

# TITLE V: PUBLIC WORKS

Chapter  
50. GARBAGE AND REFUSE

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### GENERAL PROVISIONS

#### § 50.01 LITTERING.

(A) *Littering on public and private property.* It shall be unlawful for any person to throw or deposit upon any street or sidewalk, or upon any private property, except with written permission of the owner or occupant of such private property, any trash, refuse, garbage, building material, cans, bottles, broken glass, paper, or any type of litter.

(B) *Littering from vehicles.* It shall be unlawful for any person, while a driver or a passenger in a vehicle, to throw or deposit litter upon any street or other public place within the town or upon private property.

(1997 Code, § 32-1) Penalty, see § 10.99

#### § 50.02 MAINTENANCE OF PUBLIC AREA.

Every owner, lessee, tenant, occupant or person in charge of any commercial establishment or premises which maintains any paved or unpaved areas for the use of the public, either for parking or as access area and incident to the carrying on of the principal business of any such commercial establishment or premises, and which parking or access areas abut or lie within 10 feet of any public street or other public way, shall keep and maintain the areas clean and free from trash, litter, rubbish and any materials liable to be blown, deposited or cast upon the street or other public way.  
(1997 Code, § 32-2)

### **§ 50.03 RECEPTACLES.**

Suitable receptacles shall be provided in all parking or access areas within the meaning of § 50.02. The receptacles shall be plainly marked and constructed to prevent scattering of any trash, litter, rubbish or other material deposited therein.  
(1997 Code, § 32-3)

## **COLLECTION AND DISPOSAL**

### **§ 50.15 DEFINITION.**

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

**GARBAGE.** All refuse, animal, fruit and other vegetable matter, all tin cans, crockery and glassware in which any such matter has been put up or stored, and all rags, wastepaper, floor sweepings and other combustible refuse, except building material scraps and tree trimmings. This definition excludes human and animal waste.  
(1997 Code, § 32-31)

### **§ 50.16 PROMPT REMOVAL OF GARBAGE REQUIRED.**

No garbage that has become decayed or that shall otherwise be a menace to health or cleanliness shall be allowed to remain in any dwelling house, hotel, boardinghouse, café, restaurant, lunch stand, fruit stand, meat market, store or other building, or on any premises for a longer time than shall be reasonably necessary to remove and deposit the same in a can as provided in § 50.17.  
(1997 Code, § 32-32) Penalty, see § 10.99

### **§ 50.17 CONTAINERS.**

The occupant of every building, premises or place where garbage does or may exist shall provide himself or herself with a garbage can made of substantial nonrusting material in which

he or she shall deposit all garbage existing at the place occupied by him or her. The can shall be provided with handles or bales and with a tightfitting cover made of the same material as the can. All garbage cans shall be watertight. Garbage cans shall be of a size that would be conveniently handled by the garbage collector, not to exceed in holding capacity more than the size noted in the current contract with the town's waste collection contractor. All garbage cans shall be placed so that they can be conveniently reached by the garbage collector. No garbage can shall be placed, kept or left on any street, alley or public way for any purpose whatsoever. All garbage cans shall be kept reasonably clean.

(1997 Code, § 32-33) (Am. Ord. 2013-12-04, passed 12-9-2013)

#### **§ 50.18 PLACEMENT OF CONTAINERS.**

(A) Garbage cans or similar containers containing garbage and trash for removal shall be placed on the premises from which the same are to be removed at or before 7:30 a.m. on the day scheduled for removal.

(B) Garbage cans shall be removed from the streetside on the same day as pickup.  
(1997 Code, § 32-34)

#### **§ 50.19 DISPOSAL OF WET GARBAGE.**

All wet garbage shall have the liquid drained off and shall be wrapped in paper or other combustible material before it is placed in the garbage can, thus preventing smell and the breeding of flies in summer and freezing and adhesion to the can in winter.

(1997 Code, § 32-35)

#### **§ 50.20 DEPOSIT OF GARBAGE IN PUBLIC PLACES AND ON PRIVATE PROPERTY.**

No person shall throw, place or deposit any garbage in any street, alley, public place or private property within the city limits, except in garbage cans or garbage vehicles as provided in this chapter.

(1997 Code, § 32-36)

#### **§ 50.21 REMOVAL OF DEAD ANIMALS.**

Dead animals will be removed by the town at any time.

(1997 Code, § 32-37)

#### **§ 50.22 CHARGES FOR COLLECTION.**

There shall be an annual fee as determined by the Board of Commissioners for each trash or garbage pickup point of each user of the trash and garbage pickup service provided by the town. The annual fee shall be paid in advance on or before August 1 of each fiscal year. (1997 Code, § 32-38)

### **§ 50.23 YARD DEBRIS PICK-UP.**

From time to time the Town will schedule pick-up of yard debris from occupied residential lots and other residential building lots that have been previously cleared for construction or sale. Yard debris piles may be placed in the street rights-of-way (ROW) for pick-up ten (10) days prior to the scheduled pick-up date. Any piles placed in the ROW after the pickup service has been conducted must be removed by the property owner for disposal. At the lot owner's request, debris piles in violation of this ordinance will be disposed of by the town after first paying a \$200 disposal fee. Debris piles placed in the ROW more than ten (10) days before the scheduled pick-up date or remaining in the ROW one (1) day after the pickup date will be in violation of this ordinance and subject to a fine in accordance with § 93.99. (Ord. 2017-02-01, passed 2-20-2017)