

CHAPTER 9

GARBAGE, ASHES AND REFUSE

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Sec. 9.1. Definitions

The following definitions shall apply in this Ordinance:

- a. Garbage: All animal and vegetable waste resulting from the handling, preparation, cooking or consumption of foods.
- b. Waste: Useless, unused, unwanted, or discarded materials resulting from natural community activities, including solids, liquids and gases.
- c. Town: The Town Government or Town Council of the Town of Gate City, Virginia, or the agent thereof.
- d. 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.
- e. Refuse: Solid waste, including but not limited to garbage, rubbish and ashes.
- f. Ashes: Refuse resulting from the burning of wood, coal, coke and other combustible material.
- g. Rubbish: Refuse (exclusive of garbage and ashes) including but not limited to paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree, bush and hedge branches, cuttings and trimmings, yard trimmings, grass, leaves, tin cans, metals, mineral water, glass, crockery, dirt, earth and dust.
- h. Building Rubbish: Rubbish from construction, remodeling, and repair operations on houses, commercial buildings, and other structures, including but not limited to excavated earth, stones, brick, plaster, lumber, concrete, and waste parts occasioned by installations and replacements.

- i. Industrial Waste: Waste from factories, processing plants and other manufacturing enterprises.
- j. Person: A person, firm, company, association, or corporation.
- k. Ordinances: Ordinance of the Town of Gate City, Virginia, hereafter in effect.

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. Premises: The terms premises shall mean land, building, or other structure, vehicle, watercraft, or parts thereof upon or in which refuse is stored.

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.

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 Solid 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 that are not designed specifically for solid waste or card board or wooden boxes 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 an approved container or plastic bags or placed in neat well contained piles within 3 feet of the normal curb line.

5. Rubbish which includes tree trimmings must be cut in manageable lengths generally not to exceed 60" nor 6" in diameter and weigh not more than 40 pounds. It shall be placed in neat stacks within three feet of the normal curb line.

b. Storage of solid 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 solid 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 solid 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 Solid 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 32 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 exceed 40 pounds.

b. Solid waste containers to be used by commercial establishments, industrial plants, and certain residential complexes, such as apartments or mobile home parks, may range from 3 cubic yards capacity to 8 cubic yards capacity, and are to be provided by the owner or operator of the establishment as directed by this Ordinance or by the Town. Each such container shall conform to the regulations of the Town Manager.

c. Solid waste containers, as provided in No. 2 above, shall be required as follows:

1. At apartment complexes of 10 units or more.
2. At mobile home parks of 10 spaces or more.
3. At commercial or industrial establishments where 5 or more 32 gallon or equivalent containers are required to store the solid waste between collections.
4. At other places as directed by the town manager.
- d. 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.
- e. 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. Solid 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 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 solid 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 to three working days after the holiday.

Sec. 9.6. Unacceptable Solid Waste

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

- a. Dangerous materials or substances, such as poison, acid, caustics, infected materials and explosives.
- b. Unusual quantities of materials resulting from the repair, excavation or construction of buildings or structures such as earth, plastic, mortar, and roofing materials. Maximum 32 gallons or 40 lbs.
- 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.

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 solid waste in the Town of Gate City without first obtaining a permit from the Town Manager. The holder of any 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 by the Town.

Sec. 9.8. Mandatory Service

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 the 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 waste.
- 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

1. All collections, except schools and other publicly owned buildings and facilities, shall be charged at the rate of \$2.00 per month for once per week or other regular collection service.

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 a statement of the town for services performed.

Sec. 9.11. General Provisions

a. Littering is unlawful and subject to the fines and punishment prescribed by law.

b. No burning of solid waste shall be allowed, except organic waste from plants grown or originating on the property of the owner.

c. 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.

d. 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.

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 therefrom 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 other residents of the Town of Gate City, removed by 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 effected.