

**TITLE 17****REFUSE AND TRASH DISPOSAL<sup>1</sup>****CHAPTER**

1. REFUSE.
2. INFECTIOUS WASTE DISPOSAL.

**CHAPTER 1****REFUSE****SECTION**

- 17-101. Refuse defined.
- 17-102. Premises to be kept clean.
- 17-103. Storage.
- 17-104. Location of containers.
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- 17-106. Collection.
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**17-101. Refuse defined.** Refuse shall mean and include garbage, and rubbish, leaves, brush, and refuse as those terms are generally defined except that dead animals and fowls, body wastes, hot ashes, rocks, concrete, bricks, and similar materials are expressly excluded therefrom and shall not be stored therewith. (1986 Code, § 8-201)

**17-102. Premises to be kept clean.** All persons within the town are required to keep their premises in a clean and sanitary condition, free from accumulations of refuse except when stored as provided in this chapter. (1986 Code, § 8-202)

**17-103. Storage.** Each owner, occupant, or other responsible person using or occupying any building or other premises within this town where refuse accumulates or is likely to accumulate, shall provide and keep covered an adequate number of refuse containers. The refuse containers shall be strong, durable, and rodent and insect proof. They shall each have a capacity of not less

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<sup>1</sup>Municipal code reference

Property maintenance regulations: title 13.

than twenty (20) nor more than thirty-two (32) gallons, except that this maximum capacity shall not apply to larger containers which the town handles mechanically. Furthermore, except for containers which the town handles mechanically, the combined weight of any refuse container and its contents shall not exceed seventy-five (75) pounds. No refuse shall be placed in a refuse container until such refuse has been drained of all free liquids. Tree trimmings, hedge clippings, and similar materials shall be cut to a length not to exceed four (4) feet and shall be securely tied in individual bundles weighing not more than seventy-five (75) pounds each and being not more than two (2) feet thick before being deposited for collection. (1986 Code, § 8-203)

**17-104. Location of containers.** Where alleys are used by the town refuse collectors, containers shall be placed on or within six (6) feet of the alley line in such a position as not to intrude upon the traveled portion of the alley. Where streets are used by the town refuse collectors, containers shall be placed adjacent to and back of the curb, or adjacent to and back of the ditch or street line if there is no curb, at such times as shall be scheduled by the town for the collection of refuse therefrom. As soon as practicable after such containers have been emptied they shall be removed by the owner to within, or to the rear of, his premises and away from the street line until the next scheduled time for collection. (1986 Code, § 8-204)

**17-105. Disturbing containers.** No unauthorized person shall uncover, rifle, pilfer, dig into, turn over, or in any other manner disturb or use any refuse container belonging to another. This section shall not be construed to prohibit the use of public refuse containers for their intended purpose. (1986 Code, § 8-205)

**17-106. Collection.** All refuse accumulated within the corporate limits shall be collected, conveyed, and disposed of under the supervision of such officer as the governing body shall designate. Collections shall be made regularly in accordance with an announced schedule. (1986 Code, § 8-206)

**17-107. Collection vehicles.** The collection of refuse shall be by means of vehicles with beds constructed of impervious materials which are easily cleanable and so constructed that there will be no leakage of liquids draining from the refuse onto the streets and alleys. Furthermore, all refuse collection vehicles shall utilize closed beds or such coverings as will effectively prevent the scattering of refuse over the streets or alleys. (1986 Code, § 8-207)

**17-108. Disposal.** The disposal of refuse in any quantity by any person in any place, public or private, other than at the site or sites designated for refuse disposal by the board of mayor and aldermen is expressly prohibited. (1986 Code, § 8-208)

## CHAPTER 2

### INFECTIOUS WASTE DISPOSAL

#### SECTION

- 17-201. Enforcement.
- 17-202. Storage of infectious waste.
- 17-203. Definitions.
- 17-204. Violation and penalty.

**17-201. Enforcement.** (1) Discontinuance of garbage service. In the event the health officer designated by the board of mayor and alderman determines that an infectious waste is being disposed of in violation of this chapter and that the violation constitutes an immediate hazard to the health, safety and welfare of the citizens of the town, the health officer may require immediate corrective action to come into conformity with this chapter, and upon the failure or refusal to do so, shall have the authority to order the discontinuance of the garbage pick up services.

The remedy of discontinuing garbage pick up service provided for in this section shall be in addition to, and shall not exclude, any other remedy available to the town under any other federal or state law, municipal ordinance or regulation, including the remedy available to the city under § 17-204 of this chapter.

(2) Inspection. The health officer shall have the authority to inspect any apparent infectious waste at any reasonable time, for the purpose of determining if the infectious waste is being handled, stored, treated and disposed in accordance with this chapter.

(3) Authority. The health officer is authorized to administer and enforce the provisions of this chapter related to the generation, storage, treatment, and disposal of infectious wastes within the town. (Ord. #176, Nov. 1993)

**17-202. Storage of infectious waste.** (1) Infectious waste shall be stored in a manner and location which affords protection from animals, rain and wind; does not provide a breeding place or a food source for insects or rodents.

(2) Infectious waste shall be segregated by separate containment from other waste at the point of origin.

(3) Infectious waste, except for sharps, shall be contained in disposable leakproof plastic bags which have a strength to preclude ripping, tearing or bursting under normal conditions of use. The bags shall be marked by the infectious waste generator in the following clearly identifiable printing: **"INFECTIOUS BIOMEDICAL WASTE."** The bags shall be secured to prevent

leakage or expulsion of solid or liquid waste during storage, handling or transport.

(4) Sharps shall be contained in leakproof, rigid, puncture-resistant, break-resistant containers which are tightly lidded during storage and handling.

(5) Infectious waste contained in disposal bags under subsection (3) shall be placed for storage, handling or transport in containers such as disposable or reusable pails, cartons, boxes, drums or portable bins. The containers shall be of any color and shall be conspicuously labeled with the international biohazard symbol and the words "**INFECTIOUS BIOMEDICAL WASTE.**"

(6) Infectious waste shall not be subject to compaction prior to treatment.

(7) Sharps waste. (a) At no time shall treated sharps waste, except incinerated sharps waste, be disposed into the general solid waste stream, unless approved in writing by the health officer.

(b) Treated sharps waste, except incinerated sharps waste, shall be transported separately from the general solid waste stream in approved sharps containers disposal. (Ord. #176, Nov. 1993)

**17-203. Definitions.** (1) Items classified as infectious waste shall be determined by the health officer and shall include but not limited to wastes that have come in contact with human body substances or other sources which may contain pathogenic substances or other materials that may directly or indirectly create a significant risk of disease or constitute a health hazard.

(2) Sharps, which mean medical and/or laboratory equipment that may cause punctures or cuts. Such includes, but is not limited to needles, syringes, lancets, scalpel blades, contaminated broken or sharp laboratory glassware. (Ord. #176, Nov. 1993)

**17-204. Violation and penalty.** It shall be unlawful and a misdemeanor for any person to violate any provision of this chapter, the penalty for which shall be a fine of \$50.00. Each day a violation occurs shall be considered a separate offense. (Ord. #176, Nov. 1993)