

ORDINANCE NO. 3430

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 18 GARBAGE AND REFUSE, ARTICLE II, MUNICIPAL COLLECTION AND DISPOSAL SERVICE, SECTION 18-25, CONTAINER REQUIRED; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:

ORDINANCE

**Section 1.** That the Midwest City Municipal Code, Chapter 18 Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, Container required; duty to use is hereby amended to read as follows:

**Sec. 18-25. - Container required; duty to use.**

- (a) Except as otherwise provided in this article, all residential customers shall place their garbage and refuse in the carts provided by the city and, beginning July 1, 2013, their recyclables in a separate cart provided for that purpose by the city.
  
- (b) The city shall provide one (1) cart for each residence for garbage and refuse, and one (1) cart for each residence for materials that are to be recycled. Residents are allowed to have additional refuse carts per residence from the city. These carts will be emptied on a weekly basis when the primary cart is emptied with the monthly cost to the resident of the additional carts being seven dollars (\$7.00) for each additional cart. Each additional cart requested will require a one year commitment paid in monthly increments unless the customer requests its removal before the end of the year at which point the remaining cost of the commitment will be added to the utility bill. Residential recycling carts will be emptied bi-weekly.

The resident may place normal household garbage and refuse, as defined in section 18-1 of this Code, in the refuse cart(s) for collection. Residents may not place household hazardous waste, or regulated medical waste, as defined in section 18-1 of this Code in the refuse cart(s) for collection. Residents may place materials they wish to be recycled in the recycling cart. The resident shall be responsible for the safekeeping of the carts until such time as an inspection is made by the city and service is terminated. Should any person change residences, the person shall promptly notify the city. If any cart is lost or stolen, the resident shall promptly notify the police department of the loss or theft of the cart and obtain a case number. Lost or stolen carts will not be replaced without a case number from the police department. The city will empty the carts so long as the carts contain no more than two hundred (200) pounds of garbage and refuse in each cart during any given pickup. If a cart is damaged beyond normal wear and tear, including fire damage from improper disposal of fire ashes, the cost of replacement

1 shall be charged to the resident at the current replacement cost of the cart. All carts  
2 shall remain the property of the city even though the resident may have paid for a  
3 replacement cart. All carts are to remain at the residence to which they are assigned. It  
4 shall be unlawful and an offense for a person to be in possession of a cart without the  
5 permission of the resident to which it is assigned. It is the responsibility of the resident  
6 to keep the cart clean. At the request of the resident, carts can be cleaned by the city.  
7 Such cleaning shall be performed for a twenty dollar (\$20.00) charge which shall be  
8 paid by the resident.  
9

10 (c) All carts to be emptied, including recycling carts, shall be placed at the curblin. Carts  
11 are not to be obstructed from view, e.g., behind parked cars, behind hedges, etc. Carts  
12 shall be placed for collection no earlier than 7:00 p.m. the day before the scheduled  
13 collection and no later than 7:00 a.m. the day of scheduled collection. Parking shall  
14 not be in front of or blocking access to a poly cart. The resident is required to return  
15 the carts to their regular storage place within five (5) feet of the residential structure or  
16 behind the front building line of the property by no later than 7:00 p.m. the day of  
17 scheduled collection. Failure to return the carts by the stated time limitation above may  
18 result in a fine as set forth in 1-15 of this code, assessed to the responsible party. A  
19 twenty dollar (\$20.00) call back collection fee shall be charged to empty a cart and/or  
20 pick up authorized items not at the curblin prior to 7:00 a.m. the day of scheduled  
21 collection. Any items that are not in compliance with subsection (d) below that are not  
22 picked up during collection shall be removed from the curblin by no later than 7:00  
23 p.m. on the day of scheduled collection. Failure to remove such items not in compliance  
24 with subsection (d) by 7:00 p.m. may result in a citation for violation of this Code.  
25

26 (d) Residents may not place with the carts other types of containers for collection. Garbage  
27 and refuse placed in refuse carts and recyclable materials placed in recycle carts will  
28 be the only things that will be collected during a normal collection.  
29

30 (e) Rollout service will be provided for the disabled. Any residence in which all the  
31 residents are disabled may request rollout service be performed by the city. The director  
32 shall determine the need for rollout service and to approve or disapprove requests. If  
33 the director determines that a particular residence qualifies for rollout service, the city  
34 will roll out, dump and return the carts at no extra charge.  
35

36 (f) There will be a charge of twenty dollars (\$20.00) if a cart is picked up and returned for  
37 nonpayment of a sanitation bill.  
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39 **Section 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby  
40 repealed.  
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42 **Section 3. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for  
43 any reason held to be invalid, such decision shall not affect the validity of the remaining  
44 provisions of the ordinance.  
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1 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,  
2 Oklahoma, this 10 day of November, 2020.

3  
4 THE CITY OF MIDWEST CITY, OKLAHOMA



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7  
8 Matthew D. Dukes, II  
9 MATTHEW D. DUKES, II, Mayor

10 ATTEST:

11 Sara Hancock  
12 SARA HANCOCK, City Clerk

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14 Approved as to form and legality this 12 day of November, 2020.

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16  
17 Heather Poole  
18 HEATHER POOLE, City Attorney

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