

CHAPTER 52: SOLID WASTE

Section

General Provisions

- 52.001 General
- 52.002 Definitions
- 52.003 Improper disposal
- 52.004 Importation of waste
- 52.005 Collection schedules
- 52.006 Solid waste fees
- 52.007 Transport by private citizens
- 52.008 Prohibited materials
- 52.009 Ownership of materials
- 52.010 Service to unincorporated areas

Adoption of County Code

- 52.020 Adoption of County Code

Enforcement

- 52.050 Code Enforcement Officer
- 52.051 Penalties and abatement
- 52.052 Abatement notice

Curbside Residential Garbage Collection

- 52.100 General
- 52.101 Precollection practices
- 52.102 Prohibited items
- 52.103 Collection required
- 52.104 Removal of dead animals

Curbside Residential Recycling Program

- 52.200 General
- 52.201 Precollection practices
- 52.202 Prohibited items
- 52.203 Collection required

Yard Waste Program

- 52.300 General
- 52.301 Precollection practices
- 52.302 Prohibited items

Boiling Springs - Public Works***Special or Bulk Collection***

- 52.400 General
- 52.401 Precollection practices
- 52.402 Prohibited items

Industrial and Commercial Collection

- 52.500 General
- 52.501 Precollection practices
- 52.502 Fencing required
- 52.503 Prohibited items
- 52.504 Private collection
- 52.505 Restrictions on industrial waste
- 52.506 Collection required

Health and Sanitation

- 52.600 Presumptions
- 52.601 Deposit of litter prohibited
- 52.602 Duty of persons with respect to litter
- 52.603 Litter containers
- 52.604 Duty to ensure cleanliness of areas surrounding businesses
- 52.605 Parking lot owners to provide containers
- 52.606 Litter storage area to be kept clean
- 52.607 Construction site to be maintained
- 52.608 Transporting of litter regulated

Solid Waste Offenses

- 52.700 Commercial and noncommercial handbills
- 52.701 Abandonment of refrigerators and the like in places accessible to children
- 52.702 Notice posting prohibited
- 52.703 Filling land and dumps with offensive material; burying materials
- 52.704 Clearing of debris after vehicle accidents

GENERAL PROVISIONS**§ 52.001 GENERAL.**

(A) This chapter shall regulate all solid waste generated within the corporate limits of the town or transported through town on any street or public way. It shall further apply to all persons residing, parking, passing through or visiting within the corporate limits of the town.

(B) The Town may also regulate the collection of solid waste, particularly the precollection practices and prohibition of items, through administrative policy. These policies shall be used to enhance not circumvent the regulations set forth in this chapter.

(Ord. 121106.01, passed 11-6-12)

§ 52.002 DEFINITIONS.

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

BULK WASTE. Large items of solid waste such as household appliances, furniture, automobiles or parts thereof, large auto parts, trees, branches, stumps, and other oversize waste, the large size of which precludes or complicates its handling by normal solid waste collection, processing or disposal methods,

COLLECTION. The act of removing solid waste from a point of generation to a disposal site.

COMMERCIAL SOLID WASTE. Solid waste generated by stores, offices, restaurants, warehouses and other non-manufacturing commercial activities.

COMMERCIAL BUILDING AND DEMOLITION WASTE. That solid waste including building materials, packaging and rubble resulting from construction, remodeling, repair and demolition operations. These materials include but are not limited to excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber or any other similar material used in construction or the containers or packaging thereof.

GARBAGE. All putrescible solid waste, including animal offal and carcasses, and recognizable byproducts, but excluding sewage and human waste,

INDUSTRIAL SOLID WASTE. Solid waste generated by industrial processes and manufacturing.

LITTER. Solid waste that has been disposed of improperly, without consent, or in an illegal location.

PUTRESCIBLE. Solid waste capable of being decomposed by micro-organisms with sufficient rapidity as to cause nuisance from odors and gases, such as kitchen wastes, offal and carcasses.

RECYCLABLES. Refuse that consists of commercially recyclable materials. Generally understood to include: aluminum, steel, and tin cans; glass containers; plastics; paper products, corrugated cardboard; any other materials that are designated as recyclable by current administrative policy.

REFUSE. All nonputrescible solid waste.

RESIDENTIAL SOLID WASTE. Solid waste generated by residents of a household other than those solid wastes defined in this section.

SCRAP TIRE. A tire which is no longer suitable for its original, intended purpose because of wear, damage or defect.

SOLID WASTE. Garbage, refuse, rubbish, trash, recyclables and other discarded solid material, including solid waste generated by residences, businesses, industrial, commercial, agricultural and institutional operations and also from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluent, dissolved materials in irrigation return flows or other common water pollutants.

TIRE. A continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle or farm machine.

YARD WASTE. Tree limbs, leaves, shrubbery trimmings and cuttings and all other trimmings from natural growth of trees, shrubbery, weeds, plants and grass.
(Ord. 121106.01, passed 11-6-12)

§ 52.003 IMPROPER DISPOSAL.

(A) No person shall throw, dump, drop or deposit, or cause to be thrown, dumped, dropped or deposited, whether intentional or not, on any street, avenue, alley, highway, sidewalk, park or other public place or on land vacant or occupied in the town not owned by the person in question, any waste including but not limited to refuse, yard waste, dead animals, glass, or anything injurious to health.

(B) No person shall burn any solid waste defined herein for the purpose of disposal unless the following conditions are met:

- (1) Burning shall be by permit only.
- (2) Permits shall be issued by the local Fire Chief or his or her designee.
- (3) Burning shall take place between 6:00 a.m. and 6:00 p.m.
- (4) All refuse burning shall take place within the property of origin unless permit specifically allows otherwise.
- (5) No drainage ditches or right of way shall be blocked by the burning.
- (6) Ashes and cinders shall be collected and removed.
- (7) Permits may be cancelled at any time due to weather, safety hazard, or nuisance by the Fire Chief or Town Manager or his or her designee.

(C) No person shall bury any solid waste for the purposes of disposal except in a properly zoned and permitted commercial landfill.
(Ord. 121106.01, passed 11-6-12)

§ 52.004 IMPORTATION OF WASTE.

It shall be unlawful for any person, firm or other organization to deposit any solid waste or yard waste generated outside the corporate limits of the town on or in any location such as a street right of way where it would be collected by the town or its agents.
(Ord. 121106.01, passed 11-6-12)

§ 52.005 COLLECTION SCHEDULES.

(A) Collection schedules for the various types of waste described in this chapter shall be kept on file in the office of the Town Clerk. These schedules will be set by the Director of Public Works or his or her designee based on the current needs of the town. Any permanent alteration to a schedule will be accompanied by a notice being sent to the owners of all affected properties. There shall be no expectation that the collection of the various types of waste collected by the town be collected from any given property on the same day or at the same time on a given day.

(B) Temporary alterations to the schedule may be made by the Town Manager or his or her designee because of holidays, weather, staff shortages, equipment failure, or any exigent circumstance. In these circumstances, any provisions of this chapter regulating the times during which collection containers may be placed for collection shall be considered suspended.
(Ord. 121106.01, passed 11-6-12)

§ 52.006 SOLID WASTE FEES.

The Board upon recommendation from the Town Manager or his or her designee shall adopt regular fees for the collection of solid waste by the town or its agents. Generally, this chapter shall be understood to proscribe fees for the following services: curbside residential garbage collection, curbside residential recycling collection, residential yard waste collection, bulk item collection, and commercial and industrial garbage collection. Property owners will be billed a separate fee per container in the case of curbside collection. In accordance with G.S. § 160A-314(b), monthly payments made to the town for services and fees will first be applied to penalties and then to solid waste charges and finally to water and sewer charges. Payment of unpaid charges may be remedied in accordance with G.S. § 160A-314(b), G.S. § 1, Article 28. and G.S. § 105A, Article 1.
(Ord. 121106.01, passed 11-6-12)

§ 52.007 TRANSPORT BY PRIVATE CITIZENS.

(A) No person shall collect, handle, or transport over or along any streets or public ways in the town any solid waste that the town provides for the collection of without first having obtained a franchise therefor from the town.

(B) No person shall transport over or along any streets or public ways in the town any solid waste without providing the proper netting or secure means to prevent such waste from being spread onto the street or adjacent property.
(Ord. 121106.01, passed 11-6-12)

§ 52.008 PROHIBITED MATERIALS.

The proceeding sections of this chapter may outline items prohibited with regards to the collection of a specific type of solid waste. The following items will be prohibited with regards to any type of collection by the town or its agents and may not be placed for collection.

- (A) Highly combustible, flammable, poisonous, radioactive or explosive material;
- (B) Used cars, buses, motorcycles, or any self propelled vehicle;
- (C) Tires or scrap tires;
- (D) Batteries of any type or kind;
- (E) Machinery or scrap metal of any kind;
- (F) Waste resulting from construction, demolition, land clearing, or renovations and improvements;

(G) Any item that the town does not have the equipment with which to properly dispose of or does not have access to proper disposal methods;

(H) Any item that the County landfill will reject or impose a fine upon the town for the disposal thereof; and

(I) Any item the collection or transport of which, is deemed hazardous either to personnel or equipment by the Director of Public Works or his or her designee.
(Ord. 121106.01, passed 11-6-12)

§ 52.009 OWNERSHIP OF MATERIALS.

(A) Upon placement of any solid waste at curbside for collection by the town or its agents in accordance with this chapter the materials shall become the property of the town regardless of whether the actual collection of the items would be prohibited by this chapter. Ownership of items and materials deemed uncollectable by this chapter shall revert back to the owner of the property said items were generated on.

(B) It shall be a violation of this chapter for any person other than expressly authorized agents of the town acting in the course of their employment to collect or pick up any materials placed for collection.
(Ord. 121106.01, passed 11-6-12)

§ 52.010 SERVICE TO UNINCORPORATED AREAS.

With the approval of the Town Manger, the town may provide collection service to a property outside of the corporate limits of the town provided that all of the following conditions are met:

(A) The property is charged the adopted fee for out of town customers.

(B) Collection from the property does not present a unique challenge or safety hazard to the town or its agents.

(C) The property lies along an existing collection route and is approximately adjacent to a property within the corporate limits. A collection route may be considered to only consist of one side of a particular street or public way or one area of a particular street.
(Ord. 121106.01, passed 11-6-12)

ADOPTION OF COUNTY CODE

§ 52.020 ADOPTION OF COUNTY CODE.

The full text of Articles I, II, and III of Chapter XI: Waste Management of the Cleveland County Code or Ordinances is hereby adopted and incorporated into this code of ordinances as if fully set out herein.
(Ord. 121106.01, passed 11-6-12)

ENFORCEMENT**§ 52.050 CODE ENFORCEMENT OFFICER.**

For the purpose of this chapter the Town Manager or his or her designee shall serve as the Code Enforcement Officer of this chapter.
(Ord. 121106.01, passed 11-6-12)

§ 52.051 PENALTIES AND ABATEMENT.

In addition to and separate and apart from the specific remedies set forth in this article, violations of any provision of this chapter may be corrected or abated if conditions threaten public health, safety or welfare. Furthermore, any and all expenses incurred by the town in the course of the abatement may be charged to the owner of the property on which the abated solid waste was generated. Furthermore, any person who violates any provision of this chapter shall be guilty of a misdemeanor and may be punished as provided in G.S. § 14-4 for each separate violation with a fine of \$50. Each day any violation of this chapter or any ordinance shall continue shall constitute a separate offense, unless otherwise specified.
(Ord. 121106.01, passed 11-6-12)

§ 52.052 ABATEMENT NOTICE.

(A) When abatement is deemed necessary, the Code Enforcement Officer shall give notice to the owner of the premises to abate or remove the conditions within ten days. The notice shall be in writing, shall include a description of the premises sufficient for identification and shall set forth the violation and state that, if the violation is not corrected within ten days, the town may proceed to correct the same as authorized by this chapter. Service of the notice shall be by any one of the following methods:

(1) By delivery to any owner personally or by leaving the notice at the usual place of abode of the owner with a person who is over the age of 16 years and a member of the family of the owner;

(2) By depositing the notice in the United States Post Office addressed to the owner at his or her last known address with postage prepaid thereon. Notice to be sent by certified return receipt;

(3) By posting and keeping posted, for ten days, a copy of the notice, in placard form, in a conspicuous place on the premises on which the violation exists, when notice cannot be served by the methods described in divisions (1) and (2) above.

(B) If the owner of any property fails to comply with a notice given pursuant to this chapter, within ten days after the service of notice the Code Enforcement Officer may have the condition described in the notice abated, removed or otherwise corrected and all expenses incurred thereby shall be chargeable to and paid by the owner of the property and shall be collected as taxes and levies are collected. All such expenses shall constitute a lien against the property on which the work was done.
(Ord. 121106.01, passed 11-6-12)

CURBSIDE RESIDENTIAL GARBAGE COLLECTION**§ 52.100 GENERAL.**

This subchapter shall apply to all solid waste generated by residential units within the corporate limits of the town. This subchapter shall not apply to multi-family units or developments that are determined to require dumpster service.

(Ord. 121106.01, passed 11-6-12)

§ 52.101 PRECOLLECTION PRACTICES.

(A) All garbage and refuse as defined in § 52.002 shall have the liquid drained therefrom before it is placed in a container for collection. Putrescible waste must be bagged prior to placement in garbage containers.

(B) All garbage or refuse shall be secured in a container that is provided by the town or expressly approved by the Director of Public Works or his or her designee.

(C) Containers shall be placed adjacent to the street or sidewalk for collection. Containers must be unobstructed with three foot clearance in all directions. Containers shall be set out for collection no sooner than eight hours prior to the day of collection and shall be removed from their position adjacent to the street or sidewalk after the contents has been emptied on that same day.

(Ord. 121106.01, passed 11-6-12)

§ 52.102 PROHIBITED ITEMS.

(A) The following items are expressly prohibited from collection:

- (1) Any items prohibited from deposit at a landfill as dictated by G.S. § 130A-309.10.
- (2) Items generated by commercial activities.

(B) Also see § 52.008 for generally prohibited items and § 52.105 for the collection of dead animals.
(Ord. 121106.01, passed 11-6-12)

§ 52.103 COLLECTION REQUIRED.

(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 the approved containers as required by this chapter. This section shall be interpreted as more stringent than the restriction defined in Chapter 94 of this Code.

(B) All residential units located within the corporate limits of the town shall be subject to the applicable fee set by the Town Board regardless of utilization of the service. Collection by the town or its agents is required for all residential units within the corporate limits of the town.

(C) Recycling collection shall be considered a necessary component of garbage collection.
(Ord. 121106.01, passed 11-6-12)

§ 52.104 REMOVAL OF DEAD ANIMALS.

Dead animals may be removed from any premises by the town upon proper notice to the town. The town may charge a property owner for the removal of dead animals from private property to recover costs incurred to properly dispose of the animal. The town will remove dead animals from streets or roads with no charge to the person notifying the town of the animal. The town will only pick up those dead animals which can easily be handled by sanitation crews and equipment.

(Ord. 121106.01, passed 11-6-12)

CURBSIDE RESIDENTIAL RECYCLING PROGRAM**§ 52.200 GENERAL.**

This subchapter shall establish the voluntary sorting and collection of residentially generated recyclable solid waste. The establishment, of voluntary recycling shall not be construed as negating § 52.102 which expressly forbids the town or its agents from collecting certain recyclable materials as garbage.

(Ord. 121106.01, passed 11-6-12)

§ 52.201 PRECOLLECTION PRACTICES.

(A) All recyclables as defined in § 52.002 shall have the liquid drained therefrom before it is placed in a container for collection. Further, all recycling shall be secured in a container that is provided by the town or expressly approved by the Director of Public Works or his or her designee.

(B) Containers shall be placed adjacent to the street or sidewalk for collection. Containers must be unobstructed with three foot clearance in all directions. Containers shall be set out for collection no sooner than six hours prior to the day of collection and shall be removed from their position adjacent to the street or sidewalk after the contents has been emptied on that same day.

(Ord. 121106.01, passed 11-6-12)

§ 52.202 PROHIBITED ITEMS.

Only items defined as recyclable in § 52.002 or by subsequent administrative policy are eligible for collection under this section.

(Ord. 121106.01, passed 11-6-12)

§ 52.203 COLLECTION REQUIRED.

All residential units located within the corporate limits of the town will pay the applicable fee set by the Town Board regardless of utilization of the service. Recycling service will be regarded as a necessary component of garbage collection services provided by the town.

(Ord. 121106.01, passed 11-6-12)

YARD WASTE PROGRAM**§ 52.300 GENERAL.**

This subchapter shall establish a yard waste program and apply to all yard waste defined in § 52.002 generated by residential units within the corporate limits of the town. The collection of yard waste may further be regulated by an administrative policy. Yard waste collection will generally occur on a weekly basis although no specific day of collection shall be defined.

(Ord. 121106.01, passed 11-6-12)

§ 52.301 PRECOLLECTION PRACTICES.

All yard waste will be placed at the curb or edge of pavement for collection. Yard waste should be placed out for collection in a manner that minimizes impact on pedestrian and vehicle traffic, and does not block vehicular site visibility or affect the drainage of stormwater.

(Ord. 121106.01, passed 11-6-12)

§ 52.302 PROHIBITED ITEMS.

In addition, the following items are expressly prohibited from collection:

- (A) Any items not defined as yard waste by this chapter;
- (B) Yard waste generated off premises;
- (C) Yard waste generated as the result of commercial activity (landscape services, tree removers, and the like);
- (D) Bagged items including leaves and grass clippings;
- (E) Yard waste mixed with any other items especially items which could damage collection equipment;
- (F) Limbs exceeding four inches in diameter or ten feet in length; and
- (G) Tree stumps.

(Ord. 121106.01, passed 11-6-12)

SPECIAL OR BULK COLLECTION**§ 52.400 GENERAL.**

This subchapter shall apply to bulk items as defined in § 52.002 generated by residential units within the corporate limits of the town. Bulk items generated by commercial or institutional activities including multi-family rental properties are not eligible for collection under this section. The collection of special or bulk items may further be regulated by an administrative policy.

(Ord. 121106.01, passed 11-6-12)

§ 52.401 PRECOLLECTION PRACTICES.

(A) Any resident desiring special bulk collection of loose matter not enclosed in containers or tied in bundles may request a special collection.

(B) Materials to be collected must be placed in orderly piles and so located that the waste can be easily loaded onto trucks located on the street for disposal.
(Ord. 121106.01, passed 11-6-12)

§ 52.402 PROHIBITED ITEMS.

The following items shall be prohibited:

(A) Waste generated or found on a vacant lot.

(B) Appliances that contain hazardous fluids.
(Ord. 121106.01, passed 11-6-12)

INDUSTRIAL AND COMMERCIAL COLLECTION**§ 52.500 GENERAL.**

This subchapter shall apply to all solid waste generated by commercial, industrial, and institutional units within the corporate limits of the town. Collection from multi-family residential units or developments may be regulated under this subchapter if the Director of Public Works or his or her designee deems the development or unit will generate an amount of waste which could overwhelm curbside containers or curbside collection would be hazardous to town staff or equipment or residents.
(Ord. 121106.01, passed 11-6-12)

§ 52.501 PRECOLLECTION PRACTICES.

(A) No person shall place or cause to be placed any loose refuse or garbage on the ground or allow it to accumulate beside buildings. All properties regulated by this subchapter shall use containers manufactured for the purpose of containing commercial or industrial waste or a container approved by the Director of Public Works or his or her designee.

(B) All containers shall be placed so as to not create a hazard to public health or safety. Containers must be placed on a surface deemed capable of supporting the container's weight and the weight of collection equipment. Containers shall not obstruct the flow of pedestrians and vehicles about the property particularly the movement of emergency vehicles.

(C) Containers must be maintained in a manner that does not create a hazard to public health or safety. Container shall not be allowed to leak waste and must be covered to restrict items from being scattered by weather, animals, or other means.
(Ord. 121106.01, passed 11-6-12)

§ 52.502 FENCING REQUIRED.

The Town Manager or his or her designee may require that waste containers be enclosed by fencing to prevent the scatter of materials potentially harmful to the public health, to prevent the spread of noxious odors or vapors, or to prevent access to the container to protect public health or safety. The required fencing shall:

- (A) Exceed the height of the waste container by at least two feet.
- (B) Provide an easily manipulated gate for ease of access.

(C) Consist of an 80% opaque material.

(Ord. 121106.01, passed 11-6-12)

§ 52.503 PROHIBITED ITEMS.

See § 52.008 for generally prohibited items.

(Ord. 121106.01, passed 11-6-12)

§ 52.504 PRIVATE COLLECTION.

Any property regulated by this subchapter may choose to contract with any private solid waste collection contractor provided that the contractor has a franchise agreement to collect solid waste within the corporate limits of the town. The property owner may be required to periodically provide proof of such a contract and contractors may be required to periodically provide a listing of properties serviced within the corporate limits of the town. The use of a private contractor does not exclude the property from complying with any part of this chapter.

(Ord. 121106.01, passed 11-6-12)

§ 52.505 RESTRICTIONS ON INDUSTRIAL WASTE.

Reserved.

(Ord. 121106.01, passed 11-6-12)

§ 52.506 COLLECTION REQUIRED.

All properties regulated by this subchapter shall be subject to the solid waste fees set by the Town Board. Collection of solid waste by the town or its agents is required unless a private contractor is used. When a private contractor is used the town's collection fee may be waived if the Director of Public Works or his or her designee determines the following conditions are met:

(A) Proof of a contract with a private collection company is filed with the town.

(B) The contract will provide the property with collection service that will effectively and safely remove solid wastes from the property. No private contract will be used to save money by under servicing a property or circumvent any other provision of this chapter.

(Ord. 121106.01, passed 11-6-12)

HEALTH AND SANITATION**§ 52.600 PRESUMPTIONS.**

(A) When litter is swept, thrown or deposited into, upon or along any public or private property in violation of this subchapter, the owner, occupant, tenant, lessee, proprietor or other person in charge thereof, after reasonable written notification, shall be presumed to have committed or consented to the commission of such an offense.

(B) When litter is blown, scattered, spilled, thrown or deposited from a vehicle, the operator thereof shall be presumed to have committed such offense.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.601 DEPOSIT OF LITTER PROHIBITED.

It shall be unlawful for any person to sweep, throw, deposit, or to permit, allow, maintain or contribute to the sweeping, throwing or depositing of any litter into, upon or along a drain, gutter, street, sidewalk, alley, vacant or occupied lot, walk, parking lot, embankment, or upon public or private premises within the town. However, nothing in this section shall prevent the placing of litter in a designated location for removal by a specific solid waste service collector.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.602 DUTY OF PERSONS WITH RESPECT TO LITTER.

The owners, occupants and lessees of all property, jointly and severally, are required to remove all litter and place the same in proper containers. Vacant parcel lots, borders, parking lots, embankments, fences and walls shall be kept free of litter. Persons responsible for parking lots, shopping centers, convenience stores, drive-in restaurants and all other commercial and industrial establishments shall keep their respective properties free of litter.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.603 LITTER CONTAINERS.

Every owner, occupant, tenant and lessee using or occupying any commercial, institutional, or industrial building or property shall be obligated, jointly and severally, to provide adequate containers to hold the litter generated by operations on the premises. Specifically, the requirement for such containers shall apply to shopping centers, supermarkets, convenience stores, fast-food restaurants, service stations and similar establishments, and shall likewise apply to commercial establishments, garages, schools, colleges and churches.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.604 DUTY TO ENSURE CLEANLINESS OF AREAS SURROUNDING BUSINESSES.

The proprietor and/or person in charge of every business and commercial establishment, in town, jointly and severally, are hereby required to keep the driveways, yards, parking lots and areas adjacent thereto and under their control clean at all times and to place litter and sweepings in a container to prevent rescattering.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.605 PARKING LOT OWNERS TO PROVIDE CONTAINERS.

Every owner and every operator of a private or commercial parking lot shall provide adequate containers to hold the litter generated by the operations of such a parking lot.
(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.606 LITTER STORAGE AREA TO BE KEPT CLEAN.

Every owner, occupant and lessee of a residence or building shall be jointly and severally required to maintain litter storage areas in a clean condition and to ensure that all litter is properly containerized.
(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.607 CONSTRUCTION SITE TO BE MAINTAINED.

Property owners and prime contractors in charge of a construction site are jointly and severally required to take appropriate measures to ensure the control of litter generated by construction and related activities.
(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.608 TRANSPORTING OF LITTER REGULATED.

(A) It shall be unlawful for any person to transport any litter or other cargo upon the public thoroughfares in the town if the same is of a character or substance which is likely to be deposited from the vehicle onto the public right-of-way, unless the same is secured by containers, tarpaulin, net or other device in such fashion as to effectively prevent such deposit on the public right-of-way.

(B) The duties and responsibilities herein imposed shall be applicable alike to the owner of a vehicle, the operator thereof, and the person from whose residence or business establishment the litter or other cargo originated.
(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

SOLID WASTE OFFENSES**§ 52.700 COMMERCIAL AND NONCOMMERCIAL HANDBILLS.**

No person shall throw or deposit any commercial or noncommercial handbills on vehicles, vacant or inhabited premises. Handbills may be distributed on premises that are inhabited, provided that there is no objection by the owner or occupant of the premises and the handbills are placed or deposited in a manner so as to prevent the handbills from blowing or drifting onto public or private property. Mailboxes may not be used for distribution of handbills except in accordance with federal postal laws and regulations.
(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.701 ABANDONMENT OF REFRIGERATORS AND THE LIKE IN PLACES ACCESSIBLE TO CHILDREN.

It shall be unlawful for any person to leave or permit to remain outside any residence, building or other structure or within any unoccupied or abandoned building, residence or other structure under his or her control in a place accessible to children any abandoned, unattended, or discarded icebox, refrigerator or other container which has an airtight door or lid, snaplock or other locking device which may not be released from the inside, without first removing such door or lid, snaplock or other locking device from such icebox, refrigerator or container.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.702 NOTICE POSTING PROHIBITED.

No person shall post or fix any notice, poster or other paper or device intended to attract the attention of the public to any lamppost, public utility pole or tree on the public right-of-way of the town or upon any public structure or building except as may be authorized or required by law.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.703 FILLING LAND AND DUMPS WITH OFFENSIVE MATERIAL; BURYING MATERIALS.

It shall be unlawful for any person to fill any land or dump upon any vacant or occupied lot within the corporate limits, with any garbage, refuse, dead animals, decayed vegetable or animal matter, or any other offensive material, nor shall any such material be buried within the town but shall be disposed of as directed by a representative of the town and in accordance with state and federal regulations and law.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

§ 52.704 CLEARING OF DEBRIS AFTER VEHICLE ACCIDENTS.

It shall be the responsibility of the towing company to clean up the highway or street after an accident involving a wrecked vehicle.

(Ord., passed 9-3-91; Am. Ord. 121106.01, passed 11-6-12) Penalty, see § 52.051

