

ORDINANCE NUMBER 2022-



AN ORDINANCE AMENDING CHAPTER 66, SOLID WASTE,  
SECTION 66-4, SAME-BULK REFUSE,  
OF THE CITY CODE OF THE CITY OF WAYNESBORO, VIRGINIA

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF WAYNESBORO, VIRGINIA THAT:

1. Chapter 66, Solid Waste, Section 66-4, Same-Bulk refuse, of the City Code of the  
City of Waynesboro, Virginia is deleted in its entirety and readopted and reenacted as follows:

CHAPTER 66 – SOLID WASTE

Sec. 66-4. Same—Bulk refuse.

- (a) Collection of bulky materials shall be conducted according to bulk collection  
program guidelines adopted by ~~city~~City Council. Fees for collection of bulky  
materials are as follows:

<u>Bulk Collection Type</u>	<u>Each</u>
<u>Refuse Customers (by reservation only)</u>	<u>\$75</u>
<u>Non-Customers (by reservation only) and <del>Unscheduled</del></u>	<u>\$115</u>

- (b) Whenever a person places refuse for collection by the ~~city~~City under its bulk  
refuse collection program without complying with all the provisions of this  
~~article~~Chapter, in addition to or in lieu of prosecution of such person for a Class 3  
misdemeanor violation, the ~~city~~City may:

- (1) Choose not to collect the refuse or material. In such case, the ~~city~~City  
shall affix a notice to the rejected refuse or material explaining the reason  
for the rejection. The reasons for a rejection is can include, but are not be  
limited to, bulk refuse being placed outside the City ~~R~~right of ~~W~~way, ~~or~~ in  
a location not approved by City staff, ~~or~~ that may ~~have potentially to~~  
damage City equipment or place workers in unsafe situations, ~~or~~ if the

---

property owner or Customer has a delinquency with the City. -A similar rejection notice may also be given to the property owner or occupant of the property having an active Refuse account (Customer) of the real property in front of which such uncollected refuse or material was placed. The latter rejection notice may be verbal or written and shall be provided as soon as is feasible after the rejection; or

- (2) Collect the refuse or material notwithstanding the fact that its placement does not comply with the provisions of this ~~article~~Section. -Conditions for Unscheduled Collection to be initiatedperformed can include, but are not be limited to, if the bulk refuse is impeding traffic in a public right of ways or has been determinedis considered to be a Public Nuisance under City Code Sec. (38-12). In such cases, the ~~city~~City shall, after reasonable notice (not less than 48 hours), assess ~~the actual cost of collection per dump truck load~~the current Unscheduled rateFee per load, against the Customer or owner of the property in front of which such refuse was placed.

~~This An Unscheduled Fee~~ charge shall be billed to the ~~occupant of the property if there is an active Refuse account~~Customer or the property owner, and collected as taxes and levies are collected, or in separate billings, including but not limited to, those related to utility payments. Every charge or fee authorized by this ~~section~~Section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such real property.

- (c) The City Manager-Director of Public Works is authorized to waive a bulk collection fee only in cases of undue hardship, miscommunication or error, or extenuating circumstances.
- (d) Any person violating any provision of this Section shall be subject to a civil penalty in the amount \$200.00 for an initial violation and \$500.00 for each additional violation. Each day during which the violation is found to have existed shall constitute a separate offense. However, a specified violation arising
-

---

from the same operative set of facts shall not result in civil penalties that exceed a total of \$5,000.00. In addition, each day a violation shall continue after the date set by the City or court for its abatement shall constitute a separate offense.

(Va. Code §§ 15.2-927 and -928-1964, § 11-4; Ord. No. 2013-103, 12-9-13)

2. The City Manager is hereby authorized to take all actions reasonably necessary to effectuate and carry out the purpose of this Ordinance.

3. This Ordinance shall take effect March 1, 2023.

**CERTIFICATE**

The undersigned Mayor and Clerk of the City Council of the City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled An Ordinance Amending Chapter 66, Solid Waste, Section 66-4, Same-Bulk Refuse, of the City Code of the City of Waynesboro, Virginia, adopted by the City Council at a meeting held on November 28, 2022.

Introduced: November 14, 2022

Adopted: November 28, 2022

Effective: ~~November 28, 2022~~ March 1, 2023

[SEAL]

ATTEST: \_\_\_\_\_  
Clerk, City Council  
City of Waynesboro, Virginia

\_\_\_\_\_  
Mayor, City Council  
City of Waynesboro, Virginia