

## **CHAPTER 94: GARBAGE AND TRASH REGULATIONS**

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### ***GENERAL PROVISIONS***

#### **§ 94.01 DEFINITION.**

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

**TRASH.** Refuse; accumulations of animal, fruit or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fish, fowl, fruits or vegetables and containers originally used for foodstuffs; the residue from fires used from cooking or heating; combustible materials consisting of paper, cartons, boxes, barrels, wood, excelsior, tree branches, yard trimmings, wood furniture or other

wood or combustible materials; bedding; metals, tin cans; dirt; contents of litter receptacles; small quantities of rocks, concrete, glass, crockery, leaves, bottles and other containers.  
(Ord. 1987-04, passed 7-27-87)

#### **§ 94.02 COMPLIANCE.**

(A) Any person or entity within the town shall comply with all regulations, rules and statutes of any governmental body pertaining to the manner of containing, keeping and disposing of trash, garbage and materials from time to time. No person or entity shall permit any materials, debris, trash or garbage to be placed or remain upon any property or real estate in the town except as permitted by this chapter.

(B) In the event any person or entity shall fail to comply with the provisions of this chapter, the Town Sewage Utility Department may, in addition to any other remedies, discontinue trash collection from the person or entity for a period of time.  
(Ord. 1987-04, passed 7-27-87)

#### **§ 94.03 REFUSAL OF SERVICE.**

The collection of trash may be refused at any time the person or entity collecting it deems the trash is not in compliance with this chapter or otherwise not suitable for collection.  
(Ord. 1987-04, passed 7-27-87)

#### **§ 94.04 COLLECTION THROUGH SEWAGE UTILITY DEPARTMENT.**

The collection of trash by or through the town shall be under this chapter and through the Town Sewage Utility Department.  
(Ord. 1987-04, passed 7-27-87)

#### **§ 94.05 SITES AND TIMES FOR PICKUP.**

(A) Trash collection service shall be on a periodic basis, such as weekly, or at other times as the Town Council may, from time to time, direct.

(B) Trash collection service shall be available to residents of the town at or near their place of residence and to small businesses the Council shall consider in its discretion as having an amount of trash comparable to that of a residence.

(C) All trash shall be set out or placed at one location on the sidewalk line or at other places as personnel from the Town Sewage Utility Department shall designate from time to time, no earlier than 5:00 p.m. on the day before trash collection and no later than 8:00 a.m. on the day of collection. Trash shall not be set out for collection in advance of the regularly scheduled collection day, except as set forth in this section.  
(Ord. 1987-04, passed 7-27-87)

**§ 94.06 OUTSIDE ENTITIES.**

No person or entity shall permit the trash collection service to be used for the benefit of any person or entity outside the town or for any person or entity bringing trash from another location to the trash collection site of the residence or small business from which trash is collected under this chapter.  
(Ord. 1987-04, passed 7-27-87)

**§ 94.07 CERTAIN SUBSTANCES PROHIBITED FROM COLLECTION.**

(A) No noxious, corrosive, hazardous, pollutive, flammable or fire accelerant substances shall be deposited or placed for collection.

(B) No substance or chemical shall be deposited for trash collection which cannot be placed in the general refuse landfill receiving customary residential household waste, within the meaning of any applicable federal, state or local regulation or law.

(C) No oil, gasoline, dead animals or pesticide shall be deposited for trash collection.  
(Ord. 1987-04, passed 7-27-87)

**§ 94.08 BURNING AND SMOLDERING REFUSE; ASHES.**

No burning or hot materials or ashes shall be deposited for trash collection.  
(Ord. 1987-04, passed 7-27-87)

**§ 94.09 SPECIAL COLLECTIONS.**

From time to time, such as quarterly in each year, the town may provide a trash collection service at a single location to which larger items or quantities not suitable for deposit in the containers provided for weekly trash pickup, to be brought for deposit.  
(Ord. 1987-04, passed 7-27-87)

**§ 94.10 LIMITED APPLICATION.**

Trash collection service is not to be considered for the benefit of every lot, parcel or real property or building connected or to be connected with the municipal sewer system.  
(Ord. 1987-6, passed 8-24-87)

**CONTAINERS**

**§ 94.20 PLASTIC BAGS; CANS.**

(A) All trash shall be placed in durable plastic bags which are securely tied or fastened, without any liquid accumulated in the bag.



(B) In the event a container is furnished by the town or its contractor for the deposit of trash, all trash shall be deposited in the container and the lid shall be securely closed thereon.

(1) The maintenance and security of the container furnished for the collection of trash shall be the sole responsibility of the person or entity to whom trash collection service is provided.

(2) In the event the container is lost, damaged or stolen, regardless of whether it shall be due to an act or omission of the person whose trash is collected, the person or entity receiving the trash collection service forthwith shall replace the container at his or its expense, the same to be the property of the town or contractor, as the case may be.  
(Ord. 1987-04, passed 7-27-87)

#### **§ 94.21 DAMAGE.**

No person or entity shall damage or permit to be damaged any trash container used in connection with the town's trash collection service.  
(Ord. 1987-04, passed 7-27-87)

#### **§ 94.22 REMOVAL AFTER COLLECTION.**

Trash containers shall be removed from the designated place of collection on the same day collection is made.  
(Ord. 1987-04, passed 7-27-87)

### ***CHARGES AND SURCHARGES***

#### **§ 94.30 METHOD FOR SETTING FEES.**

(A) The Town Council hereby determines the cost of collecting, treating and disposing of garbage in a sanitary manner is the factor which is used to establish fees.

(B) A residential user in a mobile home park, multiple family dwelling or apartment complex shall be deemed each living unit thereof.  
(Ord. 1987-6, passed 8-24-87)

#### **§ 94.31 CHARGES TO BE MONTHLY.**

(A) The charge for trash collection shall be made on a monthly basis as part of the sewage bill of the property to which service is rendered. (Ord. 1987-04, passed 7-27-87)

(B) The normal use charge shall be \$5.20 for solid waste collection and \$2.85 for recycling for a residential or business user per month.

(1) The normal use, for which the monthly payment charge shall be due and payable, shall be not greater or different than one trash collection container approved by the town for trash collection on a weekly basis.

(2) In the event a collection is made from a user in excess of the normal use, the Sewage Utility Board or Town Council shall determine the charge therefor based upon the normal use charge increased pro rata for the increased use.

(Ord. 1987-6, passed 8-24-87; Am. Ord. 1997-2, passed 9-30-97)

**§ 94.32 SURCHARGE FOR SMALL BUSINESSES WITH MORE TRASH THAN RESIDENCES.**

The Town Council may provide a surcharge for any small business having an amount of trash greater than that normally produce by a residential user.

(Ord. 1987-04, passed 7-27-87)

**§ 94.33 USER CHARGE.**

A user charge shall be imposed for trash collection for each residential user of the town sewage system (connected to the sanitary sewage system) regardless of whether the residential user shall make use of the trash collection service of the town, unless the Sewage Utility Board or Town Council shall determine, in its discretion, it is inequitable under the circumstances for the charge to be made. A user may request the Board or Council to make such a determination.

(Ord. 1987-6, passed 8-24-87)

**§ 94.99 PENALTY.**

Whoever violates any provision of this section, for which no penalty is otherwise provided, shall be fined not more than \$1,000. A separate offense shall be deemed committed on each day a violation occurs or continues.

(Ord. 1987-04, passed 7-27-87)

