

**NORTH LITTLE ROCK, ARKANSAS
MUNICIPAL CODE**

Chapter 13

SOLID WASTE

Adopted 11-11-13 – Ordinance No. 8585
Amended 1-28-19 – Ordinance No. 9073
Amended 3-9-20 – Ordinance No. 9223
Amended 11-23-20 – Ordinance No. 9305

Table of Contents

ARTICLE ONE	1
IN GENERAL	1
Section 1	1
DEFINITIONS	1
1.1.1.Definitions.....	1
Section 2	3
LITTERING OF CERTAIN PUBLIC PLACES	3
1.2.1 Unlawful acts.....	3
1.2.2 Punishable by fine.....	3
Section 3	3
UNLAWFUL DEPOSITS	3
1.3.1 Unlawful act.....	3
1.3.2 Enforcement and abatement.....	4
1.3.3 Owner's Responsibility.....	4
Section 4	4
VEHICLE LOADS TO BE SECURED	4
1.4.1 Waste shall be secured in vehicle.....	4
1.4.2 Punishable by fine.....	4
ARTICLE TWO	5
CITY COLLECTION SERVICE	5
Section 1	5
GENERALLY	5
2.1.1 Containers generally.....	5
2.1.2 Collection of garbage and trash.....	6
2.1.3 Collection of bulky items and yard waste.....	6
2.1.4 Collection Service is not proved to apartments, institutions, industrial, most commerical establishments, or underlying properties.....	7
2.1.5 Collection and removal of dead animals.....	8
2.1.6 Items the City will not collect.....	8
2.1.7 Failure to comply.....	8
2.1.8 Placing waste materials on vacent lots or property of another.....	8

2.1.9 No import of waste materials.....	9
2.1.10 Rummaging trash and other solid waster.....	9
Section 2	9
PROCESSING AND DISPOSAL	9
2.2.1 Procedures and operational responsibility.....	9
Section 3	9
MISCELLANEOUS	9
2.3.1 Prohibition of commerical garbage pick-up between the hours of 10:00 p.m. and 6:00 a.m.....	9
2.3.2 Regulations for trash dumpsters.....	9
2.3.3 Securing of household appliances set out for collection.....	9
Section 4	10
RECYCLABLE ITEMS	10
2.4.1 Generally.....	10
2.4.2 Collection from residential recyclable containers.....	10
ARTICLE THREE	12
ANIMAL WASTE	12
Section 1	12
DEFINITIONS	12
3.1.1 Definitions.....	12
Section 2	12
DISPOSAL	12
3.2.1 Requirement for Disposal.....	12
3.2.2 Means of Disposal.....	12
3.2.3 Exemptions.....	13
3.2.4 Horses on authorized trails or bridges.....	13

ARTICLE ONE IN GENERAL

Section 1 DEFINITIONS

1.1.1. Definitions. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means any public way, generally of less width than a street, used for the public utility purposes and right-of-way and as an alternate secondary or emergency route for vehicle and pedestrian traffic, generally situated at the rear of or alongside a tier of lots.

Apartment means an apartment as defined by the building code.

Apartment house means an apartment house as defined by the building code.

Building code means the edition of the Standard Building Code as adopted by the City Council.

Commercial establishment means any structure intended or used for the purpose of conducting a commercial business enterprise.

Container means a receptacle for the deposit of solid waste.

Department means the Sanitation Department.

Director means the Sanitation Director or anyone authorized to act for him.

Duplex means a structure intended for use and occupancy as two family dwelling units.

Dwelling unit means a dwelling unit as defined by the city's building code.

Food establishment means a cafe, restaurant, or other similar establishments serving food or food products, including quick service drive-ins where food is prepared or served.

Garbage means solid waste consisting of putrescible animal and vegetable waste materials resulting from the handling, preparation, cooking and consumption of food, including waste materials from markets, storage facilities, handling and sale of produce and other food products.

Hazardous Waste includes any unwanted or discarded material (excluding radioactive material), which because of its physical, chemical or infectious characteristics can cause significant hazard to human health or the environment when improperly treated, stored,

transported, disposed of or otherwise managed, or by virtue of their being defined hazardous by any state or federal law or regulation.

Household appliance means, but is not limited to, larger household appliances such as refrigerators, deep freezers, stoves, ovens, air conditioners, washers, dryers, trash compactors, dishwashers, televisions, radio, hot water heaters and plumbing fixtures.

Illegally dumped solid waste means any solid waste placed on properties with or without the consent of the owner or person in control where such waste constitutes a nuisance detrimental to the public health and welfare.

Institution or institutional means any church, church building or structure housing any charitable, philanthropic or eleemosynary undertaking, or any school.

Manager means the person in charge of real estate used for apartment, institutional or commercial purposes.

Manual collection means the service rendered in collecting municipal solid waste from containers, which containers can be handled in part by men picking up the containers as distinguished from picking up containers by mechanical means and which containers are too large for handling by manual means.

Municipal solid waste or solid waste means solid waste resulting from or incidental to municipal, community, trade, business and recreational activities, including garbage, rubbish or trash, ashes, street cleanings, dead animals, and all other solid waste other than industrial solid waste.

Occupant means the person residing in a dwelling unit, specifically the head of such household.

Owner means the record titleholder of real property.

Packout service means service involving city sanitation service employees walking onto private property to collect garbage and trash for residents who are physically unable to convey their solid waste container to the designated collection location. This service does not include sanitation employees entering the residence to provide such services.

Permittee means any person licensed by the city to contract to collect, remove or dispose of solid waste.

Property line means the peripheral boundary of real estate.

Public easement means a right-of-way used or dedicated to be used by any public utility, including, but not limited to, services such as electricity, telephone, gas, solid waste collection, water, sewer and drainage.

Public way means any street, alley, easement or other right-of-way.

Residence means a structure intended for use and occupancy as a one-family dwelling unit.

Sanitary landfill means a method of disposing of municipal solid waste on land without creating a nuisance or hazard to public health or safety, by utilizing the principles of engineering to confine the solid waste to the smallest practical area to reduce it to the smallest practical volume, and to cover it with a layer of earth at appropriate intervals.

Trash means non-putrescible solid waste, consisting of both combustible and noncombustible waste materials; combustible rubbish or trash includes paper, rags, cartons, wood, excelsior, rubber and plastics; noncombustible rubbish or trash includes glass, crockery, tin cans, aluminum cans, and like materials which will not burn at ordinary incinerator temperatures (1,600 degrees Fahrenheit to 1,800 degrees Fahrenheit).

Street means any public thoroughfare for the passage of vehicle and pedestrian traffic.

Vehicle means any wheeled conveyance.

Yard Waste means non-putrescible solid waste consisting of tree, shrub and hedge clippings, provided that trunks and limbs do not exceed 12 inches in diameter and 8 feet in length, brush, leaves, grass clippings, and small amounts of wooden building material

Section 2 LITTERING OF CERTAIN PUBLIC PLACES

1.2.1. Unlawful acts. It shall be unlawful for any person to place, throw, deposit, or otherwise put any newspaper, advertising circular, pamphlet, brochure, or any other publication, advertising material or printed material in or on any city street, alley, curb, gutter, drainage ditch or related drainage facility.

Reference – Ordinance No. 9223, 03-09-20

1.2.2. Punishable by fine. Each violation of this section shall be punishable by a fine not to exceed \$500.00; provided, however, that two or more violations of this section occurring on the same day shall be considered as a single violation under this section.

State law references: Litter Control Act, A.C.A. § 8-6-401 et seq.

Section 3 UNLAWFUL DEPOSITS

1.3.1. Unlawful act. It shall be unlawful for any person to place, deposit, discard, or otherwise cause to be put, brush, garbage, rubbish, or any other type of waste, on any outside premises within the city, whether public or private, in such a manner as to cause

insanitary, unsightly, or unhealthy conditions, except at such places as are, have been, or shall be designated by the director and except in accordance with other provisions of this chapter. The term "outside premises" shall be construed to include streets, alleys, sidewalks, ditches, yards, lots, fields, streams, and exterior portions of buildings.

1.3.2. Enforcement and abatement. The Sanitation Director or his designee shall regularly inspect all outside premises to enforce the provisions of subsection (a) of this section. The Director shall issue citations for violations of this section and may abate such conditions pursuant to the provisions of Article 8 of Chapter 8 Nuisance Abatement and Property Maintenance code.

1.3.3. Owner's Responsibility. The Director or his designee may order the owner of any real property within the City to remove garbage, rubbish and other unsightly and unsanitary articles and things that may be upon the property. The order shall be in writing and shall be issued to the owner of the real property involved. Failure to maintain property free from garbage, rubbish, and other unsightly and unsanitary articles and things by the end of the third business day after notice is a violation that shall be punishable by a fine of not less than \$50 nor more than \$100 for each day the material remains.

Section 4 VEHICLE LOADS TO BE SECURED

1.4.1. Waste shall be secured in vehicle. It shall be unlawful for any person engaged in commercial or for-hire hauling to operate any truck or other vehicle within the limits of the city to transport litter, trash or garbage unless such vehicle is covered to prevent its contents from blowing, dropping or falling off or otherwise departing from the vehicle. In addition, any person operating his own truck or other vehicle to transport litter, trash or garbage shall take reasonable steps to prevent its contents from blowing, dropping or falling off or otherwise departing from the vehicle. Provided, no vehicle hauling predominately metallic material shall be required to be covered if it is loaded in a manner which will prevent such material from falling or dropping from the vehicle.

1.4.2. Punishable by fine. Each violation of this section shall be punishable by a fine not to exceed \$200.00.

State law references: Vehicles spilling loads, A.C.A. § 27-35-110.

ARTICLE TWO

CITY COLLECTION SERVICE

Section 1

GENERALLY

2.1.1. Containers generally.

- (A) Every person occupying a single-family residence or a multi-family residence with four (4) units or less shall provide such premises with a sufficient number of solid waste containers or receptacles to provide adequate capacity for the solid waste (garbage and trash) placed out for collection without overloading the capacity of the containers.
- (B) Solid waste containers or receptacles shall be watertight and constructed of a solid and durable grade of metal or plastic material.
- (C) In the case of those containers which are manually emptied by the sanitation service employees of the city, the combined weight of the waste and container shall not exceed 50 pounds.
- (D) Underground containers are prohibited for use in the city.
- (E) All containers (except plastic bags) shall be provided with suitable lifting handles on the outside and a closefitting or other approved cover equipped with a handle, and shall not exceed 30 gallons capacity.
- (F) Containers shall not contain any inside structures, such as bands or reinforcing angles or anything within the container to prevent the free discharge of the contents. Containers that have deteriorated or that have become damaged to the extent that the covers therefor will not fit securely or that they have jagged or sharp edges capable of causing injury to sanitation service employees or other persons whose duty it is to handle such containers shall be condemned by the city and if such containers are not replaced after notice to the owner or user, such containers will be removed along with the contents thereof.
- (G) The lid shall be closefitting and shall remain in place covering the container or receptacle at all times when there is any material in the container. The lid may be attached by an appropriate means to the rack upon which the containers are placed or to an adjacent fence or other appropriate fixed object in order to prevent the lids from getting into the pathway of vehicles, provided however, that no lid shall be attached to the container itself. Containers which have the lids directly attached to them constitute a hazard to sanitation service employees engaged in the collection of solid waste and shall be condemned by the city, and if such

attachments are not removed after notice to the owner or user, such containers will be removed along with the contents thereof.

- (H) Plastic bags shall be constructed of a material and in the manner that prevents tearing and leakage. All plastic bags shall be secured at the top to prevent spillage.

2.1.2 Collection of garbage and trash. Garbage and trash will be collected weekly or as otherwise established and published by the Director of Sanitation Services (“Director”) from residential properties with four or less units. Collection will be made from the street unless otherwise instructed by the Director.

- (A) Items deposited for collection must be placed within 6 feet of the street or other designated access point in such a manner as to not protrude onto the street or sidewalk and free of overhead obstruction (trees, power lines, etc.) for at least 20 vertical feet and no closer than 3 feet to fixed objects or vehicles.
- (B) Garbage and trash must be placed at the appropriate pick-up location before 7:00 am on scheduled collection day and no earlier than 5:00 PM on the preceding day. Containers must be removed to a point at the rear or side of the structure no later than 8:00 a.m. on the day following collection.

2.1.3 Collection of bulky items and yard waste. Bulky items and yard waste will be collected weekly or as otherwise established and published by the Director from residential properties with 4 or less units. Collection will be made from the street unless otherwise instructed by the Director.

- (A) Items deposited for collection must be placed within 6 feet of the street or other designated access point in such a manner as to not protrude onto the street or sidewalk and free of overhead obstruction (trees, power lines, etc.) for at least 20 vertical feet and no closer than 3 feet to fixed objects or vehicles.

(B) Quantities of bulky items exceeding two cubic yards will be assessed a pickup fee based upon the actual cost to the City to collect and dispose of the waste. The director or designee will notify the property owner by written notice attached to the front door of the residence, phone contact, or other reasonable method. The notice will include the amount to be paid for pickup and instructions for payment.

- a. The property owner must pay the required fee or otherwise dispose of the items by the end of third business day following notice.
- b. Failure to either arrange for pick-up by the sanitation department or have the items removed by the end of the third business day after notice is a violation that shall be punishable by a fine not to exceed \$100.00 for each subsequent day.

(C) Small loose items and items of clothing and household trash or garbage will not be picked up as part of this service. Those items must be properly bagged or placed in an acceptable bin for regular garbage pick-up.

- (D) Bulky items and yard waste collection will not be rendered as a pack out service.
- (E) Yard waste must be separated by at least three feet from other items placed for collection.
- (F) Schedules for collection of bulky items and yard waste will be established and published by the Director.
- (G) Bulky items and yard waste must be placed at the appropriate pick-up location before 7:00 am on scheduled collection day and no earlier than 5:00 PM on the preceding day.
- (H) Bulky items/bulk waste are large items such as the following:
 - a. Furniture
 - b. Appliances
 - c. Swing sets
 - d. Lawn mowers (drained of fluids)
 - e. Bikes
 - f. Carpet (must be rolled and tied and not more than 12 feet in length. More than two rolls of carpet is considered construction debris and will not be collected.)
 - g. Toilets
 - h. Doors
 - i. Grills with tanks removed
- (I) Electronic items such as computers and televisions will not be collected and should be taken to an electronics recycle collection point.

2.1.4 Collection Service is not provided to apartments, institutions, industrial, most commercial establishments, or undeveloped properties. City sanitation services are not offered to multi-family housing with more than four units, institutions, industrial, and commercial (other than small office) establishments. Four unit residential buildings that are part of a larger complex of multi-unit residential buildings are not eligible for service.

Small office operations generating only typical office refuse in amounts similar to residential refuse amounts may contract with the City to be included in the residential schedule for weekly pickup. The contract fee for this service is \$20.00 per month. Typical office refuse are amounts not greater than two 30 gallon containers per week and do not contain waste of food service operations, medical waste, or other waste not typical of a residential household or not accepted by the landfill.

These establishments, other than the small office operations contracting with the City, must provide for the safe, sanitary, and timely removal and disposal of waste from their operations.

Collection service is not available to vacant lots or other undeveloped properties or for any land clearing operations.

2.1.5. Collection and removal of dead animals. The bodies of dead animals shall not be placed in solid waste containers or in any street, alley, easement or public way. The collection and removal of dead animal bodies shall be a service of the city's animal shelter and shall be furnished upon request or notification by any interested party.

2.1.6. Items the City will not collect. The scope of service rendered by the sanitation department in the collection and removal of solid waste materials is intended to serve the needs of residential and small commercial as defined in this chapter. It is considered to be beyond the scope of such service to collect or remove waste materials beyond such that would be normal and expected from a residential household.

The following waste materials will not be collected:

1. Building materials and other construction debris from remodeling or fire restoration work done by the resident or owner exceeding the limits established in Section 2.1.3;
2. Asphalt roofing materials or fiberglass insulation materials;
3. Concrete, asphalt, dirt, brick, rock or other similar material;
4. Tree trunks, limbs, and brush cut by a professional tree service or any other contractor or person other than the resident or owner of the property;
5. Industrial wastes from manufacturing or processing operations including food processing operations;
6. Electronic items such as televisions, computers, computer monitors, and audio systems; (these items should be taken the electronics recycling drop-off site)
7. Liquid paint;
8. Liquid petroleum based products, such as gasoline, oil, and other automotive fluids;
9. Vehicles and vehicle parts, including batteries and tires;
10. Trash, clothing, or other small items not bagged or in an acceptable container;
11. Bio-hazard materials including medical waste;
12. Hazardous waste material; or
13. Any other items or materials not accepted by the landfill or for which the department is not equipped to collect.

2.1.7 Failure to comply. The failure of any property owner or tenant to remove materials not subject to collection by the sanitation department as defined in this chapter from the sanitation collection point for the property within three business days of notice of violation is punishable by a fine of not less than \$50.00 nor more than \$100.00 for each day the material remains.

2.1.8 Placing waste materials on vacant lots or property of another. It is unlawful for any person to place trash, debris, bulky items or other waste material on vacant lots

or the property of another person. A violation of this section shall be punishable by a fine of not less than \$200.00 nor more than \$500.00.

2.1.9. No import of waste materials. Waste material shall not be moved from an offsite location to a residence for sanitation service. Only the waste generated by the service residence may be placed for sanitation service at the collection place for the residence. A violation of this section shall be punishable by a fine of not less than \$200.00 nor more than \$500.00.

2.1.10. Rummaging trash and other solid waste. It is unlawful for any person to open and remove items from plastic bags or other containers of trash or solid waste placed for sanitation pick-up at a property not owned or occupied by that person. The penalty for violation of this section is a fine of \$50.00. Subsequent violations within 12 months shall carry a penalty of a fine of not less than \$100.00 nor more than \$250.00.

Section 2 PROCESSING AND DISPOSAL

2.2.1. Procedures and operational responsibility. All garbage and rubbish or trash or other solid waste materials must be processed and/or disposed of at a location and in a manner approved by the Director.

Section 3 MISCELLANEOUS

2.3.1. Prohibition of commercial garbage pick-up between the hours of 10:00 p.m. and 6:00 a.m. The commercial pick-up of garbage from any dumpster that is located on residential property, or from any dumpster that is located on a parcel of property that is adjacent to residential property, is prohibited between the hours of 10:00 p.m. and 6:00 a.m. In addition, the commercial pick-up of garbage from any dumpster that is located on, or adjacent to, any property that is used for temporary lodging (including but not limited to hotels, motels, bed and breakfasts, RV parks, campgrounds, and inns) is prohibited between the hours of 10:00 p.m. and 6:00 a.m. Each violation of this section by any individual or corporation shall be punishable by a fine not to exceed \$500.00.

Reference – Ord. No. 9073, § 1, 01-28-19

2.3.2. Regulations for trash dumpsters.

- (A) All trash dumpsters in active use as a trash receptacle within the city limits shall be secured and maintained as follows:
 - (1) All trash dumpsters shall be maintained in a sanitary manner that will not cause odorous or rank smells. These dumpsters shall also be maintained in a manner in which no trash, rubbish, or debris is located outside of the dumpster.

(2) Doors to a trash dumpster shall be closed at all times when trash is not being deposited into or emptied from the dumpster.

(B) It is hereby declared to be unlawful for any owner of property upon which an active trash dumpster is used fails to comply with the requirements of this section.

Reference – Ord. No. 7624, §§ 1 & 2, 3-8-04

2.3.3. Securing of household appliances set out for collection. All property owners, tenants, entities, or residents within the city who place household appliances out for collection shall do so in a manner that will not pose a risk to the public health, safety, or welfare of others, or in a manner otherwise violating Municipal Code Provisions. Any person or entity who places household appliances out for collection shall take any and all reasonable precautions to preclude the existence of any hazards in this respect, including but not limited to, removing refrigerator doors and latches, securing doors with locks, chain, wire or rope to prevent opening, or other reasonable methods.

Reference – Ord. No. 7692, § 2, 2-28-05

Section 4 RECYCLABLE ITEMS

2.4.1. Generally. The City of North Little Rock contracts with an independent service provider for residential pickup of recyclable items. The agreement between the parties, which shall be approved by the City Council, establishes type(s) of containers or receptacles, collection schedules, restrictions on items collected and fees. All fees charged to the City by the independent service provider will be billed to each residence for reimbursement to the City. Residents are responsible for payment of recycling fees whether or not they utilize recycling services. Contact information of the service provider, as well as pickup schedules and other pertinent information, shall be made available to the public, including informational data for posting on the City’s web site.

2.4.2. Collection from residential recyclable containers.

(A) The independent service provider for residential pickup of recyclable items will provide a container (cart, bin or other approved receptacle) for residential customers who participate in recycling. The North Little Rock Sanitation Department will *not* be responsible for collection of materials placed in the recyclable container provided by the independent provider. All recyclable materials shall be collected at curbside by the independent contractor as provided for in Section 90-80 above.

(B) Collection Schedules are set by the independent service provider; however, pickup will usually occur on the same day of the week as that for solid

waste by the Sanitation Department. Schedules will be provided to residential customers.

Recycle containers, with lids or covers firmly in place, shall be placed on the front or side street no earlier than 6:00 p.m. of the day preceding the scheduled collection day and shall be removed to a point at the side or rear of the structure not later than 8:00 a.m. of the day following collection.

Reference – Ord. No. 8350 adopted 06-27-11.

ARTICLE THREE

ANIMAL WASTE

Section 1

DEFINITIONS

3.1.1. Definitions. For the purpose of this article, the following terms, phrases, words and their derivations shall have the meanings stated herein:

Immediate shall mean that the pet solid waste is removed at once, without delay.

Owner/Keeper shall refer to any person who shall possess, maintain, house or harbor any pet, fowl, livestock or any other domesticated animal or otherwise have custody thereof, whether or not the owner of such pet, livestock, fowl or other domesticated animal.

Person is any individual, corporation, company, partnership, firm, association or political subdivision of this State subject to City of North Little Rock (“the City”) jurisdiction.

Pet/Animal is a domesticated animal (other than a disability assistance animal), fowl, or livestock kept for amusement or companionship.

Solid waste or feces means waste matter expelled from the bowels of the pet, fowl, livestock or other domesticated animal; excrement.

Proper disposal is the placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the City or any other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal. Animal waste disposal in residential areas shall be placed with other household waste for curbside pickup by the City on the day regularly scheduled for the residential location.

Section 2

DISPOSAL

3.2.1. Requirement for Disposal. All pet/animal owners and keepers are required to immediately and properly dispose of their pet/animal’s solid waste deposited on any property, public or private, not owned or possessed by that person.

3.2.2. Means of Disposal. Residential pet/animal waste shall be disposed of by one of the following methods (not applicable to commercial kennels):

- (A) Bagging and Disposal. Place waste in a no greater than a gallon size plastic bag (double bagging is required) and dispose of with your garbage.

Waterproof container or double bagging holding the waste shall not weigh more than ten pounds or exceed a bag or container size of one gallon.

- (B) Burial. May be used so long as a nuisance is not created. Avoid burial in quantities or locations which may impact public health. Avoid burial in children play areas, water supplies or drain fields.
- (C) **NEVER** put pet/animal feces into storm sewers or septic systems.

3.2.3. Exemptions. The provisions of this section shall not apply to a certified guide dog accompanying a blind person, a certified service dog accompanying a disabled person, or dogs used in official police activities with the permission of the city's police department.

3.2.4. Horses on authorized trails or bridges. Owners riding or walking horses on authorized paved trails or bridges in the City shall have an obligation to clear any feces from said areas; *except* when the animal waste is deposited on the natural trail services, clean up is not required.

See also Section 6.1.10 of NLRMC, Chapter 2 – Animal Control.