

NOTICE

THE COMMISSIONERS OF THE CITY OF REHOBOTH BEACH ON APRIL 4, 2016,  
ADOPTED ORDINANCE NO. 0416-02 WHICH READS AS FOLLOWS:

**AN ORDINANCE TO AMEND CHAPTER 227, SOLID WASTE,  
OF THE MUNICIPAL CODE OF THE CITY OF REHOBOTH BEACH, DELAWARE, 2001,  
SECTIONS 227-1, 227-9, 227-11, 227-25, and 227-31, RELATING TO  
THE PLACEMENT AND COLLECTION OF WASTES AND RECYCLABLES**

**WHEREAS**, the Mayor and Commissioners desire to modify regulations relating to the storage, placement, and collection of wastes and recyclables within the City to provide for the efficiency of City services and the orderly appearance of the City.

**BE IT ORDAINED** by the Commissioners of the City of Rehoboth Beach, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

**Section 1.** Chapter 227, Section 227-1 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting from the first sentence the word “article” as such word appears therein, and inserting in lieu thereof the word “Chapter”.

**Section 2.** Chapter 227, Section 227-1 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting from the definition of BAG, the word “polyethelyne” as such word appears therein, and inserting in lieu thereof the word “polyethylene”, and by deleting the phrase “having a tie string” as such phrase appears therein.

**Section 3.** Chapter 227, Section 227-1 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting from the definition of GARBAGE, the word “and” as such word appears therein between the words “food” and “wastes”, and by inserting the phrase “, and animal waste” after the word “produce”.

**Section 4.** Chapter 227, Section 227-1 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting from the definition of REFUSE, the phrase “tree branches, yard trimmings,” as such phrase appears therein, the phrase “tin cans,” as such phrase appears therein, and the word “leaves,” as such word appears therein, and by inserting a new subsection C, and re-lettering the displaced subsections, as follows:

C. Garbage.

**Section 5.** Chapter 227, Section 227-1 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by inserting alphabetically the following new definitions:

**BUNDLE**

Branches and prunings tied together, no longer than four feet in length and not exceeding 50 pounds in weight.

**DISPOSABLE CONTAINER**

A bag, box or similar container (other than a waste container) intended for one time disposal of waste and which will prevent leakage if any liquids are present.

#### LEACHATE

Any liquid which drains from garbage or any liquid which comes in contact with any part of a container previously contacted by garbage, including all water that comes in contact with garbage or parts of a container previously in contact with garbage, such as (without limitation) water used to wash a dumpster or rainwater that drains from or through garbage.

#### RECYCLABLES

Any material or group of materials that can be collected and sold or used for recycling.

#### TRASH

Refuse containing no food, food waste, animal waste, human waste or any such matter.

#### WASTE

Refuse, recyclables and yard waste intended for disposal.

#### WASTE CONTAINER

A reusable rigid plastic or metal container with watertight lid and suitable handles or tipper mechanism compatible with city refuse trucks and used for the storage of recyclables, yard waste and bagged garbage and refuse.

#### YARD WASTE

Organics including grass, leaves, prunings, brush, shrubs, garden materials, Christmas trees and tree limbs up to 4" in diameter.

**Section 6.** Chapter 227, Section 227-9 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting from the title the phrase "Placement of containers" as such phrase appears therein, and inserting in lieu thereof the phrase "Collection of refuse", and by deleting from the title the word "limit" as such word appears therein, and inserting in lieu thereof the word "limits", and by deleting the phrase "waste material" as such phrase appears between the words "all" and "in" therein, and inserting in lieu thereof the word "refuse", and by deleting the phrases "or disposable containers", "collection forces", and "within eight hours after the waste shall have been collected" as such phrases appear therein, and by deleting the word "material" as such word appears between the words "waste" and "containers" therein, and by deleting the word "lot" as such word appears before the word "shall" therein, and inserting in lieu thereof the word "dwelling", and by inserting between the words "in" and "containers" as such words appear therein, the word "waste", and by inserting between the words "lot" and "in" as such words appear therein, the phrase "not earlier than 6:00 p.m. on the day prior to collection day or shall place any refuse in disposable containers not earlier than 5:00 a.m. on collection day".

**Section 7.** Chapter 227, Section 227-11 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting Section 227-11 in its entirety and inserting new Section 227-11 as follows:

#### **§ 227-11. Collection of yard waste and recyclables; time limits.**

- A. The City will collect yard waste as needed, provided that such yard waste is either:

- (1) contained in paper bags specifically manufactured for yard waste or securely tied together in bundles and does not exceed 50 pounds in weight or four feet in length; or
- (2) is placed within a City owned and furnished yard waste container.

Disposal of leaves, branches and tree trimmings not so bagged or tied shall be the responsibility of the property owner.

- B. From October 1 to May 14 of each year, the City will collect loose leaves and pine needles free of foreign debris such as lumber, stones, bricks, branches and any type of garden or flower bed stalks when placed at the curb line or on the road shoulder.
- C. The City will collect recyclables provided that such recyclables are contained in a City owned and furnished recycling container.
- D. The owner or occupier of any given lot shall place all recyclables or yard waste in specified containers along the street in front of such lot not earlier than 6:00 p.m. on the day prior to collection day in order that it may be conveniently collected by the City. All recycling and yard waste containers shall be removed from City property not later than 9:00 p.m. on collection day. Bagged and bundled yard waste and loose leaves and pine needles may be placed along the street at any time.
- E. Any violation of this section is declared a civil offense pursuant to Chapter 126 of the Municipal Code of the City of Rehoboth Beach.

**Section 8.** Chapter 227, Section 227-25 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting Section 227-25 in its entirety.

**Section 9.** Chapter 227, Section 227-31 of the Municipal Code of the City of Rehoboth Beach, Delaware, 2001, as amended be and the same is hereby further amended by deleting the numbers “500” and “1,000” as such numbers appears therein, and inserting respectively in lieu thereof the numbers “250” and “500”.

**Section 10.** This Ordinance shall take effect June 1, 2016.

**SYNOPSIS:** This Ordinance amends provisions of Chapter 227 of the Municipal Code of the City of Rehoboth Beach relating to the placement and collection of wastes and recyclables, related definitions, and related assessments and fines for violations.