

PROPOSED DRAFT

CITY OF MERIDIAN ORDINANCE NO. 25-_____

BY THE CITY COUNCIL:

CAVENER, LITTLE ROBERTS, OVERTON,
STRADER, TAYLOR, AND WHITLOCK

AN ORDINANCE AMENDING MERIDIAN CITY CODE SECTION 4-1-3 TO ADD DEFINITIONS OF “HOUSEHOLD WASTE” AND “TEMPORARY PROJECT”; AMENDING MERIDIAN CITY CODE SECTION 4-1-4, REGARDING COMPULSORY USE OF SOLID WASTE COLLECTION FRANCHISEE’S SERVICES; AMENDING MERIDIAN CITY CODE SECTION 4-1-8, REGARDING COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIALS, SPECIFICALLY TEMPORARY PROJECT SERVICE AND ON-CALL SERVICE; AMENDING MERIDIAN CITY CODE SECTION 4-1-10(G), ADDING AN EXCEPTION TO COMPULSORY USE OF FRANCHISEE FOR TEMPORARY PROJECT SOLID WASTE COLLECTION; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in the 2025 session, the Idaho legislature amended Idaho Code section 50-344 to allow citizens to contract “with a solid waste collection provider of the person’s choosing” for “temporary and project-specific” waste hauling, notwithstanding a franchise agreement that says otherwise; and

WHEREAS, Idaho Code section 50-344 further authorizes cities to define “temporary and project-specific”; and

WHEREAS, the City Council of the City of Meridian finds the following amendments to Meridian City Code to be authorized by Idaho Code section 50-344 and to be in the best interest of the health, safety, and welfare of the public;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, ADA COUNTY, IDAHO:

Section 1. That two new definitions shall be added to Meridian City Code section 4-1-3, to read as follows:

Household solid waste means solid waste generated as a result of residential activities, including packaging materials, food scraps, paper, yard waste, and discarded household items.

Temporary project means an activity, ninety (90) days or less in duration, that generates solid waste and that necessitates a container for collection and removal of such waste.

Section 2. That Meridian City Code section 4-1-4 shall be amended as follows:

4-1-4. Compulsory use required.

All residential owners and/or occupants; all commercial owners and/or occupants; and all persons undertaking, providing, or allowing the provision of construction contractor or landscaper services; within the City of Meridian; shall pay for, and shall be provided, solid waste and recyclable materials collection services by the franchisee, except as otherwise provided in this chapter. Such services shall be provided in the manner and by the means as may be established by the written franchise agreement and all applicable City ordinances and resolutions.

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Section 3. That Meridian City Code section 4-1-8 shall be amended as follows:

4-1-8. Collection of solid waste and recyclable materials.

- A. *Collection at all premises.* The following provisions shall apply to all customers and premises within the City of Meridian:
1. *Containers and wheeled carts.* All solid waste and recyclable materials must be deposited in franchisee owned and supplied containers or wheeled carts for collection except for special collection services, temporary project service, or the use of customer owned compactor containers on commercial or residential multifamily premises.
 2. *Liquids.* All solid waste shall, before deposit in containers or wheeled carts, be free of any liquids.
 3. *Containers and wheeled carts to be kept clean.* All customers shall maintain franchisee owned and supplied containers and wheeled carts in a clean condition, with the inside and outside thereof free and clean of soil, grease, odor, and/or decomposing material.
 4. *Services to premises on nonpublic rights-of-way.* Franchisee shall provide service only to premises adjacent to public rights of way, unless otherwise authorized by the customer on a private or nonpublic right-of-way. The franchisee may provide collection services to premises on a private or nonpublic right of way where the customer has provided written indemnification of the city and the franchisee for any road or other damage or injury to persons or property incurred while in the course and scope of franchisee's provision of solid waste and recyclable materials collection services.
 5. *Notice of noncollection.* When the franchisee encounters prohibited or improperly prepared solid waste and/or recyclable materials, the franchisee shall collect any properly prepared materials and leave the improperly prepared materials, with a written notice affixed thereto. Such written notice shall include the date, time, and service address, with a brief description of the reason for noncollection. The franchisee shall keep a copy of the notice for thirty (30) days, and shall supply a copy of such notice upon request.
 6. *Temporary project service.* Pursuant to Idaho Code section 50-344, any person may contract with a solid waste collection provider of the person's choosing for the use of solid waste collection containers and collection services for a temporary project, as such term is defined in this chapter. The following shall apply to temporary project service:
 - a. The owner of a property on which a temporary project is occurring shall be presumed to be responsible for carrying on or allowing the carrying on of temporary project service.
 - b. The owner of a property on which a temporary project is occurring shall carry on or allow the carrying on of such temporary project for no longer than ninety (90) days. If

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a project or undertaking is of a duration longer than ninety (90) days, the owner shall utilize, or require the person carrying on the temporary project to utilize, solid waste collection services provided by franchisee.

c. One (1) temporary project may occur per property per calendar year.

d. No person shall use a temporary project container to contain household solid waste, prohibited waste.

e. No person shall place solid waste not generated by the temporary project in a temporary project container.

f. All temporary project containers shall have clearly readable identification, on at least two sides, using font at least two inches (2") in height, with the company name and an active phone number at which the entity providing the container and/or collection services may be reached.

g. Entities providing solid waste collection services for temporary projects shall collect temporary project waste at least once every thirty (30) days, unless such waste is putrescible or greater frequency is appropriate, in the City's discretion, considering protection of the environment and public health and safety.

h. Wheeled carts shall not be used as temporary project containers.

B. *Collection at commercial premises.* The following provisions shall apply to all commercial customers and premises within the City of Meridian:

1. *Frequency of service.* Franchisee shall provide commercial service every day except Sunday, commencing at 4:00 a.m. Public and private schools shall be serviced between 4:00 a.m. and 7:00 a.m. Franchisee shall collect solid waste and recyclable materials from commercial premises at least once weekly.
2. *Types of container.* The franchisee shall collect solid waste and recyclable materials from commercial premises in one (1) of the following types of container, per arrangement with the customer:
 - a. *Containers.* Commercial premises solid waste service may be provided with franchisee owned and supplied containers in the size requested by the customer, subject to approval by the franchisee.
 - b. *Compactor service.* The franchisee may provide collection services to commercial premises utilizing a compactor container where the customer has provided written indemnification of the city and the franchisee for any road or other damage or injury to persons or property incurred while in the course and scope of franchisee's provision of solid waste and recyclable materials collection services, and shall contact the franchisee to confirm that the compactor container and location are compatible with collection vehicles and equipment.

3. *Container placement standards.*

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- a. All commercial property owners shall screen commercial solid waste collection equipment from public streets. All such barriers shall comply with all applicable city ordinances, requirements and/or standards. No commercial collection location shall be on a public right of way or impede pedestrian traffic unless an appropriate variance is granted by the roadway authority.
- b. As to any newly constructed or remodeled commercial premises, customers shall ensure that the collection site complies with the following standards:
 - (1) All containers shall be placed on a firm, level surface pad of concrete or asphalt at least three (3) inches thick, at least twelve (12) feet wide by ten (10) feet deep for solid waste collection.
 - (2) All gates shall be constructed to rest in an open position to avoid swinging shut during collection.
 - (3) The collection space shall allow collection vehicles to turn in a forty-five-foot radius and back up a distance of at least fifty (50) feet.
 - (4) The space shall allow at least fourteen (14) feet vertical clearance at all access points, twelve (12) feet width drive clearance, and at least twenty (20) feet vertical clearance in front of the container.

4. On call service. Franchisee shall provide on-call service as requested by a customer for projects over ninety (90) days in duration, or as otherwise needed. Franchisee shall provide on-call service within two working days of a customer request, and shall collect wet or putrescible wastes at least every thirty (30) days or greater frequency is appropriate, in the City's discretion, considering protection of the environment and public health and safety.

Section 4. That Meridian City Code section 4-1-10(G) shall be amended as follows:

G. *Solid waste collection.* It shall be unlawful for any person to engage in the business of collecting, transporting, hauling, or conveying any solid waste or recyclable materials over the streets or alleys of Meridian, or to cause or employ any person to do the same, unless and until such person has a franchise, license, or contract with the City of Meridian, except that:

1. The owner or occupant of a residence where household solid waste is generated may collect, convey and dispose of such solid waste without a franchise, license, or contract with the city, so long as the receptacle used for such purpose is neither a franchisee owned wheeled cart or container, nor identical in volume and design to a wheeled cart or container available from the franchisee. Notwithstanding the applicability of this exception, the full base fee for solid waste collection services shall apply to the property.

2. A civic, community, benevolent, or charitable nonprofit organization may collect, convey, and/or market recyclable materials for recycling, for the purpose of raising funds for that organization without a franchise, license, or contract with the city, so long as the receptacle used for such purpose is neither a franchisee owned wheeled cart or container, nor identical in volume and design to a wheeled cart or container available from the franchisee. Notwithstanding the applicability of this exception, the full base fee shall apply.

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3. A construction contractor or landscaper who produces incidental volumes of solid waste in the course of construction, demolition, or landscaping may collect, convey, and dispose of such solid waste from the premises upon which it was generated without a franchise, license, or contract with the city, so long as the receptacle used for such purpose is neither a franchisee owned wheeled cart or container, nor identical in volume and design to a wheeled cart or container available from the franchisee. Notwithstanding the applicability of this exception, the full base fee shall apply.

4. Subject to this chapter, any person may contract with a solid waste collection provider of the person's choosing for the use of solid waste collection containers and collection services for a temporary project.

Section 5. That all City of Meridian ordinances, or parts thereof, that are in conflict with this ordinance are hereby repealed.

Section 6. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this ____ day of _____, 2025.

APPROVED by the Mayor of the City of Meridian, Idaho, this ____ day of _____, 2025.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 25 - _____

An ordinance amending Meridian City Code section 4-1-3 to add definitions of “household waste” and “temporary project”; amending Meridian City Code section 4-1-4, regarding compulsory use of solid waste collection franchisee’s services; amending Meridian City Code section 4-1-8, regarding collection of solid waste and recyclable materials, specifically temporary project service and on-call service; amending Meridian City Code section 4-1-10(G), adding an exception to compulsory use of franchisee for temporary project solid waste collection; repealing conflicting ordinances; and providing an effective date. The full text of this ordinance is available at Meridian City Hall, City Clerk’s Office, 33 E. Broadway Avenue, Meridian, Idaho.