frequency of sampling is determined by the City.

E. Cost Recovery Fees.

Sample costs	As per cost to City
Labor charge	
Composite	\$154.00/sample
Grab	\$77.00/sample

F. Household Waste and Recyclable Waste Containers.

Residential service (including one waste container, one recyclable)	\$10.00/month*
Additional waste container (waste or recycling)	\$10.00/month per additional can*
New can delivery fee/redelivery fee after nonpayment	\$25.00/trip
Late payment fee	\$10.00
Special permit inspection fee	\$25.00
<b>Glass recycling fee</b>	<b>\$8.00 per customer per month</b>
<b>Glass recycling container fee, initial service or reinstatement</b>	<b>\$25</b>

\* Billing for owner-occupied homes will be sent quarterly, and billing for rental homes will be sent annually.

**13.72.010 Definitions.**

As used in this chapter:

"Bulky waste" means large items of solid waste including, but not limited to, appliances, furniture, construction and demolition waste, motor vehicles, tires, trees, branches, and stumps.

"Construction and demolition waste" means solid waste resulting from the construction, remodeling, repair and demolition of structures, and from road building and land clearing. Such waste includes, but is not limited to, bricks, concrete and other masonry materials, soil, rock, wall coverings, plaster, drywall, and other inert material, plumbing fixtures, non-asbestos insulation, roofing shingles, asphaltic pavement, glass, plastics that are not sealed in a way that conceals other wastes, wood, and metals that are incidental to any of the above. Solid waste that is not construction and demolition waste (even if resulting from the construction, remodeling, repair and demolition of structures, and from road building and land clearing) includes, but is not limited to, hazardous waste, asbestos-containing material, garbage, fluorescent electrical fixtures containing mercury, transformers containing polychlorinated biphenyls, thermostats containing mercury, refrigeration units containing chlorofluorocarbons, radioactive waste, tires, drums and containers with liquid or unrecognizable wastes, and fuel tanks.

"Financial hardship" means an owner of a residential dwelling or dwelling qualifying for household waste service by special permit whose income falls at or below the federal poverty guideline and: (1) is either sixty (60) years of age or older; or (2) has been declared disabled by the United States Social Security Administration.

**"Glass recycling" means glass that has been separated from solid waste and recyclable waste and placed in a separate, designated container intended only to contain glass.**

"Hazardous waste" means solid waste, or a combination of solid wastes which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious or incapacitating irreversible illness, or pose a substantial present or potential hazard to human health or the environment if improperly treated, stored, transported, disposed, or otherwise managed, or any solid waste listed as a hazardous waste under Section R315-2-10 of the Utah Hazardous Waste Management Rules, or any solid waste that exhibits a characteristic of a hazardous waste as defined in Section R315-2-9 of the Utah Hazardous Waste Management Rules.

"Household waste" means solid waste generated and discarded from a residential dwelling, normally and reasonably associated with households and household activities, not including bulky waste, construction and demolition waste, hazardous waste; or any other type of waste that is prohibited by state rule or law, or health department regulation from being carried by a commercial waste hauler or from being deposited in a municipal landfill.

"Main artery street" means 1100 West, 900 West, 700 West, 500 West, 300 West, West Temple, Main Street, State Street, 300 East, 500 East, 700 East, 2100 South, 2700 South, 3300 South and 3900 South.

"Residential dwelling" means a dwelling that abuts on a publicly owned and maintained road within the corporate limits of city, is part of a permanent building having less than three units, is occupied by a person or a

group of persons comprising not more than two families, is currently receiving public utility services and includes condominiums where each dwelling unit abuts a public road and has individual drive access to the public road.

"Recyclable waste" means:

- (1) paper, including: brochures, catalogs, computer paper, junk mail, magazines, mixed office paper, newspapers, telephone books and wrapping paper;
- (2) cardboard, including: cardboard, cereal boxes, drink cartons, food boxes and cartons, gift, shoe and tissue boxes, milk and juice cartons, paper bags and paper board;
- (3) plastics, including: clear and colored bottles, plastic grocery bags, food and juice bottles, milk jugs, plastic bottles, plastic containers, plastic jugs, soda pop bottles, water jugs and bottles; and
- (4) metals, including: aluminum cans, aluminum disposable pans, steel cans, tin cans and various food cans.

"Residential yard debris" means waste that is typically generated as the result of annual cleanup and maintenance of a residential dwelling yard space. It includes green waste but does not include agricultural waste, bulky waste, construction and demolition waste, dead animals, garbage, hazardous waste (including paint, solvents, household and yard chemicals and vehicle tires), industrial solid waste and infectious waste. "Residential yard debris is included within the definition of "solid waste."

"Solid waste" means household waste, garbage, refuse, rubbish, junk, hazardous waste, infectious waste, industrial solid waste, construction and demolition waste, dead animals, recyclable waste other spent, useless, worthless, or discarded materials, or materials stored or accumulated for the purpose of discarding; materials that have served their original intended purpose; or waste material resulting from industrial manufacturing, mining, commercial, agricultural, household, institutional, recreational, or community activities. It does not include solid or dissolved materials in domestic sewage, in irrigation return flows, or discharges for which a permit is required under Chapter 11, Title 26, Utah Code, Annotated, 1953, as amended, or under the Federal Water Pollution Control Act, 33 U.S.C., Section 1251, et seq.

"Special permit" means a process by which a dwelling that does not meet the definition of "residential dwelling" may receive household waste and recyclable waste collection services from the city.

"Waste unacceptable for **traditional** recycling" means all solid waste except **glass recycling or** recyclable waste, including, but not limited to: aerosol cans, aluminum foil, car batteries, china and ceramics, clothing, cookware, disposable diapers, food and liquid waste, glass, household hazardous waste, light bulbs and tubes, motor oil, paint cans, plastic toys, small appliances, styrofoam packaging, trash and yard waste, used paper plates and cups, pizza boxes, wax paper, wood scraps.

### **13.72.020 Household waste collection.**

- A. The city or its contractor will provide for the weekly curbside collection of household waste as further defined in this ~~paragraph~~ **section**. Such waste shall be collected from a "residential dwelling" or a dwelling that has been issued a "special permit." **The city or its contractor may also provide for the regular curbside collection of glass recycling, as described in Section 13.72.400.**
- B. Only household waste and recycling containers provided by the city or its contractor shall be allowed for curbside household waste collection and recyclable waste collection. The city will provide up to one additional household waste container to an owner-occupied dwelling for a fee as described in the consolidated fee schedule. Household waste and recycling containers shall be of different colors. In the event any container which does not conform to the provisions of this section is set out for collection, the city or its contractor shall have the authority to deny collection services for such container.
- C. The following materials shall not be set out for collection whether placed in a container or otherwise:
  1. Highly flammable or explosive materials;
  2. Hazardous or radioactive waste materials;

3. Hot ashes, cinders, clinkers, or stove ashes which could ignite other refuse;
  4. Dead animals;
  5. Commercial and industrial refuse;
  6. Bulky waste (unless during designated annual or semi-annual cleanup, see Section 13.72.310);
  7. Septic tank waste or holding tank waste from recreational vehicles or travel trailers;
  8. Tires;
  9. Batteries;
  10. Oils, paint, paint thinner;
  11. These restrictions apply equally to the use of recyclable containers in addition to items described in subsection E below.
- D. Refuse Materials Requiring Special Preparation. Small animal waste material must be dry and mixed with sand, sawdust, commercial pet litter, or similar absorptive material, and double wrapped in paper or placed in a separate plastic bag before being placed in a refuse container for disposal.
- Sharp objects such as broken glass **other than glass specifically placed in a glass recycling container in accordance with 13.72.400, as amended**, knives, and hypodermic needles must be double wrapped in paper or other suitable material so that no sharp edge is exposed before being placed in a refuse container for disposal.
- Ashes, cinders or clinkers must be wrapped separately in a plastic bag or other suitable material so as to prevent dust blowing before being placed in a container for disposal.
- E. Waste unacceptable for **traditional** recycling shall not be placed for collection in a recyclable waste container.
- F. The following fees are imposed for collection of household waste in the amounts set forth in the consolidated fee schedule:
1. New Can Delivery Charge. No fee will be charged for delivery of a household waste container and a recyclable waste container upon a first-time subscription for service. Afterwards the fee will be imposed any time the city is requested to deliver a new or additional can to a dwelling.
  2. Non-owner Occupied Residential Dwelling Fee. This fee shall be imposed upon each dwelling unit that receives household waste and recyclable waste collection service from the city but is occupied by a person or persons other than the owner of the dwelling. It shall be assessed **and collected as set forth in the Consolidated Fee Schedule**. [~~in advance on an annual basis and shall be collected in conjunction with the nonregulatory business license fee set forth in Section 5.46.070 of this code.~~]
  3. Owner Occupied Residential Dwelling Fee. This fee shall be imposed upon each dwelling unit that receives household waste and recyclable waste collection service from the city and is occupied by the owner of the dwelling. It shall be assessed [~~on a monthly basis~~] **and collected as set forth in the Consolidated Fee Schedule**.
  4. Late Fee. This fee may be assessed any time payment by the customer is ten or more business days delinquent.
  5. Special Permit Fee. A one-time fee will be assessed when a property owner whose dwelling does not automatically qualify for waste collection service, requests that the public works department inspect and approve the property for waste collection by special permit. No initial special permit fee will be charged to residential dwellings that were receiving household waste service prior to adoption of the ordinance codified in this chapter but which now require a special permit.

6. Second Household Waste Container Fee. The city will deliver one additional household waste container to a residential dwelling. Owner-occupied dwellings will be charged a monthly fee for the service. Non-owner-occupied dwellings will be charged a fee in advance annually.
7. Fee Waiver. Owners of property who, because of advance age or disability and annual income payment of the household waste fee would create a financial hardship as that term is defined in this chapter are eligible to apply annually to the city's utility department for a fee waiver. The following documentation of eligibility must be provided to the utility department in support of the waiver:
  - a. The most recent federal income tax return; and
  - b. Official government identification reflecting the age of the property owner; or
  - c. Proof of recognition of disability status by the United States Social Security Administration.
- G. In its discretion, the city may discontinue household waste or recyclable waste collection services to any residential dwelling, or dwelling receiving collection service by special permit, if it has probable cause to believe that the provisions of this chapter have been violated. Furthermore, the city may discontinue these services to any residential dwelling, or dwelling receiving services by special permit, that is delinquent in the payment of any other fee or other sum owing to the city.
- H. When an account is a delinquent account, the city shall issue a written late notice to inform the account holder of the delinquent status and the risk of termination of service. A late notice or reminder notice must include a statement that the account is delinquent, that it is at risk of termination and the date upon which the delinquent balance must be paid to avoid termination.
- I. At least ten calendar days prior to a proposed termination of household waste or recyclable waste service, the city shall give written notice of termination to the account holder. The ten-day time period is computed from the date the notice is postmarked. The notice shall be given first class mail or delivery to the premises and shall contain a summary of the specific steps that may be taken by the customer to avoid termination (to be printed in a conspicuous fashion); and the date on which payment arrangements must be made to avoid termination.
- J. At least forty-eight (48) hours prior to the time when termination of service is scheduled, the city shall notify the account holder by leaving a copy of the notice attached to the entrance of the property at which service is provided.
  1. If termination of service is not accomplished within fifteen (15) days following the forty-eight (48) hour notice, the utility will follow the above procedures for another forty-eight (48) hour notice.
  2. The city shall mail duplicate copies of the ten-day termination notice to the owner of the property.
- K. Upon expiration of the notice of termination, the city may terminate household waste and recyclable waste service by retrieving the waste containers.
- L. Restrictions upon Termination Practices. The city shall not employ termination practices other than those set forth in this chapter. The city shall have the right to employ or pursue all legal methods to ensure collection of obligations due it.

**13.72.080 Segregation of garbage—Items which will not be taken.**

The city or its contractor may adopt such rules and regulations as they deem necessary requiring the segregation of household waste and recyclable waste materials prior to being collected, and may refuse, after notification to residents, to pick up any items which they may designate, including any household waste or recyclable waste not in a proper receptacle as set forth in Section 13.72.070, any item which is forbidden to be placed in household waste or recyclable waste containers pursuant to this chapter or other regulation or any other item which from time to time may be so designated.



### **13.72.400 – Glass Recycling.**

- A. The city or its contractor may provide for the regular curbside collection of glass recycling, as described in this section. Such waste shall be collected from a "residential dwelling" or a dwelling that has been issued a "special permit."**
- B. Only glass recycling containers provided by the city or its contractor shall be allowed for curbside household glass recycling collection. The container shall be of a different color than the containers used for household waste and recycling. In the event any container which does not conform to the provisions of this section is set out for collection, the city or its contractor shall have the authority to deny collection services for such container.**
- C. Residents may opt into a curbside glass recycling collection program with a contractor selected by the city. If a resident opts into a glass recycling collection program, the resident shall be responsible for complying with any requirements imposed by the contractor, including making regular payments for the service. The fees for glass recycling service shall be assessed and collected as set forth in the Consolidated Fee Schedule.**
- D. The city shall also provide up to one glass recycling container at a fixed site at which residents may deposit glass recycling.**

### **13.72.500 - Violation—Penalty.**

Any person who shall fail to do those acts required in this chapter and/or any person who shall do any act prohibited in this chapter shall be guilty of a class C misdemeanor. Each day that said violation continues shall constitute a separate offense. In its discretion, the city may choose to address violations of this chapter by civil citation as provided in [Title 8, Chapter 14](#) of this code.