

AN ORDINANCE CONCERNED WITH GARBAGE COLLECTION

SECTION 2 - COLLECTION

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12-2-1 Definitions For the purpose of this section, the following words and phrases shall have the meanings hereinafter defined:

- (1) Garbage Kitchen and table refuse and offal, swill and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, fowls, birds, fruits or vegetables not including dead animals and offal of slaughter-houses.
- (2) Waste Matter Broken crockery, broken bottles, broken bricks, tin cans, pasteboard boxes, paper, straw, grass clippings, sawdust, packing materials, shavings, boxes and all non-combustible waste matter, ashes and all other residue of materials burned, and other refuse and waste material other than garbage.

12-2-2 Town to Provide Collection Service The Town or its agents, contractors or Town licensed operators shall furnish garbage, rubbish, waste matter and ashes collection service as provided in this article to all persons resident within the Town.

12-2-3 Contract The Board of Trustees may enter into an exclusive contract or agreement with any person for the collection and disposal of ashes, trash and garbage, or any portion thereof, throughout the Town, or it may at its discretion make provision for the collection and disposal of ashes, trash and garbage.

12-2-4 Collection of Garbage and Waste Matter by Other than Town Prohibited; Exceptions The Town of Creede by and through its duly authorized agents, employees, contractors or Town licensed operators, shall be the sole agency for the collection and disposal of garbage and waste matter, and no person except such duly authorized agents, employees, contractors or Town licensed operators of the Town of Creede shall collect or dispose of any garbage or waste matter, whether his own or another's within the Town. Nothing in this section shall relieve any contractor of the obligation of cleaning up premises after completion of his contract. Nothing in this section shall prevent an individual from hauling his own waste material, provided, that it is properly disposed of in conformity with all Town of Creede regulations, and that such individual is subject to all other provisions of the section.

12-2-5 Charges for Town Collection Service The Board of Trustees shall, by resolution, establish charges for collection service under this section, prescribe the time and manner of payment of such charges and adopt measures designed to enforce the payment thereof such as, in their discretion, are necessary or desirable. Such resolution, when adopted, shall be of the same force and effect as if incorporated in this section.

The amount of charges for garbage, rubbish, waste material and ashes collection service shall be a lien upon the property served until the same is paid. In case of failure to pay the established charges for garbage, rubbish, waste material and ashes collection service by the owner or person having the occupancy, control or management of any premises, within thirty (30) days after the time prescribed for payment of such charges by the Board, the Town Clerk shall cause a notice of such charge to be given to the owner of such property by publishing in a newspaper in the Town of Creede for two (2) successive weeks a notice to such property owner of the amount of charges assessed against his property, and that such charges are not paid within ten (10) days thereafter, the Town Clerk shall certify such charges as assessed to the county treasurer to be placed by him on such tax list for the current year to be collected in the same manner as other taxes are collected, with a ten (10%) per cent penalty to defray the cost of collection, as provided by the laws of the state.

12-2-6 Disposition and Use of Funds All funds collected by the Town of Creede for collection service under this section shall be credited to a fund to be known as the "Garbage and Rubbish Collection System Fund", the proceeds of which shall be used to defray expenses,

such as the furnishing and maintaining of necessary equipment and payment of persons employed in the service, agents, contractors or Town licensed operators.

12-2-7 Collection of Tree Trimmings and Hedge Cuttings Any person desiring to place tree trimmings or hedge cuttings for collection shall cause the same to be cut not more than five (5') feet in length and eighteen (18") inches in diameter. He shall place the same for collection in the same manner and times provided for the collection of garbage.

12-2-8 Collection of Dead Animals

(a) Dead animals not in excess of one hundred (100) pounds will be picked up by the collectors under this section on regular designated days of collection, but in no event shall the person having such dead animal allow it to remain undisposed of for a period longer than twelve (12) hours. In the event a dead animal must be disposed of on a day other than the regularly designated collection day, the Town Clerk shall be notified between 8:00 a.m. and 4:00 p.m.

(b) Dead animals in excess of one hundred (100) pounds will be removed by the collectors at the owner's own expense, upon the payment of a fee as set by resolution of the Board. in no event shall a dead animal remain undisposed of for a period longer than twelve (12) hours. The Town will not pick up dead animals from places making a business of treating, handling or disposing of animals.

(c) Dead animals of any wight shall not be placed in containers.

12-2-9 Unauthorized Molesting, Removal of Garbage, Containers Prohibited No person shall molest, remove, handle or otherwise disturb any garbage or refuse containers or contents for servicing by the collectors; provided, that this section does not apply to the owner, occupant, lessee or tenant of the residence or dwelling so placing the containers and contents.

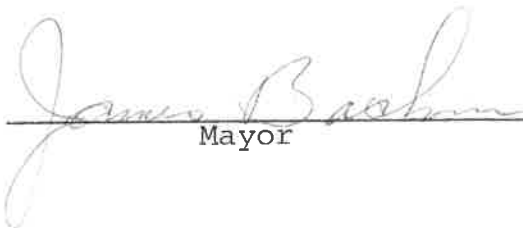
12/2/10 Promulgation of Rules and Regulations by Board of Trustees The Board shall by resolution, promulgate rules and regulations relating to the manner of preparing and accumulating garbage, rubbish, waste material and ashes for collection; the type and kind of containers to be used for such accumulation; the manner of use of and care for such containers; and such other rules and regulations as, in their discretion, are necessary or desirable in the interest of maintaining efficiency and sanitary conditions in the garbage, rubbish, waste material and ashes collection system

and service within the Town of Creede; and such resolutions, when adopted, shall be of the same force and effect as if incorporated in this section.

12-2-11 Enforcement of Section The Town Administrator shall have charge and supervision of the garbage, rubbish, waste material and ashes collection system. He is empowered to employ and direct all assistants, laborers, agents, contractors, employees and Town licensed operators in the operation of the service. He shall enforce the terms of this section and the various rules and regulation promulgated hereunder from time to time. He shall be accountable to the Mayor of Creede and Board of Trustees in all matters pertaining to the exercise of his powers and duties.

INTRODUCED, read in full, passed and approved at a special meeting of the Board of Trustees of the City of Creede, a Town, this 1st day of May, A.D. 1972.

APPROVED:



Mayor

ATTEST:



City Clerk