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**Redevelopment
Division**

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Staff Report

ITEM
NO.

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To: Lemoore City Council
From: Judy Holwell, Redevelopment Project Manager
Date: October 12, 2011
Subject: Storage of Refuse/Recycling/Green Waste Containers

Discussion:

There has been some concern recently regarding the proper storage of refuse containers. Our City Municipal Code Section 4-1-4C(2) REFUSE STORAGE REGULATIONS (Exhibit A), requires that all such containers be removed from public view on the same day as collection is made. The City Refuse Division will occasionally attach a "hanger" to containers for various violations, one of which states that the "Cans must be removed from street by 12 midnight on the day of service" (Exhibit B). Additionally, Section 4-4-3(J) PROPERTY STANDARDS, states that it is declared a public nuisance to store trash receptacles within the front yard or on street, except when placed in locations of collection at times of collection, not extending more than twenty four (24) hours.

Typically, when complaints are received (usually by a neighbor) that cans are being left on the street, in a driveway, or in the front or side yard, our Code Enforcement Officer sends out a courtesy letter (Exhibit C) to everyone on the block whose cans are observed anywhere within the front or side yards (provided they are not screened from view) alerting them of our Code. If the problem is not corrected, then a formal violation notice (Exhibit D) is sent to the offending property owner(s) requiring compliance within two days of the date of the notice.

As you are well aware, our City has a separate trash receptacle for garbage, green waste and recycling. The cans measure 29 inches wide, 35.5 inches deep and 46.75 inches high. For some residents, storing them behind a side yard fence can be challenging since our setback requirement is only five feet. This leaves approximately 2 feet of space to maneuver the cans. It is basically impossible to take out the second or third can without taking the first can(s) out of the way first. In those instances, the side yard is just too small to conveniently move the cans in and out from behind a gated fence (Exhibit E). In addition, there may be electrical and/or gas meters, air conditioning units, water faucets, etc. protruding into the setback area, further complicating the issue.

This same concern was brought before Council on March 6, 2007. Attached for your convenience are the Staff Report (Exhibit F) and Minutes (Exhibit G). Following the

meeting, an article (Exhibit H) with various suggestions for refuse container storage was placed in one of our community newsletters.

The majority of our residents do a very good job of storing their containers either on the side of their home screened by a fence, hedge, or lattice work, or in their garage or backyard. For those that do not keep their containers concealed from view, conditions of blight occur (Exhibit I). Additionally, alleys are littered with containers even when it is not a collection day (Exhibit J).

The following are some suggestions to alert residents of our existing Code, which should reduce the number of cans being improperly stored:

1. Send out an informational flyer in the Utility Bill notifying residents of the ordinance and encouraging proper storage
2. Submit an article to the Hanford Sentinel for publication in the Focus on Lemoore section, reminding residents of the requirement to remove the containers from streets and alleyways, and to store them away from public view except during times of collection
3. Require new residential developers to provide larger side yard setbacks to ensure adequate space for walkway and storage of containers

Alternatively, Council may choose to revise the Municipal Code to allow for the storage of containers in the front and side yards. Some possible suggestions are:

4. Revise the Municipal Code to allow for the storage of containers in the front and side yards as long as they are screened (Exhibit K)
5. Revise the Municipal Code to allow for the storage of containers in the front and side yards as long as they are behind the main body of the home, placed adjacent to the home structure, and placed in a manner that only one can is directly visible – unscreened (Exhibit L)
6. Revise the Municipal Code same as No. 5 above, but containers would not have to be adjacent to the home – unscreened (Exhibit M)
7. Revise the Municipal Code to allow for the storage of containers in the front and side yards and at least 20 feet back from street/curb – unscreened (least restrictive, but has the potential for excessive blight in neighborhoods)

Budget Impact:

There will be a one-time cost if the Board chooses to revise the Municipal Code. Otherwise, no budget impact.

Recommendation:

That Council review and discuss the suggestions listed above and direct staff accordingly.