

## Article 8 CHAPTER 3

### TRASH, JUNK, AND DEBRIS

#### SECTION:

8-3-1: Definitions

8-3-2: Nuisance Declared

8-3-3: Prohibited Accumulations Designated

#### **8-3-1 DEFINITIONS.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abutting Land:* A parcel of land which has a common property line with another parcel of land.

*Alley:* A minor way which is used primarily for vehicular service access to the rear or side of properties otherwise abutting on the street. Its use is for secondary access to the lot and/or service purposes. An alley shall not be considered to be a street.

*Commercial / Business:* means and includes all kinds of vocations, occupations, home occupations, professions, enterprises and establishments, any of which are conducted on any premises or are otherwise carried on within the town or anywhere else within its jurisdiction.

*Garbage:* means wastes resulting from the handling, preparation, cooking, or consumption of food and wastes from the handling, storage, or sale of produce.

*Household Trash:* is defined to include, but is not limited to, items such as rubbish, trash, waste, refuse, paper, tin cans, bottles, glass, containers, rags, ashes, bones, cloth, or other materials common to household use or objects that may become a breeding place for flies, mosquitoes, or vermin, or that give off unpleasant odors.

*Junk or Debris:* shall mean any material or object, used or new, that is not presently useable or designed to be used in their existing condition or location, such as scrap metals, rubber pieces, rope, asphalt, concrete, plaster, tile, bricks, crates, cartons, barrels, boxes, tree limbs, leaves, dead plants and trees, trimmings from plants and trees, grass clippings, tools, fixtures, utensils, lumber, pipe and pipe fittings, machinery or parts thereof, appliances,

vending machines, furniture, motor vehicle parts, used motor vehicle liquids and solutions, used tires, or any waste material from the premises, including building materials for or produced from remodeling or construction, and material.

*Street or Highway:* means the entire width between the boundary lines of every right-of-way publicly maintained where any part thereof is open to the use of the public for purposes of vehicular travel.

### **8-3-2 NUISANCE DECLARED.**

#### **A. Household Trash, Garbage, Junk, and Debris.** It is unlawful for any person to:

1. Permit household trash, garbage, junk or debris to accumulate on any property. All trash, garbage, junk or debris shall be stored in a container or sealed plastic trash bag awaiting prompt pickup and disposal, and the storage area shall be kept free of loose trash, garbage, junk and debris. Any household trash, garbage, junk or debris that by its nature is incapable of being stored in containers or sealed plastic bags may be neatly stacked or stored for prompt pickup and disposal. Containers and trash bags shall be secured and placed where they are not susceptible to being spilled by animals or wind or other elements;
2. Place or to permit to remain anywhere in the town any household trash, garbage, junk or debris, or other material subject to decay other than leaves or grass, except in watertight and airtight cans or containers, which neither creates an odor or stench or is accessible to animals. This subsection (2) shall not apply to vegetable materials in any properly layered, actively working compost pile;
3. Drive or move any loaded truck or other loaded vehicle within the town, unless such vehicle is loaded or covered so as to prevent any load, contents, or litter from being blown or deposited upon any street, highway, alley, or other public place;
4. Operate or cause to be operated on any highway or public way in the town, any truck or vehicle transporting trash, junk and debris unless such vehicle or truck is fitted with a substantial, tight box or other container thereon so that no portion of such garbage, trash, or junk shall be thrown or fall upon the highway or public way;
5. Display, or cause or allow to be displayed, upon the property any nuisance, as defined in this ordinance;

6. Keep or store any construction materials for construction at that location unless such materials are for an active building permit on file at the town office;
7. Store upon his property or to allow to be viewed by the general public, or any member thereof, goods, material, or substances not otherwise or specifically defined or definable as trash, garbage, junk and debris but which goods, materials, or substances are of a type, kind, quantity or description not commonly associated with the zoning classification or permitted use of the property;
8. Use any trailer, whether covered or uncovered, to store any litter, garbage, trash and junk upon his property;
9. Deposit in or on any street, alley, or public place debris, sod, earth, sand, gravel, concrete, or any other household trash, junk, garbage, debris, or construction waste or material.

#### **8-3-3 PROHIBITED ACCUMULATIONS DESIGNATED.**

It is unlawful for any owner, lessee, agent, occupant or person in possession or control of any occupied or unoccupied lot or tract of land or any part thereof in the town to permit or maintain on any such lot or tract of land, or on or along the sidewalk, street or alley adjacent to the same, any accumulation of garbage, household trash, junk and debris.