

CITY OF EASTMAN
ORDINANCE
2023-003

An Ordinance to Amend the Code of Ordinances, City of Eastman, Georgia:

Chapter 38 – Utilities and Services, Article IV Solid Waste Collection And Disposal,

Section 38---200 – Limitation On Quantity: To Provide For Quantity, Quality and Type of Refuse, Garbage, Limbs and Leaves for Collection From Dwellings, Restaurants, Businesses And Institutions, And to Provide Penalties; and,

Section 38—205 – Dumping Septage: To Remove Use of City Sewage System for Dumping Septage, To Prohibit Such Dumping and Provide for Penalties; and To Prohibit Dumping of Debris and To Provide Penalties;

To Repeal Conflicting Ordinances, To Provide an Effective Date, And For Other Purposes.

WHEREAS, the City of Eastman is a municipality duly formed and existing pursuant to Georgia law and provides for self-government without the necessity of action by the General Assembly; and

WHEREAS, the duly elected authority of the City of Eastman, Georgia is authorized by O.C.G.A § 36-35-3 to adopt ordinances relating to its property, affairs and local government; and,

WHEREAS, the City of Eastman, Georgia, has the legislative power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general law, and which are not inconsistent with the Constitution of or any charter provision applicable thereto; and

WHEREAS, the Council of the City of Eastman has determined that the ordinance herein resolved is in the best interest of the City; and

WHEREAS, the governing authority of the City of Eastman has read and considered the proposed ordinance;

NOW THEREFORE IT IS HEREBY ORDAINED by the City Council of the City of Eastman, pursuant to the authority vested in that body under the laws of the State of Georgia that:

The Code of Ordinances of the City of Eastman, **Chapter 38 – Utilities and Services, Article IV Solid Waste Collection And Disposal, Section 38---200 – Limitation On Quantity** is hereby amended as follows:

Sec. 38---200 shall be entitled: Limitation on Quantity, Quality and Type

Sec. 38-200(a) is incorporated herein by reference as if fully set forth;

Sec. 38-200(b) is struck in its entirety and in its place the following shall be inserted:

(b) No domestic waste composted of meats, vegetable and fruit scraps, garbage, household refuse, cans, glass, paper, cardboard, rags, or other such waste matter normally to be disposed of from residences, eating establishments, and other businesses, shall be placed with or mixed with yard or garden waste, leaves, limbs, tree trimming, grass clippings, straw, or shrubbery trimmings. Any and all mixed waste consisting of domestic waste and yard or garden waste, shall not be collected by the City and shall be disposed of by the owner, lessee or occupant of the premises at their sole cost and expense at the Dodge County Landfill. Any and all mixed waste consisting of domestic waste and yard or garden waste left on the premises in excess of two (2) weeks shall be a violation of this Section as set forth in Sec. 38-204, and subject to a fine of not less than \$250.00.

The following Sec. 38-200(c), and (d) are hereby added, as follows:

(c) Electrical goods, appliances, used domestically or commercially, such as refrigerators, washing machines, or furniture, clothing, building materials, or other items shall be disposed of by the owner, lessee or occupant of the premises at their sole cost and expense at the Dodge County Landfill, and shall not be collected by the City. Any and all such items herein described left on the premises in excess of two (2) weeks shall be a violation of this Section as set forth in Sec. 38-204, and subject to a fine of not less than \$250.00.

(d) The City shall not be responsible for the collection, hauling and disposing of the residue created and left by operators as a result of the operations of professional pulpwood cutting, professional timber cutting of any type, professional tree surgeons operation and professional tree trimmers of any type whatsoever of like residue originating from professional services on private or public property within the City, and same shall be disposed of immediately by the operator upon creating same.

Additionally, The Code of Ordinances of the City of Eastman, **Chapter 38 – Utilities and Services, Article IV Solid Waste Collection And Disposal, Section 38—205 – Dumping Septage**, is hereby amended as follows:

Sec. 38-205 including title and all subparts are struck in its entirety and in its place the following shall be inserted:

Sec. 38---205 shall be entitled Dumping Septage or Debris.

(a) The City shall not accept septage in its sewage system. Anyone found dumping septage either in the city sewage system or elsewhere shall be subject to a fine of up to \$500.00.

(b) The dumping of debris, including but not limited to grass clippings, limbs, leaves, debris, junk, trash, food, and/or food byproducts, on either private property or in public stormwater drainage pipes, catch basins, gutters, or ditches is prohibited. Anyone found to be in violation of this Section shall be subject to the penalties in Sec. 38-204, and a fine of not less than \$250.00.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Eastman that this ordinance shall be maintained for public inspection at the Eastman City Hall under the custody of the City Clerk;

NOW THEREFORE, BE IT RESOLVED AND ORDAINED by the City Council that the Code of Ordinances of the City of Eastman, Chapter 38 – Utilities and Services, Article IV Solid Waste Collection And Disposal, Section 38---200 – Limitation On Quantity is hereby amended by renaming Sec. 38-200 to Limitation on Quantity, Quality and Type; and, abolishing

Sec. 38-200(b) and adding revised Sec. 38-200(b); and, adding Sec. 38-200(c), and (d). Additionally, Sec. 38-205, its title and all subparts are deleted and in its place Sec. 38-205 shall prohibit the dumping of septage, debris, and provide for penalties, all as set forth above.

BE IT FURTHER ORDAINED that should any portion of this ordinance be declared invalid, the remaining provisions shall continue in full force and effect.

It is the intention of the City Council and it is hereby enacted that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Eastman, Dodge County, State of Georgia, on the second reading as provided by law.

First Reading: August 14, 2023; Second Reading: _____ 2023
EFFECTIVE on the date of the Second Reading.

CITY OF EASTMAN

Buddy Pittman, Chair

ATTEST:

April Sheffield, City Clerk [Seal]