

Chapter 16 SOLID WASTE

Sec. 16-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ashes means the residue from the burning of wood, coal, or other combustible materials.

Curbside means a location near the property line, easily accessible to the town or the town's contractor, and adjacent to the public right-of-way, but which location shall not be in the street or on the sidewalk in a manner so as to interfere with vehicular or pedestrian traffic.

Garbage means animal and vegetable waste capable of rotting or decaying and which results from the handling, preparation, cooking, or consumption of food.

Person means, in addition to any person, also a firm, partnership, association, corporation, or organization of any kind.

Refuse means all solid wastes (except body wastes), whether capable of rotting or decaying or not, including but not limited to, garbage, rubbish, ashes, soot cleanings, dead animals, feathers, abandoned automobiles, and solid market and industrial wastes.

Rubbish means solid wastes (excluding ashes) not capable of decaying or rotting, and consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, and similar materials.

Manager or town manager means the manager for the town, his designee, or such other person as may be appointed by the town council from time to time to fulfill the duties of the town manager hereunder.

(Ord. of 2-8-2021, § 7-1)

Sec. 16-2. Refuse collection.

- (a) The town may engage a private contractor to collect refuse from residences within the town. The contractor will collect such refuse as is provided in its contract with the town.
- (b) The town may operate a recycling center or contract for recycling services.
- (c) From time to time, the town manager may schedule the collection of refuse that is qualitatively or quantitatively beyond what the contractor will collect, within limits to be set by the town manager. Collection under this subsection is referred to in this chapter as "bulk collection."

(Ord. of 2-8-2021, § 7-2)

Sec. 16-3. Type of refuse collected.

The town, or the town's contractor, will collect garbage, rubbish, and acceptable categories of refuse from residences within the town, provided that the manager shall have a right to determine what refuse is acceptable depending upon the quantity and type of refuse, and the obligations of the town's contractor under section 16-2(a). The town may also decline to accept what the manager considers to be an unreasonable accumulation of

garbage and rubbish during a collection period without imposing a charge calculated to cover the actual costs of the collection of the excess material. The town may, but shall not be obligated to, collect commercial refuse for a fee to be negotiated according to the type of waste and quantity thereof.

(Ord. of 2-8-2021, § 7-3)

Sec. 16-4. Refuse not acceptable for disposal.

Without limitation, the following categories of refuse shall not be acceptable for disposal:

- (1) Dangerous materials or substances such as poisons, acids, caustics, infected materials and explosives.
- (2) Materials resulting from the construction or demolition of buildings and structures or from the clearance of vacant or improved property in preparation for construction or occupancy. The manager may, but shall not be obligated to, accept this refuse upon negotiating a fee for the collection for the same with the user.
- (3) All large and bulky materials, such as motor vehicles or parts of motor vehicles, tree trunks and stumps that may require special preparation and processing for disposal.
- (4) Any materials which create an unusually bad odor such as manure or rotten and unhatched eggs.
- (5) The bodies of dead animals.
- (6) Hot ashes.
- (7) Liquids.

(Ord. of 2-8-2021, § 7-4)

Sec. 16-5. Placement of refuse.

Refuse shall be placed curbside in a manner so as not to interfere with vehicular or pedestrian traffic.

(Ord. of 2-8-2021, § 7-5)

Sec. 16-6. Time of placement.

Refuse shall be placed for collection no earlier than 5:00 p.m. on the afternoon preceding the collection day and must be removed to a point at the side or rear of the structure not later than 8:00 a.m. of the day following collection.

(Ord. of 2-8-2021, § 7-6)

Sec. 16-7. Regulations concerning containers.

- (a) Except for bulk collection or as otherwise specifically provided herein, all refuse must be placed for collection in containers of a type and size approved by the town, maintained in good condition and free from holes. The town may require the use of containers provided by the town or by the town's contractor. The town will not be responsible for collection of materials that are not placed in approved containers.
- (b) The town may impose a limit on the weight of refuse placed in containers or on the number of containers per residence.

(Ord. of 2-8-2021, § 7-7)

Sec. 16-8. Allowing refuse to be scattered.

No person shall leave or deposit refuse in such a location and in such amount that it may be carried by the elements upon any street, sideway, alley, or other public place, or into any occupied premises within the town. The owners and occupants of real property shall be responsible for the proper maintenance of dumpsters, recycle containers, grease dumpsters, and similar storage bins. Except for the placement of items allowable for bulk collection and within the time limitation specified in section 16-15, no refuse or other similar materials shall be allowed to accumulate in the immediate area of any such bin. Because refuse and other similar materials around dumpsters can attract unwelcome animals, harbor germs, interfere with traffic, and obstruct parking, the violation of this section shall be a per se violation of the nuisances ordinance and shall trigger the civil penalties established therein.

(Ord. of 2-8-2021, § 7-8)

Sec. 16-9. Town manager to promulgate rules and regulations.

The town manager is empowered to adopt and put into force such rules and regulations governing refuse collection and refuse disposal as the town manager may deem necessary, provided that such rules and regulations are consistent with this chapter and impose no criminal penalties.

(Ord. of 2-8-2021, § 7-9)

Sec. 16-10. Scheduled collections.

The collection dates for refuse collection, bulk collection, and recycling collection, if any, shall be fixed from time to time by the town manager.

(Ord. of 2-8-2021, § 7-10)

Sec. 16-11. Rates and charges.

The rates charged for the collection of refuse shall be fixed from time to time by the town council. Such fees shall be mandatory for all residents in the town, irrespective of the actual use of the services provided. Businesses that utilize a refuse collection service other than the town's service shall be exempt from the town's fee. The town may bill refuse, water, and sewer services together, and may allocate payments received to refuse services first and water and sewer services last. If a fee for refuse service is not paid when due, penalties and interest shall be imposed pursuant to section 2-171.

(Ord. of 2-8-2021, § 7-11)

Sec. 16-12. Collection of refuse produced outside of the town limits.

The refuse collection program is operated by the town for the disposal of refuse produced within the town's corporate limits. No person shall deposit any refuse produced outside the town at any point within the town for collection and disposal, without first obtaining the express permission of the town manager. Violation of this section shall constitute a Class 3 misdemeanor.

(Ord. of 2-8-2021, § 7-12)

Sec. 16-13. Bulk collection; yard waste.

The town manager may schedule and require separate collection of yard waste such as weeds, brush, or trimmings. Such yard waste collection service may, at the discretion of the town manager, be limited to certain seasons. The town manager may impose requirements on the size and weight of yard waste and may require that yard waste be placed in biodegradable bags.

(Ord. of 2-8-2021, § 7-13)

Sec. 16-14. Bulk collection; all other items.

The collection of refuse under section 16-2(c), such as heavy items, large amounts of brush, appliances, furniture, or mattresses, may take place at such time or times as designated by the town manager, who may impose limitations on the items that the town will collect.

(Ord. of 2-8-2021, § 7-14)

Sec. 16-15. Time of placement for bulk collection.

Refuse for bulk collection shall not be placed curbside except for the 48 hours before the start of collection.

(Ord. of 2-8-2021, § 7-15)

Sec. 16-16. Civil penalty for certain violations.

Because the outdoor placement of refuse can cause a fire risk, obstruct streets or sidewalks, pose a danger to transportation, or provide harborage for rats or other vermin, a violation of sections 16-5, 16-6, 16-7(a), 16-8, and 16-15 shall be a per se violation of the nuisances ordinance and shall trigger the civil penalties established therein.

(Ord. of 2-8-2021, § 7-16)