

Code #8

CHAPTER 1

GARBAGE

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8-1-1: Police Power Exercised: This Chapter shall be deemed an exercise of the police power of the Municipality acting in its governmental capacity for the protection and preservation of health, welfare, morals, safety and cleanliness, and all of its provisions shall be liberally construed for the accomplishment of that purpose.

8-1-2: Municipality to Haul Garbage and Rubbish: The Municipality, its duly authorized agents, contactors, servants, employees or licensees shall have the exclusive right to gather and collect garbage and rubbish, and it shall be unlawful for any person, except otherwise provided in this Chapter to collect or gather garbage and/or rubbish.

8-1-3: Others Prohibited From Hauling Without Permit: It shall be unlawful for any person other than the Municipality, its agents or employees, to collect or convey through, over or upon any street or alley, any rubbish, garbage, as in this Chapter defined, for other than themselves

without first securing a permit from the Sanitation Officer to do so.

8-1-4: Municipality to Handle Receptacles: It shall be unlawful for any person other than the Municipality, its agents or employees, or a person having a contract for such purpose to interfere in any manner with any receptacle containing garbage or rubbish, or any for of refuse, or to remove any receptacle from the location where the same was place by the owner thereof or to remove any of the contents of such receptacle.

8-1-5: Definitions:

The term "garbage" shall be interpreted to mean all putrescible wastes, except sewage and body wastes, but excluding recognizable industrial by-products, and shall include all such substances from public and private establishments and from all residences.

The term "refuse and trash" shall include non-putrescible wastes.

8-1-6: Fees: A schedule of fees shall be adopted by the Governing Body for the collection and disposal of garbage, which schedule shall be filed with the Clerk and which may be amended or altered by the Governing Body from time to time. Such fees shall be paid by the person responsible for the same at the office of the Clerk of the Municipality within ten (10) days after receipt of statement, and if not paid the same shall become delinquent and after sixty (60) days delinquency a charge of fifty cents (.50) shall be added to the account. For failure to pay such charge the Municipality may levy a special assessment against the premises in such amount and in such manner as other special assessments are levied and foreclose the same in the manner provided for the foreclosure and collection of other special assessments.

8-1-7: Burning of Garbage Unlawful: It shall be unlawful for any person to burn garbage or refuse within the Municipality except waste paper, boxes, brush, grass, weeds and cutting from trees, lawns and gardens for which during the fire season a permit must be had from the Fire Chief of the Municipality.

8-1-8: Containers and Disposal of Other Items: It shall be unlawful for any owner or occupant of any public or private premises to permit to accumulate upon his premises any garbage or refuse except in covered containers in such a manner as to be strong, not easily corrodible, rodent proof, with two (2) handles, a capacity of not more than thirty (30) gallons, with tight covers, which shall be in place at all times except when garbage or refuse is being deposited therein or removed there from. Such containers shall be maintained in a sanitary condition at all times and shall be kept in a rack or device so as to prevent them from being overturned by animals. In the event that garbage and one or more types of refuse are disposed of separately, separate containers must be had if required by the Superintendent of Sanitation. Boxes, papers, tree cuttings and all odd articles shall be crushed and /or bundled in lengths not to exceed five feet (5') and not to exceed fifty (50) pounds in weight, except articles taken in special hauls.

8-1-9: Revocation of Permit: Any person hauling rubbish and/or garbage under a permit issued by the Superintendent of Sanitation to do so shall obey all the laws of the Municipality and laws of the State as well as the rules and regulations of the Governing Body with regard to the storage and disposal of rubbish and garbage. Any failure to obey any of such laws or rules and regulations shall be sufficient grounds for the revocation of the permit to haul rubbish or garbage as issued by the Superintendent of Sanitation.

8-1-10: Governing Body to Make Rules and Regulations: The Governing Body of the Municipality shall have power to make such further rules and regulations for the storage and disposal of rubbish and garbage as may be necessary to effectuate and facilitate the provisions of this Chapter.

8-1-11: Accumulation of Garbage and Rubbish Prohibited: It shall be unlawful for any person to deposit, collect or accumulate or permit the deposit, collection and accumulation of any garbage, within the Municipality.

8-1-12: Chapter to be Enforced by Superintendent of Sanitation: The Superintendent of Sanitation or other designated officer of the Municipality is hereby charged with the duty of enforcing the provisions of this Chapter. (Revised Code 1959)

CHAPTER 2

REFUSE IN BUILDINGS

8-2-1: Refuse in Buildings - Stagnant Water

8-2-1: Refuse in Buildings - Stagnant Water: It shall be unlawful for any person to permit or suffer to be in or accumulate in, or upon any yard, lot, place or premises or upon any street or sidewalk adjacent to or abutting any lot, block, place or premises or in any building or shed owned or occupied by him or for which he may be agent within the limits of the Municipality, any stagnant water or impure water, refuse, vegetable decay or decaying substance, garbage or filth of any kind, nor suffer such yard, lot, place, building or premises to be or to remain in such condition as to cause or create a nuisance or offensive smell or to pollute or render unhealthful the atmosphere or the premises or thereby to be, become, cause or create a public nuisance. (Revised Code 1959)