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MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE
Ordinance No. 2022-08

Introduced By: Mayor Roath

Date Introduced: July 14, 2022

Amendments Adopted: N/A

Date Adopted: August 2, 2022

Date Effective: August 22, 2022

AN ORDINANCE concerning

GARBAGE, RUBBISH AND REFUSE

FOR the purpose of defining certain terms and renumbering certain provisions; altering the terms and conditions under which the Town of Perryville will collect garbage, rubbish, trash and refuse from certain premises in the Town; clarifying those premises from which the Town will not collect garbage, rubbish, refuse and other waste materials; prohibiting the deposit of waste materials on certain property; and generally related to a program for the collection of garbage, rubbish, refuse and other matter from certain premises in the Town of Perryville.

BY repealing and reenacting, with amendments
Chapter 50, Garbage, Rubbish and Refuse (in its entirety)
Code of the Town of Perryville

SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Chapter 50, Garbage, Rubbish and Refuse, of the Code of the Town of Perryville is repealed and reenacted in its entirety, with amendments, to read as follows:

38 **Chapter 50**

39 **GARBAGE, RUBBISH AND REFUSE**

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43 **§ 50-1. Definitions.**

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45 As used in this chapter, the following terms shall have the meanings indicated:

46
47 ASHES – The residue from the burning of wood, coal or other combustible
48 materials.

49
50 COMMERCIAL- EITHER A TYPE OF ACTIVITY WHERE GOODS AND SERVICES
51 ARE SOLD OR TRADED WITH THE EXPECTATION OF PROFIT OR GAIN OR AN
52 ACTIVITY OR USE IN WHICH ITEMS, GOODS, OR PRODUCTS ARE OFFERED
53 DIRECTLY TO THE PUBLIC FOR COMPENSATION.

54
55 COMMERCIAL SERVICE- AN ESTABLISHMENT IN WHICH INDIVIDUALS OR A
56 BUSINESS RENDERS AN ACTIVITY TO SUIT THE NEEDS OF THE PUBLIC FOR
57 COMPENSATION.

58
59 EXCLUDED PREMISES – A PROPERTY THAT CONTAINS ONE OR MORE USES
60 OTHER THAN RESIDENTIAL UNITS. EXCLUDED PREMISES INCLUDES, BUT IS
61 NOT LIMITED TO, COMMERCIAL USES, COMMERCIAL SERVICES, APARTMENT
62 BUILDINGS AND OTHER MULTI-FAMILY DWELLINGS, RESTAURANTS,
63 INDUSTRIAL USES, AND RELIGIOUS USES.

64
65 GARBAGE – Waste foodstuffs or table wastes of animal or vegetable origin.

66
67 HEAVY TRASH – AN ITEM TOO LARGE FOR A REGULAR TRASH TRUCK TO
68 ACCOMMODATE OR THAT REQUIRES MORE THAN ONE EMPLOYEE TO LIFT
69 (LIMIT 60 POUNDS), INCLUDING WHITE GOODS (REFRIGERATORS, WASHING
70 MACHINES, DRYERS, RANGES, WATER HEATERS, FREEZERS OR SIMILAR
71 DOMESTIC APPLIANCES), AND THOSE ITEMS WHICH CANNOT BE COLLECTED
72 WITH THE WASTE MATERIALS AND COMPACTED BY THE TRASH TRUCK
73 COMPACTOR; AIR CONDITIONERS, FURNITURE (SOFAS, CHAIRS, TABLES, BOOK
74 SHELVES, BEDS, ENTERTAINMENT CENTERS, ETC.); AND, LARGE TREE LIMBS
75 (LARGER THAN FOUR (4) FEET IN LENGTH AND/OR THREE (3) INCHES IN
76 DIAMETER). HEAVY TRASH DOES NOT INCLUDE BRICKS, HEAVY AMOUNTS OF
77 SOIL, LARGE CONSTRUCTION EQUIPMENT AND MATERIALS, ELECTRONIC
78 WASTE, AND AUTOMOBILE PARTS, EQUIPMENT, OR TIRES.

79 RECYCLABLES- Uncontaminated materials such as aluminum cans, glass
80 bottles, rigid plastics, milk cartons and similar items as described on the Town
81 website.

82
83 REFUSE – Garden, lawn or tree trimmings and leaves.
84
85 RESIDENTIAL UNIT - A PLACE OF ABODE CONSISTING OF A SINGLE-FAMILY
86 DETACHED DWELLING, A DUPLEX (2-FAMILY/UNIT) DWELLING, OR A
87 TOWNHOUSE DWELLING.
88
89 RUBBISH – The waste material from normal household living conditions, but not
90 including waste materials from building construction or repairs. “Rubbish”
91 includes such items as paper, rags, bottles, tin cans, plastic containers and similar
92 materials, EXCEPT FOR SUCH OF THOSE MATERIALS THAT ARE RECYCLABLES.
93
94 TRASH – TRASH INCLUDES RUBBISH AND ASHES. TRASH DOES NOT INCLUDE
95 LEAVES IN QUANTITY, LARGE TREE LIMBS; ROCKS, SOIL, DIRT AND BUILDING
96 MATERIALS IN QUANTITY; ELECTRONIC WASTE; OR HEAVY TRASH. TRASH
97 ALSO INCLUDES TREE TRIMMINGS LESS THAN FOUR (4) FEET IN LENGTH AND
98 THREE (3) INCHES IN DIAMETER PROVIDED THEY DO NOT EXCEED TWO (2)
99 BUNDLES WEIGHING NO MORE THAN SIXTY (60) POUNDS PER BUNDLE.
100
101 WASTE MATERIALS – ASHES, GARBAGE, RECYCLABLES, REFUSE, RUBBISH,
102 TRASH AND HEAVY TRASH.
103
104 **§ 50-2. Normal household garbage; regulations.**
105
106 A. Times of collection FROM RESIDENTIAL UNITS.
107
108 (1) Normal household garbage, RUBBISH and trash will be collected FROM
109 RESIDENTIAL UNITS per a schedule established by Resolution of the
110 Mayor and Commissioners and posted on the Town’s website.
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112 (2) A RESIDENTIAL UNIT collection missed due to a legal holiday will be
113 made the next scheduled pickup day.
114
115 (3) Recyclables will be collected FROM RESIDENTIAL UNITS per a
116 schedule determined by Resolution of the Mayor and Commissioners and
117 posted on the Town’s website.
118
119 (4) All containers FROM WHICH HOUSEHOLD GARBAGE, RUBBISH,
120 TRASH AND RECYCLABLES HAVE BEEN COLLECTED FROM
121 RESIDENTIAL UNITS shall be removed from THE curb within 24 hours
122 following collection.
123
124 B. Regulations.
125

126 (1) Waste materials ((should)) FOR COLLECTION FROM RESIDENTIAL
127 UNITS MUST be placed in watertight, durable containers or in heavy duty
128 bags made of materials with a thickness no less than 1.5 mil. It shall be
129 unlawful for any person to place or locate waste materials and/or containers
130 in such a way as to obstruct either pedestrian or vehicular traffic or to create
131 a safety hazard.

132

133 **§ 50-3. Heavy trash: collections; regulations.**

134

135 A. Times of collections.

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137 (1) Heavy trash will be collected FROM RESIDENTIAL UNITS per a
138 schedule determined by Resolution of the Mayor and Commissioners and
139 posted on the Town's website.

140

141 (2) All heavy trash for collection FROM RESIDENTIAL UNITS must be
142 placed as prescribed in this Subsection, by 7:00 a.m. of the scheduled
143 pickup day.

144

145 (3) Requests for collections of heavy trash FROM RESIDENTIAL UNITS
146 must be made to the town offices by 2:00 p.m. on the Friday preceding the
147 designated pickup day.

148

149 (4) All heavy trash TO BE PICKED UP FROM RESIDENTIAL UNITS must
150 be placed at curbs and outside of fences. Heavy trash will not be picked up
151 from yards or driveways.

152

153 (5) All heavy trash, including waste materials from minor building construction
154 or repairs, shall be collected FROM RESIDENTIAL UNITS in accordance
155 with provisions set forth on the Town website.

156

157 (6) All refrigerators, washers, dryers and stoves must have doors removed for
158 collection FROM RESIDENTIAL UNITS.

159

160 (7) Large pieces of discarded furniture, mattresses, etc., may be set out for
161 collection FROM RESIDENTIAL UNITS.

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163 **§ 50-4. EXCLUDED PREMISES - GENERALLY.**

164

165 A. EXCEPT AS PROVIDED IN § 50-5.B., THE TOWN SHALL NOT COLLECT
166 WASTE MATERIALS FROM EXCLUDED PREMISES WITHIN THE TOWN.

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168 B. THE OWNER OF ANY EXCLUDED PREMISES SHALL BE REQUIRED TO
169 PROVIDE, AT THE OWNER'S COST AND EXPENSE, FOR THE REMOVAL

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AND PROPER DISPOSAL OF ALL WASTE MATERIALS FROM THE PROPERTY.

- C. THE OWNER OF AN EXCLUDED PREMISES SHALL KEEP ALL WASTE MATERIALS FOR COLLECTION IN ONE OR MORE COMMERCIAL METAL DUMPSTERS WITH SECURE LID, OR COMPARABLE TYPE OF SECURE COLLECTION CONTAINERS. THE OWNER SHALL ENSURE THAT SUCH COLLECTION CONTAINERS ARE KEPT IN A SAFE AND CLEAN CONDITION, THAT ALL WASTE MATERIALS ARE KEPT SECURE IN SUCH CONTAINERS UNTIL COLLECTED, AND THAT WASTE MATERIALS ARE NOT ALLOWED TO OVERFLOW FROM THE CONTAINERS.

§ 50-5. EXCLUDED PREMISES – MULTI-FAMILY DWELLINGS.

- A. EXCEPT AS PROVIDED IN SUBSECTION B. OF THIS SECTION, THIS SECTION AND § 50-4 APPLY TO APARTMENT BUILDINGS, CONDOMINIUMS AND SIMILAR TYPES OF MULTI-FAMILY DWELLING STRUCTURES.
- B. FOR MULTI-FAMILY DWELLING STRUCTURES THAT CONTAIN FEWER THAN THREE DWELLING UNITS IN A SINGLE BUILDING OR IN THE MULTI-FAMILY DWELLING COMPLEX TREATED AS A UNIT, THE BOARD OF COMMISSIONERS MAY AUTHORIZE THE TOWN TO FROVIDE FOR THE REMOVAL OF SOME OR ALL WASTE MATERIALS IN ACCORDANCE WITH SOME OR ALL OF THE SAME TERMS AND CONDITIONS AS THE REMOVAL OF WASTE MATERIALS FROM RESIDENTIAL UNITS.

§ ((50-4)) 50-6. ((Deposition)) DEPOSIT OF WASTE MATERIALS on public and private property.

- A. No person shall cast, place, sweep or deposit ((ashes, garbage, rubbish or refuse)) WASTE MATERIALS in such manner that it may be carried or deposited upon any street, sidewalk, alley, sewer or other public place or into any premises.
- B. All exterior property and premises shall be free of any unsheltered accumulation or storage of ((refuse or garbage)) WASTE MATERIALS.
- C. It shall be unlawful for any person to intentionally place ((garbage, rubbish or refuse)) WASTE MATERIALS or their containers on any premises other than those occupied by the tenant, owner or occupant of those premises.

214 § ((50-5)) 50-7. Violations and penalties.
215

216 Any person who violates any provision of this chapter shall, be guilty of an infraction and shall
217 be subject to a fine of twenty-five dollars (\$25.00) for the first offense, and fifty dollars
218 (\$50.00) for each subsequent offense.
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220 § ((50-6)) 50-8. Failure to abate; Town to abate; costs.
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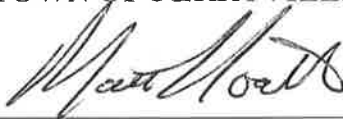
222 In addition to the penalties specified in § ((50-5)) 50-7, the Town, after reasonable written
223 notice to the owner(s) of a property on which a continuing violation of this chapter exists, and
224 failure of the property owner(s) to abate such violation within the time provided in such notice,
225 may enter upon the property for the purpose of abating the violation. The costs incurred by the
226 Town for the abatement of the violation shall be an obligation of the owner(s) of the property
227 and shall be due and payable upon demand. Any portion of the cost of abatement that remains
228 unpaid more than thirty (30) days after demand shall be a lien against the real estate of the
229 owner(s) and shall bear the same interest, have the same priority and be collectible and
230 enforceable in the same manner as town real property taxes.
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232 **SECTION 2. AND BE IT FURTHER ENACTED** that this Ordinance shall
233 take effect twenty (20) days following approval by the Mayor and Commissioners.
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235 **ADOPTED** this 2nd day of August, 2022, by a vote of 5 yeas, 0 nays, and 0
236 abstentions.
237

238 **SEAL:**

**MAYOR AND COMMISSIONERS OF
THE TOWN OF PERRYVILLE**

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241
242 By: 
243 Matt Roath, Mayor
244

245 ATTEST:

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247 
248 Jackie Sample, Town Clerk
249

250 Date: 8/3/2022
251
252

253
254 EXPLANATION:

255 CAPITALS indicate matter added to existing law.
256 ((Double parentheses)) indicate matter deleted from existing law
257 Asterisks (***) indicate existing law omitted from Ordinance and unchanged