

**TITLE V: PUBLIC WORKS**

**Chapter 50.**

**GARBAGE AND REFUSE**

- 1. 50.01 Refuse required to be deposited in approved containers
- 2. 50.02 Burning or burying garbage and refuse; permit required
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**§ 50.01 REFUSE REQUIRED TO BE DEPOSITED IN APPROVED CONTAINERS.**

It shall be unlawful for any person to throw, place, or deposit any garbage or refuse of any kind on any public or private property except in approved containers or as otherwise provided in this chapter. Penalty, see § 10.99

**§ 50.02 BURNING OR BURYING GARBAGE AND REFUSE; PERMIT REQUIRED.**

(A) It shall be unlawful to burn or set fire to or bury any garbage for the purpose of disposal.

(B) In addition, it shall be unlawful to bury any refuse for the purpose of disposal unless a permit therefore has been granted by the Town Clerk. Penalty, see § 10.99

**§ 50.03 ACCUMULATION OF GARBAGE AND REFUSE PROHIBITED.**

(A) All garbage and refuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit garbage or refuse to accumulate or

remain on any premises longer than is reasonably necessary to remove and deposit same in approved containers as required herein. Penalty, see § 10.99

**§ 50.04 CONTAINERS REQUIRED; SPECIFICATIONS.**

The occupant of every building or premises where garbage and refuse does or may exist shall provide containers made of substantial galvanized, iron, plastic, rubber, or other non-rusting material in which shall be deposited all garbage and refuse existing at that building or premises.

Each container shall be provided with handles or bails and with a tight fitting cover made of the same material as the container.

Only containers approved by the Town’s contracted garbage service shall be allowed for garbage and recycling pickup. The garbage and recycling containers are to be 96-gallon containers. Lids on these containers must have the ability to close fully and be watertight on day of pick up.

All containers shall be kept in a reasonably clean condition.

Penalty, see § 10.99

**§ 50.05 PRE-COLLECTION PRACTICES; REQUIREMENTS.**

Amended March 20<sup>th</sup> 2017

(A) All garbage and refuse shall have the liquid drained there from and shall be wrapped in paper or other like material before it is placed in the container for collection.

Ashes and cinders shall be placed in a separate container provided for that purpose, and no ashes shall be deposited in any container until they are cold.

(B) Containers that fail to have a cover as required in § 50.04 above or which become rusted or broken and therefore are unable to contain garbage and refuse in a satisfactory manner shall not be used. Penalty, see § 10.99

(C) Containers shall be placed for pickup not more than 24 hours prior to pickup and must be removed no longer than 24 hours after pickup.

(D) When not in use, containers shall not be stored in the front of a building and must be kept from view from the front street.

Buildings with corner lots must keep the container out of view from the front street and the side street facing the road.

(E) No refuse for special collections shall be stored in plain sight or at curb more than 7 days prior to pickup.

Any materials not picked up by special collection remains the responsibility of the property owner.

(F) Any violation of this ordinance shall constitute an automatic \$50.00 civil violation served to the owner of

the property or responsible party at the time the violation is observed.

(G) A \$50.00 per day civil violation shall be issued for each day the violation is not corrected.

(H) There shall be no order to correct violation issued with a grace period to comply violation.

(I) Code enforcement shall have authority to allow exceptions under special circumstances and shall have final determination on whether a violation has occurred.

**§ 50.06 DEFINITIONS.**

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**CONTAINER**

See § 50.04 Containers required; specifications.

**IN USE**

A container that is ready for pickup and has been placed at the appropriate location for pickup near the road no more than 24 hours before scheduled pickup and no later than 24 hours after pickup has occurred.

**MAIN STRUCTURE**

The largest portion of the building that creates the primary shape of the structure. NOTE: porches, nooks, additions, etc. will not be accepted as the main structure.

***FRONT OF BUILDING***

The area past the front of the façade on the main structure of any building.

***FRONT STREET***

A street/road/highway that faces the front of the building.

***SIDE STREET***

A street/road/highway that faces the side of the building on a corner lot.

***GARBAGE & REFUSE***

All non-hazardous solid waste from a community that requires collection and transport to a processing or disposal site is called refuse or municipal solid waste. Refuse includes garbage and rubbish. Garbage is mostly decomposable food waste; rubbish is mostly dry material such as glass, paper, cloth, or wood.

***SPECIAL COLLECTIONS***

All non-hazardous garbage, refuse, rubbish, debris, etc. that is not normally picked up on a scheduled basis that has a specific date assigned for pickup (i.e. leaves, large item pickup, etc.).