

By: Representative Dixon

To: County Affairs;
Municipalities

HOUSE BILL NO. 1236

1 AN ACT TO REQUIRE BUSINESSES, COMMERCIAL PROPERTIES AND
2 FOR-PROFIT ORGANIZATIONS TO HAVE WASTE RECEPTACLES FULLY ENCLOSED,
3 NOT VISIBLE FROM THE STREET AND ACCESSIBLE TO WASTE MANAGEMENT
4 SERVICES; TO PROHIBIT THE DISPOSAL OF WASTE OUTSIDE OF WASTE
5 RECEPTACLES; AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** (1) For the purposes of this section, the terms
8 "garbage," "rubbish" and "solid waste" shall be defined as
9 provided in Section 17-17-3.

10 (2) Businesses, commercial properties and nonprofit and
11 for-profit organizations shall have a waste receptacle that is
12 fully contained in an enclosure so that the receptacle is not
13 visible from the street. This enclosure shall be accessible by
14 waste management services for the purpose of removing waste from
15 the receptacle, and shall be opaque and fully conceal the waste
16 receptacle from view.

17 (3) It shall be unlawful for a business, commercial property
18 or for-profit organization to dispose of solid waste, garbage or
19 rubbish outside of a waste receptacle. If it is found that the



20 waste receptacle has reached its limit of waste containment before
21 waste management services are scheduled for waste disposal, there
22 shall be an additional waste receptacle on the premises to contain
23 any excess solid waste, rubbish or garbage. If an additional
24 waste receptacle is necessary, it shall be fully contained in an
25 enclosure so that the receptacle is not visible from the street.
26 This enclosure shall be accessible by waste management services
27 for the purpose of removing waste from the receptacle, and shall
28 be opaque and fully conceal the waste receptacle from view.

29 (4) A business, commercial property, nonprofit organization
30 or for-profit organization that is in violation of this section
31 shall be fined One Thousand Dollars (\$1,000.00) for a first
32 offense, One Thousand Five Hundred Dollars (\$1,500.00) for a
33 second offense and Two Thousand Dollars (\$2,000.00) for a third or
34 subsequent offense.

35 (5) Fines shall be payable to the municipal or county
36 authority that provides waste management services. If a
37 municipality and county share authority for providing waste
38 management services, the fines shall be shared proportionately to
39 their authority for providing those services.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2018.

