
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 Council. Fees for collection of bulky materials are as follows:

Grindable Waste		
Classification	Cost per Pickup (by Request only)	Non-Customer (by Request Only) / Unscheduled
Level 1-Five Cubic Yards or Less	\$35	\$75
<i>Three 3' X 3' X 5' Piles or Less</i>		
Level 2- Five to Twelve Cubic Yards	\$75	\$115
<i>Four 3' X 3' X 5' Piles or More up to One Truckload</i>		
Bulk Debris		
Level 1- Three Bags or Less, Small Furniture	\$35	\$75
<i>Tables, Non-upholstered chairs, small appliances</i>		
Level 2 - More than Three Bags, Large Furniture	\$75	\$115
<i>Mattresses, Recliners, Couches, stoves, refrigerators, etc.</i>		

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- (b) Whenever a person places refuse for collection by the City under its bulk refuse collection program without complying with all the provisions of this Chapter, in addition to or in lieu of prosecution of such person for a Class 3 misdemeanor violation, the City may:
- (1) Choose not to collect the refuse or material. In such case, the City shall affix a notice to the rejected refuse or material explaining the reason for the rejection. The reasons for a rejection can include, but are not limited to, bulk refuse being placed outside the City right of way, in a location not approved by City staff, or that may potentially damage City equipment or place workers in unsafe situations, or if the property owner or Customer has a delinquency with the City. A 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 Section. Conditions for Unscheduled Collection to be performed include, but are not limited to, if the bulk refuse is impeding traffic in a public right of way or is considered to be a Public Nuisance under City Code Sec. 38-12. In such cases, the City shall, after reasonable notice (not less than 48 hours), assess the current Unscheduled Fee per load against the Customer or owner of the property in front of which such refuse was placed. An Unscheduled Fee charge shall be billed to the 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 with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such real property.
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- (c) The 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)

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 _____.

Introduced:

Adopted:

Effective:

[SEAL]

ATTEST: _____
Clerk, City Council
City of Waynesboro, Virginia

Mayor, City Council
City of Waynesboro, Virginia
