

FULTON COUNTY CODE OF ORDINANCES AND CODE OF RESOLUTIONS

CHAPTER 34 - HEALTH AND SANITATION

ARTICLE X – SOLID WASTE

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ARTICLE X. SOLID WASTE

Sec. 34-466. 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:

Approved means accepted or acceptable by the department in accordance with applicable specifications stated herein or with additional criteria accepted by the department.

Department means the Fulton County Department of Health and Wellness and its authorized representative(s).

DNR means the Georgia Department of Natural Resources, specifically those divisions associated with environmental health and safety.

Garbage means all household or domestic waste, including waste from the preparation and cooking of food, vegetables, fruit and meat scraps, ashes, cans and bottles, paper, floor sweepings, cardboard and other such material to be disposed of from residences, churches, schools, office buildings, business establishments and similar places.

Generator means any person who generates, produces or compiles solid waste materials.

Hazardous waste means solid or liquid waste material resulting from the manufacture or use of pesticides and drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; caustic wastes; toxic wastes; sewage sludge; and other waste material that the department determines to be a likely hazard to the public health, safety or environment.

Incineration means the process of converting any combustible material into an inert noncombustible ash or residue by burning in a manner and in equipment approved by DNR.

Industrial refuse means waste material from industrial processes, manufacturing, canneries, slaughterhouses, packing plants, poultry processing plants and similar industries, and large quantities of condemned foods. Industrial refuse also includes waste material from the construction, remodeling and repair operations on houses, commercial buildings and other structures, such as concrete, bricks, plaster, stone, earth, lumber, shavings and sawdust.

Nuisance means whatever is dangerous or detrimental to human life or health and whatever renders or tends to render soil, air water or food impure or unwholesome.

Occupant means one who has certain legal rights to or control over the premises occupied, such as a tenant or an owner.

Person means any individual, permit holder, owner, partnership, corporation, or association, and may extend and apply to bodies including governmental agencies.

Sec. 34-466. Definitions. (cont.)

Premises means any place where people live, work or congregate.

Private contractor means any person other than a municipality, who collects, removes, salvages, scavenges and/or disposes of refuse from one or more public or private premises, other than his own, whether or not under written contract, and whether or not for compensation.

Putrescible means any animal or vegetable matter that has the potential to decompose or rot.

Refuse means garbage, rubbish and/or industrial refuse.

Refuse receptacle means a container, compartment, bin or other container used to keep, collect or store refuse pending its removal for disposal.

Rubbish means tree branches, twigs, grass and shrub clippings, weeds, leaves and/or street sweepings.

Sanitary landfill means a facility approved by DNR where the orderly land disposal of compacted refuse is performed.

Solid waste includes those waste materials in solid form resulting from public, domestic or commercial enterprise, which must be disposed in an approved manner. The term includes litter, trash, refuse, rubble and other common terms. The term excludes sewage, septage and liquid wastes in general (except for liquid or semi-liquid products of refuse decomposition), sewage sludge and inert materials.

Special event means any activity attracting more than 50 persons that is sponsored, organized, promoted, managed, or financed by any person, where individuals congregate to participate in or observe an activity in outdoor or portable enclosed or semi-enclosed structures for more than two (2) consecutive hours.

(Res. of 3-16-83, 30-2-8.01)

Cross reference(s)--Definitions generally, 1-2.

Sec. 34-467. Storage.

- (a) *Solid waste storage.* Solid waste generators, including occupants of any premises, shall store garbage, pending collection, in watertight, approved plastic or galvanized metal containers no less than 20 gallons and no more than 95 gallons in capacity, with tight-fitting lids and handles or in such other types of receptacles as may be approved by the appropriate governmental jurisdiction. Other refuse which cannot be stored in receptacles pending collection shall be flattened, stacked, piled or bundled. No refuse parcel shall exceed four (4) feet in length, three (3) feet in width, nor weigh more than 50 pounds.
- (b) *Bulk storage and compactor container design.* Bulk storage and compactor containers must be watertight, of sturdy rust-resistant, metal construction and must be easily

Sec. 34-467. Storage. (cont.)

washable. Tight-fitting doors, lids or other approved closures must be affixed over each access or discharge port. Containers must include fittings for standard hoisting equipment. Removable plugs must be installed in drain openings. Lids and doors on bulk containers used for refuse storage must be closed at all times after loading or emptying.

See Fulton County Public Works - Drawing No. 670," Trash Compactor and Dumpster Pad Details" for design requirements of construction.

- (c) *Bulk storage and compactor container capacity.* The capacity for the bulk storage and compactor container(s) required for a structure will be calculated using the current "Approximate Solid Waste Generation Guideline" chart. This information is to be used as a guideline only. The volume has been derived from national averages, using varying weights per cubic yard.
- (d) *Bulk storage and compactor container storage.* Bulk storage and compactor containers receiving refuse shall be placed on solid or concrete platforms or pads, located and constructed to minimize spillage and facilitate cleanup. The platform surface shall be sloped to a drain so that liquid waste flows by gravity to a sanitary sewer, or to an approved onsite management system if a sanitary sewer is not available to the site. A water supply under pressure, with an approved backflow preventer, shall be required within 50 feet of the container for cleansing.
- (e) *Organic residue.* Organic residue shall be removed from bulk storage and compactor containers. If necessary, garbage storage receptacles shall be washed. Storage locations and containers shall be treated with an effective pesticide if necessary.
- (f) *Refuse storage.* Refuse storage containers shall be required in such locations, types and quantities determined by the department to meet the specific refuse storage and collection frequency needs of the establishment, the occupants of the premises or the local jurisdiction or service agency. Special requirements, including containerization, special collection frequencies or handling procedures may be required for rapidly-putrescible or hazardous wastes.
- (g) *Refuse receptacle storage.* To facilitate refuse collection, generators shall place refuse receptacles in a location convenient and accessible for collection. No refuse or refuse receptacles shall obstruct gutters, drains, walkways, streets or other passageways or constitute fire or safety hazards. Individual refuse receptacles at multiple-unit buildings shall be marked to identify the owner.
- (h) *Processing of non-putrescible refuse.* Refuse generators may elect to bale, shred, recycle or otherwise treat or process non-putrescible refuse onsite by means approved by the appropriate governmental jurisdiction. Remaining solid waste shall be stored, collected and disposed in accordance with this article.
- (i) *Animal feeding prohibited.* The generation, storage or use of garbage for animal feeding is specifically prohibited.

Sec. 34-467. Storage. (cont.)

- (j) *Grease storage, disposal and collection.* Grease shall not be incorporated into solid waste stored for collection unless it is in sealed containers approved by the department. Grease stored separately for recycling or disposal shall be stored and collected in a manner approved by the department.
- (k) Storage area requirements. If conditions warrant, the department may require replacement, removal or repair of defective containers; additional containers; premises sanitation; container cleansing; odor control; elimination of fly, rat or mosquito populations and breeding conditions and may require separate storage of putrescible, non-putrescible and hazardous wastes.
- (l) *Plastic or disposable containers.* Where local authorities allow solid waste to be placed in plastic or other disposable containers for immediate collection, such solid waste shall be returned to proper storage if not collected as scheduled. Scattered refuse shall be stored and collected in accordance with this article.
- (m) Trash Chute. Residential dwellings having two (2) or more levels shall provide a trash chute on every floor that is accessible to the residents of that floor. The trash chute must empty into an approved bulk storage or compactor container.

(Res. of 3-16-83, 30-2-8.02)

Sec. 34-468. Collection.

- (a) *Collection equipment design.* All equipment used for the collection and transport of refuse shall be designed to prevent escape of any liquid. All surfaces of equipment coming in contact with wastes shall be smooth, nonabsorbent and in good repair. Only equipment manufactured for solid waste collection or other equipment as approved by the department may be used.
- (b) *Cleaning of collection equipment.* All equipment shall be cleansed and treated with an approved insecticide as often as the department shall deem necessary.
- (c) *Refuse spillage.* All refuse spilled during collection or transportation shall be promptly removed by the refuse collector. The generator shall be responsible for spillage during normal use and storage.
- (d) *Refuse collection.* At each collection, all refuse in the refuse receptacle shall be removed. Receptacles shall be left covered and returned to proper use locations.
- (e) *Dead animal collection.* Dead animals shall be stored, collected and disposed in a manner approved by the appropriate governmental jurisdiction.

Sec. 34-468. Collection. (cont.)

- (f) *Frequency of collection.* When required by the department, garbage, or solid wastes containing any quantity of garbage, shall be removed from each premises at least once a week in no case shall a garbage collection interval exceed seven days. More frequent collection may be required for rapidly decomposing, odorous or hazardous wastes and garbage or mixed refuse from food service and similar establishments. Compacted waste will be collected at a frequency no less than once weekly if the compacted waste includes garbage. Containers serving multiple facilities shall meet disposal criteria for the facility having the highest-level need for proper refuse management.
- (g) *Permits and inspections.* The department has the authority to issue permits for solid waste collection and inspect all equipment and operations as often as it deems necessary to determine compliance with this article and shall require prompt compliance.

(Res. of 3-16-83, 30-2-8.03)

Sec. 34-469. Disposal.

- (a) Refuse disposal. All refuse shall be disposed in a sanitary landfill or by other approved means including incineration, in a facility approved by DNR.

(Res. of 3-16-83, ' 30-2-8.04)

Sec. 34-470. Permit; suspension or revocation.

- (a) *Permit to operate a solid waste collection service.* No person shall collect, scavenge and/or dispose of refuse or salvage any component who does not hold an unrevoked permit. Only those persons who comply with the requirements of this article shall be entitled to receive and retain a permit to operate a solid waste collection service issued by the department. A fee shall be charged for this service.
- (b) *Suspension or revocation of permit.* The permit may be temporarily suspended or revoked after opportunity for a hearing by the department upon serious or repeated violations of this article by the permit holder. When a permit is suspended or revoked, the permit holder must be notified in writing, specifically stating any and all reasons why the action was taken. Suspension is effective upon service of a written notice notification thereof, and operation must cease immediately. The notification must state the basis for the suspension and advise the permit holder of the right to a preliminary hearing to be held by an experienced supervisory level employee of the department not directly involved in the suspension. The rules of evidence will not apply, but both the department and the permit holder may present witnesses, records and argument. The hearing official will be authorized immediately to rescind or modify the suspension or to continue the suspension with or without conditions.

(Res. of 3-16-83, 30-2-8.05)

Sec. 34-471. Plan approval.

Solid waste plan approval. Departmental approval of plans must be received prior to subsequent approvals or issuance of related permits and licenses. Excepting individual residential properties, those seeking approval of planning and zoning requests or seeking construction, building, use and occupancy permits shall include the following for review:

- (a) Standard trash compactor and dumpster pad details for the appropriate governmental jurisdiction;
- (b) Refuse storage units and locations; and
- (c) Arrangements for collection and disposal of solid wastes.

Sec. 34-472. Special event.

Special event requirements. Organizers shall secure a permit for solid waste containers from this department. The determination of the number of solid waste containers shall be in accordance with the Recommended Unit Requirements for solid waste. A special event is exempt from this requirement if it meets the following conditions, namely:

- (1) It is sponsored by a political subdivision of this state or by an organization exempt from taxes under paragraph (1) of Subsection (a) of Code section 48-7-25 or under Section 501 (d) or paragraphs (1) through (8) or paragraph (10) of section 501 (c) of the Internal Revenue code, as that code is defined in Code Section 48-1-2: and
- (2) Lasts 120 hours or less: and
- (3) When sponsored by such an organization, is authorized to be conducted pursuant to a permit issued by the municipality or county in which it is conducted.

Sec. 34-473. Penalty of violation.

Violation of article. Any person who violates any provision of this article shall be guilty of a misdemeanor. Each individual violation of the provisions of this article shall constitute a separate offense.