

CHAPTER 9
Trash & Yard Waste Regulations

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CIRCUIT COURT CLERK'S OFFICE
SCOTT COUNTY, VIRGINIA
MARK "BO" TAYLOR, CLERK
BY E. Benstan DEPUTY CLERK

Sec. 9.1 Definitions

The following definitions shall apply in this Ordinance:

- a. **Ashes:** Refuse resulting from the burning of wood, coals, coke and other combustible material.
- b. **Brush:** Brush is hereby defined as trimmings from bushes or shrubs, as well as tree branches from trimming and/or pruning trees. Not considered to be brush are logs, root balls (not dirt), stumps, grass clippings, flowers, weeds, plants, leaves, lumber or anything in plastic bags or other such containers. Cutting down a tree is not considered to be trimming and pruning and the town will not remove the debris.
- c. **Building Rubbish:** Rubbish from construction, remodeling, and repair operations on houses, commercial buildings, and other structures, including by not limited to excavated earth, stones, brick, plaster, lumber, concrete, and waste parts occasioned by installations and replacements.
- d. **Bulky Waste:** Items such as furniture, carpet, mattresses and box springs.
- e. **Commercial Waste:** Commercial Waste shall mean all waste, combustible and non-combustible, arising out of the operation of business and industry, and all other waste not resulting from the ordinary operations of private residences or households.
- f. **Garbage:** All animal and vegetable waste resulting from the handling, preparation, cooking or consumption of foods.
- g. **Industrial Waste:** Waste from factories, processing plants and other manufacturing enterprises.
- h. **Metal Items:** Items such as grills, bicycles, hot water tanks, washers, dryers, refrigerators and freezers (doors must be removed), stoves, lawn mowers (oils and gasoline must be removed), metal doors, sinks, tubs, metal desks and sheds

- i. **Ordinances:** Ordinance of the Town of Gate City, Virginia, hereafter in effect.
- j. **Person:** A person, firm, company, association, or corporation.
- k. **Premises:** The terms premises shall mean, land, building, or other structure, vehicle, watercraft, or parts thereof upon or in which refuse is stored.
- l. **Regulations:** Regulations of the Town Council of the Town of Gate City, or agent thereof, now or hereafter in effect, and whether promulgated under this Ordinance or other authority.
- m. **Refuse:** Solid waste, including by not limited to garbage, rubbish and ashes.
- n. **Responsible Authority:** The legally designated authority of the Town of Gate City who shall be authorized and directed to implement and enforce the provisions of this ordinance, or his authorized representative.
- o. **Rubbish:** Refuse (exclusive of garbage and ashes) including but not limited to paper, rags, carton, boxes, wood, excelsior, rubber, leather, tin cans, metals, mineral water, glass, crockery, dirt, earth and dust.
- p. **Town:** The Town Government or Town Council of the Town of Gate City, Virginia, or the agent thereof.
- q. **Waste:** Useless, unused, unwanted, or discarded materials resulting from natural community activities, including solids, liquids and gases.

Sec. 9.2. Administration

The collection, removal, and disposition of all waste from premises in the Town of Gate City shall be under the jurisdiction of the office of the Town Manager and the Public Works Department.

Sec. 9.3 Preparation and Storage of Yard Waste

- a. Preparation of solid waste for collection:
 - 1. All refuse shall be drained free of excess liquids before disposal as far as is practical.
 - 2. Garbage shall be placed in approved solid waste containers or plastic bags prior to placing at the normal collection point. Paper bags, cardboard or wooden boxes that are not designed specifically for solid waste will not be acceptable.
 - 3. Rubbish shall be placed in approved containers.
 - 4. Rubbish which includes grass clippings, hedge trimmings, leaves, or pine needles must be placed in approved container or plastic bags within three (3) feet of the normal curb line and shall not be of excessive weight. Containers or plastic bags should be placed for pick up on your normal trash day pick up.
 - 5. Brush should be placed no more than three feet from the edge of the road. Branches/brush must be cut in lengths not to exceed four (4) feet. One brush pile per week will be picked up. Tree branches and brush greater than the approved size will not be collected, nor will stumps, lumber, fence railings, or posts, timbers, ornamental shrubs, roots, railroad ties, building materials, yard waste or brush from large tree removal, since the collection equipment dump truck cannot handle these items. Larger amounts, requiring the use of the Town of Gate City back-hoe, dump truck, fuel, and Town employee(s), can be picked up at a charge to the homeowner or tenant and must be prepaid prior to pick up.

6. Homeowners or tenants are required to call Town Hall to request a work order for bulky waste pick-up. Items such as furniture, mattresses and box springs must be generated by the resident of the Town of Gate City and must be of a size that can easily be handled by the two (2) collection employees, with a maximum of two (2) items per pick-up.
7. Carpet must be cut into sections and shall not exceed four (4) feet and must be rolled, securely tied and shall not be of excessive weight.
8. Homeowners or tenants are required to call Town Hall to request a work order for large metal item pick-up. Items must be generated by the resident of the Town of Gate City and must be a size that can easily be handled by the two (2) collection employees, with a maximum of two (2) items per pick-up. Maximum length per item is four (4) feet.
9. The town will not pick up brush, bulky waste or large metal items from vacant lots, from a property without an established occupied dwelling on it or resident/tenant does not pay for trash pick-up service

b. Storage of yard waste

1. Each and every owner or occupant of any building, premises, or vacant property in the Town shall keep the same in a clean and orderly condition and shall not permit the deposit or accumulation of Yard waste thereon except as otherwise provided in this Ordinance.
2. Each and every owner, occupant, person, corporation, or person having solid waste shall provide himself with an approved solid waste container(s) wherein all solid waste shall be placed and stored except as otherwise provided in this Ordinance.
3. It shall be unlawful to place Yard waste in any street, alley, road, stream, body of water, or any other public place, or upon private property whether owned or not, unless such solid waste is placed in an approved container or otherwise provided for in this Ordinance.

Sec. 9.4 Approved Yard Waste Containers

- a. Except as otherwise provided in this Ordinance, each person, firm, corporation, occupant, household or owner shall place all solid waste in an approved container. The basic solid waste container shall be of not more than 50 gallons, not less than 10 gallons capacity, and constructed of either metal or plastic and shall have a close fitting lid with a minimum of one handle on the lid. The maximum weight allowed for container and contents shall not be of excessive weight.
- b. All solid waste containers used in the Town shall be brought into compliance with the provisions of this ordinance within six (6) months of the effective date of the Ordinance.
- c. Solid waste containers shall be kept in a sanitary condition at all times.

Sec. 9.5. Collection Points and Frequency of Collection

- a. Collection point
 - 1. Yard waste containers, for the purpose of collection, shall be placed at ground level, and otherwise made readily accessible to the Town's collection crews. Containers shall be placed within three (3) feet of the normal curb line or immediately adjacent to the alleyway in the case of alley service, or as otherwise directed by the town.
- b. Frequency of collection.
 - 1. The town will collect yard waste from residential units and residential areas once each week.
 - 2. Schools, certain commercial, certain industrial and institutional will be provided more frequent collections as deemed necessary by the Town Manager with agreement from the owner, occupant, person, or corporation.
 - 3. The town will observe certain legal holidays, in which case the collections scheduled for that day will be delayed, however, in most cases, the collection will be made within two or three working days after the holiday.

Sec. 9.6. Unacceptable Yard Waste

The following refuse shall be considered to be not acceptable for the collection or disposal by the Town of Gate City.

- a. Dangerous materials or substances, such as poison, acid, caustics, infected materials, explosives, drugs, paint containers, biological wastes, medical waste and unprotected syringes.
- b. Materials resulting from the repair, excavation or construction or destruction of buildings or structures such as earth, plastic, mortar, roofing materials, drywall, and wood.
- c. Materials which have not been prepared for collection in accordance with the regulations.
- d. Unusual quantities of solid waste resulting from industrial processes or agricultural processes.
- e. Junkyard waste such as auto parts, tires, tires with rims, oils and fuels.

Sec. 9.7. Control of Private Collections

No person, firm, or corporation shall engage in the business of collecting, hauling, transporting or otherwise disposing of yard waste in the Town of Gate City without first obtaining a permit from the Town Manager. The holder of such permit shall conform to all ordinances and regulations of the Town, the state of Virginia, and the Federal Government, and any special regulations, or standards as set the by the Town.

Sec. 9.8. Mandatory Services

All residents, persons, occupants, commercial establishments, and industries must subscribe to the collection services offered by the Town of Gate City.

Sec. 9.9. Special Collection Services

- a. The town will, upon request and based on a first come, first served basis, provide certain special collection services, including the collection of rubbish, ashes and certain building rubbish as herein defined.
- b. No tree limbs, brush, building rubbish or other materials will be collected by the Town if said materials are produced as a result of a contract whether written or verbal, whether for hourly wages or lump sum. Persons, firms, or corporation engaged in the provision of services which result in the production of such materials must provide a means for disposal of these wastes. The removal of these cuts is part of the service you pay them for.
- c. Ashes, as herein defined, will be picked up in accordance with a. of this section, and will not, under any circumstances, be picked up by the regular garbage or sanitation truck.

Sec. 9.10. Collection Charges and Billing

- a. Collection charges

All collections, except schools and other publicly owned buildings and facilities, shall be charged at the rate of \$10.00 per month for once per week or other regular collection services. Business shall be charged at the rate of \$15.00 per month for three per week or other regular collection services.

- b. Billing

All collection charges for normal collection services shall be billed with the water and sewer billing of the Town. Special collection services will be billed by the statement of the town for services performed.

Sec. 9.11. General Provisions

- a. It shall be unlawful for any person to scatter, place, or burn any refuse, or hazardous and/or Industrial wastes upon or along any public right-of-ways, stream, body of water, or upon any other public place within Gate City unless permitted by law.
- b. No person or firm shall haul, transport, or otherwise convey any refuse or hazardous or industrial waste within Gate City unless the same is contained in covered receptacles or is otherwise secured either to or within the vehicle so that the said waste matter does not fall or blow off or out of the vehicle hauling the same.
- c. No burning of solid waste shall be allowed, except organic waste from plants grown or originating on the property of the owner.

- d. No person shall turn over or upset the contents of any waste container on any street, sidewalk, or other public place, nor shall any person throw or scatter solid waste, or cause the same to be thrown or scattered in any street or public place.
- e. Public waste containers placed on sidewalks, streets, parks, and other public places, are for the sole purpose of waste incidental to the uses in the places and not for the disposal of waste from any residential or business place.
- f. All commercial establishments which sell or provide food are required to collect and dispose of food generated grease separately from refuse, recyclables and wastewater. Grease is to be collected in a leakproof container kept inside or outside the establishment.

Sec. 9.12. Removal of Trash, Garbage, Etc., from Property

1. The owners of property in the Town of Gate City, shall, at such time or times as the Town Council may prescribe, remove there from any and all trash, garbage, refuse, litter and other substances which might endanger the health or safety of other residents of the Town of Gate City, or whenever the Town Council deems it necessary, after reasonable notice, the Town of Gate City, may have such trash, garbage, refuse, litter and other like substances which might endanger the health or safety of its own agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the Town of Gate City, as taxes and levies are collected; and, (8/5/80)
2. That every charge authorized by this ordinance with which the owner of any such property shall have been assessed and which remains unpaid, shall constitute a lien against such property.

Sec. 9.13. Removal of Weeds, Grass, and Other Foreign Growth on Vacant Property

1. The owners of vacant property in the Town of Gate City shall cut the grass, weeds, and other foreign growth on such property or any part thereof at such time or times as the Town Council shall prescribe; or whenever the Town Council deems it necessary, after reasonable notice, the Town of Gate City may have such grass, weeds or other foreign growth on such vacant property cut by its agents or employees, in which event, the cost and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the Town of Gate City as taxes and levies are collected; and (8/5/80)
2. That every charge authorized by this Ordinance with which the owner of any such property shall have been assessed and which remains unpaid, shall constitute a lien against such property.

Sec. 9.14. Penalty

- a. Any person who shall violate the provisions of this Ordinance shall be guilty of a Class 4 Misdemeanor.
- b. Each day's violation shall constitute a separate offense.

- c. Enforcement of this Ordinance shall be by the Town's Police Department under the direction of the Town Manager.

Sec. 9.15. Repeal

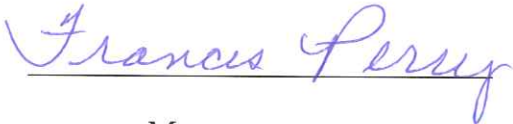
All Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Sec. 9.16. Severability

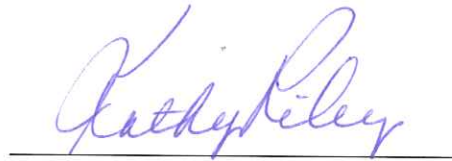
Should any section, paragraph, clause, sentence, phrase or word of this Ordinance be declared invalid for any reason the remainder of such ordinance shall not be affected.

This ordinance shall be effective on or after the 9th day of
July, 2013.

Town of Gate City, Virginia



Mayor



Town Clerk