



## Questions & Answers on Garbage Service for Rental Properties

- Q) What is this code change?**  
A) Lincoln Municipal Code (LMC) now states that, “the owner of every dwelling in the city shall provide for the collection and removal of solid waste by a licensed waste hauler at least once a week ...” This applies to all single family and duplex rental properties. Owners must also provide a sufficient number of acceptable waste containers.
- Q) When did this code change become effective?**  
A) June 21, 2011
- Q) Who does this change affect?**  
A) Owners and tenants of single family and duplex rental properties.
- Q) Has the code changed for multi-family dwellings (triplexes or larger)?**  
A) No. LMC requires every dwelling containing more than two dwelling units to have garbage service provided at least twice every week by a licensed waste hauler.
- Q) Has the code changed for owner occupied dwellings?**  
A) No. People in owner occupied dwellings may contract for garbage service or haul their own garbage to the landfill.
- Q) Can a property owner haul garbage from their rental properties?**  
A) No. This has not changed and is prohibited under LMC 8.32.
- Q) Can a tenant haul their own garbage?**  
A) No. This has not changed and is prohibited under LMC 8.32.
- Q) What is considered a “sufficient number of acceptable containers?”**  
A) Enough containers with room for storing all solid waste materials prior to removal from the premises. All containers used for garbage shall be kept covered or closed to prevent the entrance of insects and rodents. No garbage may be piled on the ground.
- Q) What are considered “acceptable containers?”**  
A) LMC 8.32.220 includes several specifications for acceptable containers, including:  
Garbage can: A container or receptacle constructed of a metal treated to prevent rusting, or heavy duty plastic for garbage and refuse, of substantial construction with a matching overhanging, tight-fitting lid and provided with handles sufficient for safe and convenient handling. Such receptacles or containers shall be water-tight and fly-tight, having a capacity of not more than thirty-two gallons and shall be kept in serviceable conditions at all times.

Poly-kart, roll-out, or toter: A container or receptacle constructed of a metal frame with molecular stabilized polyethylene body, or a total unit constructed of a heavy polyethylene plastic alloy, thus being “water-tight.” Such containers shall have lids so constructed so as to prevent insect and rodent entry. Each container shall have at least two wheels and a handle for easy and safe mobility. We encourage the use of toters offered by the waste hauler.

Front- and/or rear-loading bulk container: A container or receptacle, constructed of 14-gauge or heavier metal treated to prevent rust, or heavy-duty rigid plastic of water-tight construction with doors or lids opening on sides or top and constructed such that it can be emptied mechanically by special trucks. Doors and lids must be manufactured from 12-gauge or heavier metal or heavy-duty rigid plastic.

Plastic bags: Plastic bags shall not be used for storage of solid waste containing garbage or lawn waste and shall not be used in place of the aforementioned receptacles. Plastic bags may be used in the following ways:

- (1) As a liner for garbage cans;
- (2) To hold and contain garbage and refuse which is placed in one of the aforementioned containers.

**Q) How will this code be enforced?**

A) Garbage problems will be handled on a complaint basis. If a garbage complaint is received, the property owner will be notified and required to provide proof of garbage service by a licensed waste hauler.

**Q) Does this affect properties outside the Lincoln City Limits?**

A) Yes. The ordinance applies to the City and its three-mile zoning limit.

**Q) What if my current lease requires my tenants to pay for garbage service - do I have to start paying for garbage service now?**

A) Yes. You must provide service for your tenants.

**Q) What about “super recyclers” and elderly persons that generate very little garbage?**

A) We encourage people to work with their waste hauler to accommodate their needs. A hauler may offer a senior citizen discount, for example.

**Other questions? Please call the Lincoln-Lancaster County Health Department at 402-441-8022.**