

ORDINANCE 20-2026

AN ORDINANCE AMENDING CHAPTER 26, ARTICLE VI, DIVISION 2 OF THE OWENSBORO MUNICIPAL CODE RELATING TO THE COLLECTION OF LOOSE LEAVES AND USE OF CONTAINERS AT APARTMENT COMPLEXES WITH TEN (10) OR MORE UNITS.

WHEREAS, the Sanitation Department has requested the municipal code be amended to provide flexibility in establishing the beginning date of the loose leaf collection season and the use of containers at apartment complexes with ten (10) or more units; and

WHEREAS, the change related to leaf season will allow the Sanitation Department to better align leaf collection efforts with the peak period of leaf fall; and

WHEREAS, the change related to sanitation collection at apartment complexes of ten (10) or more units will allow more flexibility with container use upon the approval of the sanitation manager.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF OWENSBORO, AS FOLLOWS:

Section 1. That Chapter 26, Article VI, Division 2 of the Owensboro Municipal Code be, and the same is hereby amended, to read as follows:

Sec. 26-262. Collection schedule and availability of service.

- (a) Mobile containers will be serviced once a week in accordance with a schedule prepared by the sanitation manager with the exception of commercial or industrial areas that may require more frequent servicing.
- (b) Special assistance to physically impaired individuals who live alone is available, upon the approval of the sanitation manager. The sanitation manager shall require a doctor's certificate for those persons who are unable to transport their mobile container to the curb.

- (c) Apartment complexes of ten (10) or more units shall be serviced by bulk containers approved by the sanitation manager. Based on the size, configuration, access, occupancy, collection needs, and other circumstances of the property, mobile containers may be used upon the approval of the sanitation manager. Apartment complex owners shall ~~[must]~~ provide an adequate number and types of ~~[bulk]~~ containers, as deemed necessary by the sanitation manager, to service the apartment residents.

Sec. 26-263. Collection preparation.

- (a) All mobile containers must be at the curb before 6:00 a.m. on collection day. Mobile containers that have not been placed at the curb when the collection truck passes may not be collected until the following scheduled pickup date.
- (b) Locations where service issues persist for mobile containers repeatedly not being placed timely at curb, upon written notice by the sanitation manager to the householder, resident, or owner, a return for collection will constitute a special collection and a service fee of twenty-five dollars (\$25.00) may be added to the monthly sanitation charge for each return collection required.
- (c) The mobile containers shall be removed from the curb on the same day they are serviced and shall be stored behind the plane of the front wall (excluding porches) of the residence or establishment or as directed or approved by the sanitation manager. Failure to remove the mobile container shall constitute a violation of this article enforceable by citation by a code official. If, upon a notice of violation the mobile container remains at the curb for twenty-four (24) hours, a citation shall be issued and a fine of twenty-five dollars (\$25.00) shall be assessed to include an additional administrative service fee of twenty-five dollars (\$25.00) for each violation for a total of fifty dollars (\$50.00) for each occurrence cited.

Notice of violations/citations related to enforcement of this article shall utilize the forms and appeal process format as per the property maintenance ordinance as found in chapter 5, article IV of this Code.

- (d) Any appeal of a citation issued under this section shall:
 - (1) Be in writing;
 - (2) State the reason or grounds for the appeal; and
 - (3) Be mailed or delivered to the director of public works, 1410 West Fifth Street, Owensboro KY 42301.
- (e) All solid waste shall be deposited in approved mobile containers.
- (f) The sanitation manager shall determine that area considered to be the curb as it relates to refuse collection.
- (g) Preparation exceptions:
 - (1) Leaves: Loose leaf collection shall be scheduled by the sanitation manager beginning in the fall ~~[late September or early October]~~, and shall run through February 15. Loose leaves to be collected shall be placed/piled behind the curb,

out of the gutter and not blocking the sidewalk. Leaves collected after February 15 to April 1 must be bagged by the resident or deposited in containers with a maximum capacity of thirty-two (32) gallons, not exceeding thirty (30) pounds in weight, and appropriately identified for yard waste collection.

- (2) *Yard waste*: Yard waste, excluding grass, shall be deposited in containers with a maximum capacity of thirty-two (32) gallons, not exceeding thirty (30) pounds, and appropriately identified for collection.
- (3) *Grass clipping disposal*: Blue bags may be purchased at City Hall if a residential customer desires to dispose of grass clippings.
- (4) *Prohibited material*: No loose aggregate material such as sand, soil, gravel, unbagged cat litter, rocks, building materials, compressed gasses, or liquids will be collected. No material placed by contractors or other individuals hired to remove leaves, grass clippings, and similar items will be collected. Contractors shall collect and dispose, at their expense, all their waste materials generated to a solid waste facility permitted by the Commonwealth of Kentucky.
- (5) *City property or buildings*: Collections, transportation, or disposal of building material, trash, refuse, etc. generated from city-owned buildings, property, or locations shall be exempt.

INTRODUCED AND PUBLICLY READ ON THE FIRST READING, this the 6th day of October, 2026.

PUBLICLY READ AND FINALLY APPROVED ON SECOND READING, this the 20th day of October, 2026.

Thomas H. Watson, Mayor

ATTEST:

Beth Davis, City Clerk