

# ARTICLE III

## Title II

AN ORDINANCE: CONCERNING THE HANDLING AND DISPOSITION OF  
GARBAGE, TRASH AND RUBBISH AND THE FEES THEREFORE

Be It Ordained by the Commissioners of the Town of Felton in  
Council Met:

Section 1 - It shall be unlawful for any person to throw, place or deposit any trash, garbage, rubbish, ashes, refuse, or other foreign substance, upon any sidewalk, crosswalk, avenue, street, lane, alley, park or other public place within the Town or upon any property owned by the Town; or upon any property over which the police power of the Town extends except as provided in Section 2 hereof.

Section 2 - Concerning the handling and disposition of garbage, trash and rubbish the following rules and regulations shall apply:

Rule 1 - The owner or occupier of any given lot shall place all trash and rubbish along the curb in front of such lot in order that it may be conveniently removed by the collector thereof.

Rule 2- All trash and rubbish shall be contained in individual containers and each of a capacity not exceeding thirty-two (32) gallons. The containers shall have tight fitting lids. Any trash or rubbish which has not been properly placed in containers as provided by this Ordinance shall not be accepted by the collectors and it shall be the duty of the

person responsible to immediately remove the loose trash and rubbish from the curb. At no time will trash and rubbish be placed in small paper bags and placed on the curb for collection. All such bags shall be placed in proper containers as described in this section.

Rule 3 - All brambles, sticks, tree trimmings and the like shall be securely tied together in bundles each of which shall not exceed fifty (50) pounds in weight or four (4) feet in length. All paper and cardboard shall be bundled with cord, and such bundle shall not exceed fifty (50) pounds in weight or four (4) feet in length.

Rule 4 - No waste food or animal or vegetable matter, or any other waste matter commonly classed as garbage, shall be included in any container or bundle of trash or rubbish.

Rule 5 - All trash, rubbish or garbage containers shall be placed on the sidewalk curblane after 7:00 p.m. the day preceding the day of collection.

All empty trash, rubbish or garbage containers shall be removed by the owner by 12 o'clock midnight on the same day that the collection is scheduled.

Rule 6 - All garbage shall be wrapped in paper, tied and stored in fly proof containers, or garbage cans, not to exceed thirty-two (32) gallons in size or seventy-five (75) pounds in weight.

Rule 7 - No person shall dispose of any garbage by throwing or placing it upon any lot within the confines of the Town or within a distance of one mile of the Town limits.

Rule 8 - All persons engaged in the collection and removal of garbage including those employed by the Town for that purpose, shall collect and transport the same through or along the avenues, streets, lanes, alleys, or other public ways of the Town in a sanitary, covered liquid-tight container or motor vehicle body only.

Rule 9 - No person shall put, place or throw any garbage, trash or rubbish collected or gathered from one lot upon or in front of any other lot within the Town without the expressed consent and permission of the owner of such other lot so to do.

Rule 10 - All public waste containers placed by the municipal corporation along any of the avenues, streets, alleys and sidewalks of the Town shall be used by the members of the general public as the place or places of disposal of waste paper and material as accumulated by members of the general public, aforesaid, while using the public ways of the Town, aforesaid, to this end, no person engaged in business, either as owner, manager, operator, employer or other capacity, and no person residing in any dwelling either as owner, tenant, employee or guest, shall dispose of or place any garbage, trash, or rubbish in any public waste container of the Town aforesaid.

Rule 11 - Trash, rubbish and garbage collections scheduled on a legal holiday will not be picked up until the next day following the legal holiday, and said trash, rubbish and garbage containers shall not be placed at the sidewalk curblane for collection on such legal holidays.

Section 3 - Definitions: Unless the context specifically indicated otherwise the meaning of terms used in this ordinance shall be as follows:

- a) "Commissioners" shall mean the group of elected officials acting as governing body for the Town of Felton.
- b) "Person" shall mean an individual, firm, company, association, society, corporation or group.
- c) "Shall" is mandatory; may is permissible.
- d) "Dwelling Unit" is a structure or that part of a structure which is used as a home, residence or sleeping place by 1 person or by 2 or more persons maintaining a common household to the exclusion of all others.
- e) "Farm Unit" is a rental unit used by a tenant for agricultural purposes to maintain a livelihood.

Section 4 - The provisions of this ordinance shall apply to any dwelling units and to any farm unit where the average pickup is less than (4) thirty-two gallon containers or their equivalent per pickup. Any dwelling or farm unit whose average pickup is more than (4) thirty-two gallon containers or their equivalent shall separately arrange for the disposal of their trash, garbage or rubbish.

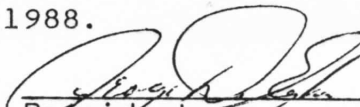
Section 5 - There shall be assessed against the owner and/or tenant of each dwelling or farm unit which is receiving trash collection service from the Town of Felton, a trash collection service fee of \$56.40 per annum effective March 1, 1988. Said service charge to be assessed in quarterly installments of \$14.10 each to be billed in connection with the

water bill submitted to such person receiving water service. The rates may hereafter be revised and altered by resolution or motion of the President and Commissioners from time to time. The property owner shall be responsible for payment of the service charge regardless of who actually resides at the property.

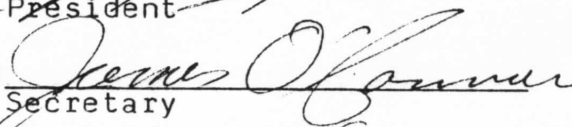
Section 6 - Any person, firm, partnership, association or corporation, or any organized group of persons who shall fail to pay the trash collection charge assessed in accordance with Section 6, above, for a period of 30 days shall be assessed a late charge of <sup>2%</sup> 2 per cent (~~2%~~) per month.

Section 7 - Severability. If any of the provisions of this ordinance or the application of any provision hereof shall be held invalid, such invalidity shall not affect the remainder of said ordinance, it being the intention of this Council that such remainder shall be and remain in full force and effect.

This is a true and correct copy of the Ordinance duly adopted by the Commissioners of the Town of Felton on 12<sup>th</sup> February, 1988.

  
President

ATTEST:

  
Secretary

date adopted: 12 February 1988

date effective: 1 April 1988