

Chapter 50

GARBAGE, RUBBISH AND REFUSE

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[HISTORY: Adopted by the Town Commissioners of the Town of Perryville during codification; see Chapter 1, General Provisions, Art. II. Amendments noted where applicable. Repealing and reenacting in its entirety, with amendments Chapter 50 Garbage, Rubbish, and Refuse, adopted by Ord. 2013-08, 1-7-14.] Repealing and reenacting in its entirety, with amendments Chapter 50 Garbage, Rubbish, and Refuse, adopted by Ord. 2022-08, 8-2-22.]

GENERAL REFERENCES

Brush, grass and weeds – See Chapter 30.
Property maintenance – See Chapter 63.

§ 50-1. Definitions.

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

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

COMMERCIAL- Either a type of activity where goods and services are sold or traded with the expectation of profit or gain or an activity or use in which items, goods, or products are offered directly to the public for compensation.

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COMMERCIAL SERVICE- An establishment in which individuals or a business renders an activity to suit the needs of the public for compensation.

EXCLUDED PREMISES – A property that contains one or more uses other than residential units. Excluded premises includes, but is not limited to, commercial uses, commercial services, apartment buildings and other multi-family dwellings, restaurants, industrial uses, and religious uses.

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

HEAVY TRASH – An item too large for a regular trash truck to accommodate or that requires more than one employee to lift (limit 60 pounds), including white goods (refrigerators, washing machines, dryers, ranges, water heaters, freezers or similar domestic appliances), and those items which cannot be collected with the waste materials and compacted by the trash truck compactor; air conditioners, furniture (sofas, chairs, tables, book shelves, beds, entertainment centers, etc.); and, large tree limbs (larger than four (4) feet in length and/or three (3) inches in diameter). Heavy trash does not include bricks, heavy amounts of soil, large construction equipment and materials, electronic waste, and automobile parts, equipment, or tires.

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

REFUSE – Garden, lawn or tree trimmings and leaves.

RESIDENTIAL UNIT - A place of abode consisting of a single-family detached dwelling, a duplex (2-family/unit) dwelling, or a townhouse dwelling.

RUBBISH – The waste material from normal household living conditions, but not including waste materials from building construction or repairs. “Rubbish” includes such items as paper, rags, bottles, tin cans, plastic containers and similar materials, except for such of those materials that are recyclables.

TRASH – Trash includes rubbish and ashes. Trash does not include leaves in quantity, large tree limbs; rocks, soil, dirt and building materials in quantity; electronic waste; or heavy trash. Trash also includes tree trimmings less than four (4) feet in length and three (3) inches in diameter provided they do not exceed two (2) bundles weighing no more than sixty (60) pounds per bundle.

WASTE MATERIALS – Ashes, garbage, recyclables, refuse, rubbish, trash and heavy trash.

§ 50-2. Normal household garbage; regulations.

A. Times of collection from residential units.

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- (1) Normal household garbage, rubbish and trash will be collected from residential units per a schedule established by Resolution of the Mayor and Commissioners and posted on the Town's website.
- (2) A residential unit collection missed due to a legal holiday will be made the next scheduled pickup day.
- (3) Recyclables will be collected from residential units per a schedule determined by Resolution of the Mayor and Commissioners and posted on the Town's website.
- (4) All containers from which household garbage, rubbish, trash and recyclables have been collected from residential units shall be removed from the curb within 24 hours following collection.

B. Regulations.

- (1) Waste materials for collection from residential units must be placed in watertight, durable containers or in heavy duty bags made of materials with a thickness no less than 1.5 mil. It shall be unlawful for any person to place or locate waste materials and/or containers in such a way as to obstruct either pedestrian or vehicular traffic or to create a safety hazard.

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

A. Times of collections.

- (1) Heavy trash will be collected from residential units per a schedule determined by Resolution of the Mayor and Commissioners and posted on the Town's website.
- (2) All heavy trash for collection from residential units must be placed as prescribed in this Subsection, by 7:00 a.m. of the scheduled pickup day.
- (3) Requests for collections of heavy trash from residential units must be made to the town offices by 2:00 p.m. on the Friday preceding the designated pickup day.
- (4) All heavy trash to be picked up from residential units must be placed at curbs and outside of fences. Heavy trash will not be picked up from yards or driveways.
- (5) All heavy trash, including waste materials from minor building construction or repairs, shall be collected from residential units in accordance with provisions set forth on the Town website.

(6) All refrigerators, washers, dryers and stoves must have doors removed for collection from residential units.

(7) Large pieces of discarded furniture, mattresses, etc., may be set out for collection from residential units.

§ 50-4. Excluded premises - generally.

- A. Except as provided in § 50-5.b., the town shall not collect waste materials from excluded premises within the town.
- B. The owner of any excluded premises shall be required to provide, at the owner's cost and expense, for the removal 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 provide 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.

§ 50-6. Deposit of waste materials on public and private property.

- A. No person shall cast, place, sweep or deposit 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 waste materials.
- C. It shall be unlawful for any person to intentionally place waste materials or their containers on any premises other than those occupied by the tenant, owner or occupant of those premises.

§ 50-7. Violations and penalties.

Any person who violates any provision of this chapter shall, be guilty of an infraction and shall be subject to a fine of twenty-five dollars (\$25.00) for the first offense, and fifty dollars (\$50.00) for each subsequent offense.

§ 50-8. Failure to abate; Town to abate; costs.

In addition to the penalties specified in § ((50-5)) 50-7, the Town, after reasonable written notice to the owner(s) of a property on which a continuing violation of this chapter exists, and failure of the property owner(s) to abate such violation within the time provided in such notice, may enter upon the property for the purpose of abating the violation. The costs incurred by the Town for the abatement of the violation shall be an obligation of the owner(s) of the property and shall be due and payable upon demand. Any portion of the cost of abatement that remains unpaid more than thirty (30) days after demand shall be a lien against the real estate of the owner(s) and shall bear the same interest, have the same priority and be collectible and enforceable in the same manner as town real property taxes.