

# CITY OF COTTONWOOD FALLS

## ORDINANCE NO. 1001

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 7 OF THE CODE OF THE CITY OF COTTONWOOD FALLS, KANSAS, PERTAINING THE COLLECTION MUNICIPAL SOLID WASTE AND ESTABLISHING REGULATIONS AND CHARGES IN RELATION THERETO; AND REPEALING ANY EXISTING ORDINANCES IN CONFLICT HERewith.

BE ORDIANED BY THE GOVERNING BODY OF THE CITY OF COTTONWOOD FALLS, COTTONWOOD FALLS, KANSAS:

**SECTION 1.** Section 7-401 of Chapter 7 of the **Code of the City of Cottonwood Falls, Kansas**, is hereby repealed and the following provisions are hereby adopted in lieu thereof and in addition thereto:

### **7-401. DEFINITIONS.**

For the purposes of this chapter, the following words and phrases shall have the following meanings:

- A. Approved collection container** shall mean the poly cart(s) container, bin(s) or dumpster(s) provided by the **City of Cottonwood Falls** for the disposal of and collection of garbage or refuse or recyclables, or other containers approved by the **City of Cottonwood Falls** for the disposal and collection under the terms of this chapter.
- B. Bagged trash** items to put into poly carts and dumpsters, the garbage, kitty litter, all refuse should be put into trash bags. This helps to prevent rodents and vermin. All items are to be placed in the poly cart(s) or dumpster(s) provided by the City of Cottonwood Falls. No unauthorized containers will be allowed.
- C. Collection Point** means a point convenient to street along the parking or a point designated by **City of Cottonwood Falls** for the collection of solid waste.
- D. Commercial and Industrial establishment** shall include, among others, the operation of storage, mercantile, industrial, business, public assembly, institutional, and all other establishments commonly designated as commercial or as industrial, or as may hereafter be designated as such. The differentiation between Commercial and Industrial solid waste is determined on an individual basis at the discretion of the governing body of the **City of Cottonwood Falls** by weighing the factors of the type and content of the waste, as well as the quantity of the waste generated by the Commercial or Industrial establishment, as well as the other factors deemed relevant by the **City of Cottonwood Falls**.

- E. Construction & Demolition Waste, Household Items, Hazardous Waste, Batteries, Appliances & Biological Prohibited Items** shall mean solid waste resulting from the construction, remodeling, repair and demolition of structure, roads, sidewalks and utilities, and shall include (but not be limited to) the following: treated and untreated wood and all sawdust from any source, motor vehicle window glass; vegetations from land clearing and grubbing are prohibited. Utility maintenance and seasonal or storm-related clean-up. Building materials, siding, roofing materials, floor tiles, concrete, masonry, soil; rock; wood; and wood products. All bedding mattresses, all bedding box springs carpet, all furniture, desks, recliners, sofas, bedroom sets, tables, chairs, etc. are prohibited. Any hazardous waste, such as paint containers, paint solvents and chemicals, is prohibited. Tires, batteries, small and large appliances, electronics, televisions, monitors, computers, and biological waste are also prohibited.
- F. Dwelling unit** shall mean and include a room or group of rooms within a building or structure forming a single habitable unit and facilities which are used or intended to be used for living, sleeping, cooking, and eating. The term dwelling unit shall include each living unit within an apartment house each apartment withing a private home, each individual mobile home withing a mobile home park or subdivision, and each living unit within a duplex, tri-plex or other structure designed for multi-family living in sperate living units.
- G. Gallon** means form of liquid measurement of capacity equal to 231 cubic inches or 3.785 liters.
- H. Garbage** shall mean and include the putrescible animal and vegetable wastes resulting from handling, preparing, cooking and consumption of food and shall also include bakery and market waste from the handling, storage or sale of bakery goods or produce.
- I. Junk** shall mean all worn out, broken or discarded materials not included within the definitions of garbage, rubbish, and trash or recyclable materials.
- J. Person** shall mean and include any person, firm, partnership, association corporation, company or organization, or any kind of a government body or agency.
- K. Poly Cart & Dumpsters** means a container provided by the **City of Cottonwood Falls, Kansas**, for the collection of solid waste. The poly cart is typically made of plastic or rubber and can be of various capacities. The poly cart is portable and has a lid that closes. Dumpsters are offered in 2, 3, 4, 6 Cubic Yards, and are made of metal and are used for Commercial and Industrial business. Unless otherwise approved by the Sanitation Division.
- L. Premises** shall mean and include a lot, plot of parcel of land, including buildings and structures thereon.
- M. Recycle** shall mean the separation from other refuse and preparation for disposal and collection of all materials designed as recyclables pursuant to the provisions of this chapter.
- N. Recyclable** shall mean any refuse designated from time to time by the governing body of the City of Cottonwood Falls by ordinance as being a recyclable material for purposes of separate disposal and collection under the provisions of this chapter.
- O. Refuse** shall mean and include all garbage, rubbish, and trash.

- P. Refuse** shall mean and include the non-putrescible wastes, waste that is not susceptible to rapid decomposition by microorganisms, meaning it will not rot, decay, or become offensive. Items consisting of miscellaneous materials, and shall also include, among other things, paper, tin foil, broken crockery, fabrics, coffee grounds, utensils, excelsior (a packaging material made from wood shavings, used for shipping fragile items), packing, wrappings, sweepings of dust and dirt, bits of rubber, and bits of metal are allowed. Small pieces of broken glass must be disposed of safely in containers or a trash bag placed in poly carts and/or dumpster. Explained in detail in Section E.
- Q. Sanitation Division** shall mean the city department or division charged with the responsibility for providing municipal solid waste collection services under the provisions of this chapter.
- R. Solid Waste** means garbage, refuse and other discarded materials including solid and liquid waste materials resulting from industrial, commercial, agricultural, and domestic waste. Hazardous waste disposal or nondegradable waste is not allowed to be picked up by the City of Cottonwood Falls Sanitation Division and should not be disposed of any poly carts and/or dumpsters.
- S. Trash and Waste** shall mean and include all other putrescible waste: putrescible waste is organic waste that can decompose rapidly due microorganisms, leading to foul odors, gases, and the attraction of pests like rodents or flies. This type of wastes is also known as biodegradable waste which includes food scraps, animal waste, and plant materials. Dead animals or animal body parts are not allowed in poly carts or dumpsters. Call the City Office to report an animal in street, they will remove the animal. Definition of non- putrescible waste is solid waste that does not decompose or rot, meaning it contains no organic matter subject to rapid decomposition by microorganisms, examples include glass, metal, plastics, rubber, large ceramic pieces, concrete, and wood. These items should be taken to the City of Emporia landfill \*\* otherwise noted in section P. Specific items in detail: Concrete and wood removal are disallowed in the poly carts and dumpsters. All mattresses and box springs, carpet are not allowed for picking up or placed in dumpsters. All appliances, televisions, monitors, or computers are not allowed in poly carts or dumpsters. No wood boxes or cartons are allowed to be put in the poly carts or dumpsters. Paint containers, tires, or chemical solvents are not allowed to be put in the poly carts or dumpsters. All paper, cardboard boxes / cartons must be flattened or “broken down” before placing in dumpsters & poly carts. No items shall be set outside the poly cart or dumpster. They will not be picked up from the City of Cottonwood Falls Sanitation Division.
- T. Type A Residential Trash Service** shall mean a collection service or technique used for households of a residence and/or multiple dwelling units, under common ownerships or management where individual collection cannot be established and generally utilizes more than one dumpster for the collection of refuse, and one or more roll-out poly carts for the collections of recyclables at single collection point servicing dwelling units. A monthly rate will be charged accordingly.

- U. **Type B Trash Service** refuse in trash bags is delivered to the **City of Cottonwood Falls** Shop dumpster. This service is only available for community members, which has been approved by the **City Council** and /or **City of Cottonwood Falls** office. A monthly rate will be charged accordingly.
- V. **Yard waste** shall mean all grass trimmings, leaves, weeds and all other vegetation or portions, trimmings or wastes thereof or therefrom, except for wastes included within the definition of garbage, and except from shrubbery and tree trimming included within the definition of trash. Yard waste may be disposed of free of charge at the city burn site. Kansas Department of Health and Environment will not allow the **City of Cottonwood Falls** to accept any type of lumber. Call the City Office to pick up and the removal of limbs, branches and leaves that are bagged in paper trash bags. All items must be biodegradable.

**The governing body may, by ordinance, limit or extend these definitions and may give interpretations to words and phrases.**

#### **7-414. FEES.**

Fees for the collections and disposal of refuse and recyclables by the City from inside the City shall be as follows:

**Type A Residential Trash Service** – with Poly Cart(s) - is a trash service with monthly charge of **\$15.99**. For additional poly carts and additional pickups from the sanitation division of the **City of Cottonwood Falls**; residents will be charged with an additional fee, a monthly charge of **\$15.99** . Special Accounts Rates will be \$17.95 and \$18.37; depending on the prior rate established and location of service. The governing body, City Council and/or City of Cottonwood Fall office will make decisions on these special rates and adjustments when required.

**Type B Trash Service** – No Poly Cart & No Pick-up Service - is a trash service is only available for community members that has been approved by the **City Council** and/ or **City of Cottonwood Falls** office. These community numbers do not reside in the city limits. The community member will be able to use the city dumpster for their refuse. This service will have a monthly charge of **\$15.99**. Community members and any violators that are using the **City of Cottonwood Falls** dumpsters without permission beforehand will be contacted and will be charged a fee of **\$15.99**. If payment is not received and refuses to pay they will be a fine of **\$100.00**. If the violators are repeat offenders the City of Cottonwood Falls Council Members may decide to prosecute.

**A. Fees for collection of garbage, refuse, and rubbish by the **City of Cottonwood Falls** from Commercial and Industrial establishments. In the city limits of **Cottonwood Falls** in approved containers provided by the **City of Cottonwood Falls**.**

## **NON-COMPACTED DUMPSTER PRICES PER DUMPSTERS**

### **COMMERCIAL SERVICE**

#### **2 Cubic Yards**

- One per week: \$73.78
- Two per week: \$98.46
- Three per week: \$118.66
- Five per week \$171.31

#### **3 Cubic Yards**

- One per week: \$101.83
- Two per week: \$135.49
- Three per week: \$169.15
- Five per week: \$227.49

#### **4 Cubic Yards**

- One per week: \$146.71
- Two per week: \$191.59
- Three per week: \$236.47
- Five per week: \$306.03

#### **6 Cubic Yards**

- One Per Week: \$192.71
- Two Per Week: \$264.52
- Three Per Week: \$331.84
- Five Per Week: \$423.84

### **INDUSTRIAL SERVICE**

#### **2 Cubic Yards**

- One Per Week: \$123.15
- Two Per Week: \$147.83
- Three Per Week: \$172.51
- Five Per Week: \$216.60

#### **3 Cubic Yards**

- One Per Week: \$151.20
- Two Per Week \$184.86
- Three Per Week: \$218.52
- Five Per Week: \$285.84

#### **4 Cubic Yards**

- One Per Week: \$184.86

- Two Per Week: \$229.74
- Three Per Week: \$274.62
- Five Per Week: \$412.56

#### **6 Cubic Yards**

- One Per Week: \$242.08
- Two Per Week: \$298.18
- Three Per Week: \$354.28
- Five Per Week: \$466.48

#### **FOR BOTH COMMERCIAL & INDUSTRIAL DUMPSTERS – ONE TIME EXTRA DUMP OCCASSIONALLY:**

- 2 Cubic Yards – Dumpster: \$56.10
- 3 Cubic Yards – Dumpster: \$57.12
- 4 Cubic Yards – Dumpster: \$58.14
- 6 Cubic Yards – Dumpster: \$65.08

**B.** Fees for collection and disposable of refuse and recyclables by the city from “Outside the City Limits” residential (non-commercial / non-industrial) accounts are not available. The governing body has decided not to offer this service. They must be pre-approved by the Council and/or the City of Cottonwood Fall office for community members that have access to the city dumpster at the **City Shop at 322 Walnut Street, Cottonwood Falls, Kansas. Unauthorized use shall be fined and charged with a crime if decided upon the City of Cottonwood Falls City Council.**

**Section 3. Chapter 7 of the Code of the City of Cottonwood Falls, Kansas,** is hereby repealed and the following provisions are hereby adopted in lieu thereof and in addition thereto:

**7-415. COMMERCIAL AND INDUSTRIAL SERVICE, FREQUENCY OF COLLECTION.** Collection from Commercial and Industrial establishments inside the **City of Cottonwood Falls** city limits may be provided once, twice, three or five times per week, based on the customer as established in consultation with the **City of Cottonwood Falls**. Collection from Commercial and Industrial establishments outside the **City of Cottonwood Falls** will be decided on by both the City Council and the Sanitation Division.

**Section 4. Section 7-416 of Chapter 7 of the Code of the City of Cottonwood Falls, Kansas** is hereby repealed, and the following provisions are hereby adopted in lieu thereof and in addition thereto:

#### **7-416. COMMERCIAL AND INDUSTRIAL SERVICE CONTAINERS.**

**A.** Containers used by commercial establishments shall be provided by the **City of Cottonwood Falls**. The container size shall be agreed upon by the commercial client and/or customer the **City of Cottonwood Falls** and not exceed a total capacity of six (6) cubic yards.

**B.** Containers used by industrial customers shall be limited to those having a total capacity of six (6) cubic yards.

**7-417. COMMERCIAL AND INDUSTRIAL SERVICE, PLACING, MAINTAINING AND GENERAL USE OF CONTAINERS.**

**Section 5. Section 7-417 of Chapter 7 of the City of Cottonwood Falls, Kansas,** is hereby repealed and the following provisions are hereby adopted in lieu thereof and in addition thereto:

It shall be the responsibility of the owner or management of any commercial or industrial establishment receiving service under this chapter to adhere to the following:

**A.** To place or cause to be placed the collection container or containers at a suitable location, determined in consultation with the Sanitation Division, which is readily accessible to the **City of Cottonwood Falls** collection vehicles.

**B.** To maintain the collection containers in a serviceable and sanitary condition, which shall be used exclusively for the placement of approval refuse and recyclables for collection and disposal of **City of Cottonwood Falls**.

**C.** To remove or cause to be removed any refuse or litter remaining at the collection point which is not collected because of any failure to adhere to the provisions of this chapter.

**7-418. REFUSE NOT IN CONTAINERS.**

**Section 6. Section 7-418 of Chapter 7 of the Code of the City of Cottonwood Falls, Kansas,** is hereby repealed and the following provisions are hereby adopted in lieu thereof and addition thereof and in addition thereof:

The sanitation division shall be under no obligation to collect any refuse, trash or recycles which are not in approved collection container. If the Sanitation Division does collect such refuse from Type A: Residential Trash Service, the customer shall pay an additional charge as establishment under the rules and regulatory functions of the **City of Cottonwood Falls** described in this Chapter. If the sanitation division does collect such refuse, a Commercial or Industrial establishment shall pay an additional charge equal to the minimum monthly charge for each increment in volume of refuse or recyclables, equal to or less than the volume of the containers for which the Commercial or Industrial establishment's monthly minimum charge is determined.

**Section 7.** This **Ordinance No. 1001** shall take effect in the first **billing cycle of January 2026**; and this ordinance will be published prior in the official city newspaper. Council Grove Republican. The increase rates are established for the year 2026 and **Ordinance No. 1001** will void all prior Ordinances pertaining to rates and will continue for the following years until new rates and ordinances are established.

**PASSED AND ADOPTED this 1<sup>st</sup> day of December 2025.**



William C. Sisson, Mayor

**ATTEST:**



Tina Andrews, City Clerk