

Final
L. Ward

ORDINANCE NO. 113 .

AN ORDINANCE CREATING A SANITATION COMMITTEE, THEIR DUTIES AND POWERS, AND ESTABLISHING A SANITATION CODE FOR THE TOWN OF MILLS, PROVIDING FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, REFUSE AND ASHES, AND PROVIDING REGULATIONS GOVERNING THE HANDLING OF GARBAGE AND REFUSE; PROVIDING FOR A PERMIT SYSTEM FOR USING THE TOWN DUMP; PROVIDING FOR PENALTIES FOR VIOLATIONS HEREOF; AND REPEALING SECTION 2, ORDINANCE NO. 59, AND ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the Town Council of the Town of Mills, Wyoming:

Section 1. A Sanitation Committee of the Town of Mills, is hereby created, and such committee shall be appointed by the Mayor, and the term of office of such committee shall be the same as that of the Mayor appointing them, and such committee shall perform the duties and have the powers and authority provided in this Ordinance, the same being that of regulating the collection, removal and disposal of garbage and refuse in the Town of Mills, and such committee shall administer and enforce the provisions of this Ordinance and be responsible for the performance of all acts and things on the part of the Town to be done and performed thereunder, and said committee shall have such additional duties, powers, and authority as may hereafter be prescribed by the Mayor and Council.

Section 2. This Ordinance is declared to be strictly a sanitary measure enacted for the promotion and protection of the public health and safety, and to prevent fire hazards and nuisances. The Town Council is hereby authorized, empowered and directed to use every means at its disposal, including its police powers, for the enforcement hereof, which shall meet all requirements of the Town Health Officer, if any, and be subject to supervision by the Sanitation Committee.

Section 3. The Town dump shall be under the care and management of the Sanitation Committee of the Town of Mills.

Section 4. The word "garbage" as herein used is hereby defined and shall be taken and held to mean and include any and all kitchen refuse, rejected or waste food, meats, fish, fowl, offal, carrion or other refuse accumulation of fruit, vegetable or animal matter that attends the prepar-

ation, use, cooking of, or dealing in, or storing of, meats, fish, fowl, fruits, vegetables or anything whatsoever which may decompose, and become foul, offensive, unsanitary or dangerous to health.

Section 5. The word "refuse" as herein used is hereby defined and shall be taken to mean and include any and all hay, straw, shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans bottles, and residue from the burning or other destruction of all combustible material whatsoever, and any and all other material commonly known as rubbish or refuse of any kind or character, or by any name known, except as herein excluded.

Section 6. The term "garbage" as used herein shall mean and include all refuse of animal and vegetable matter, originally intended as food for man, beast and fowl. The term "rubbish" as used herein shall mean and include inorganic rejected substance from the house and outdoor waste, manure, waste, grass, leaves, papers, rags, wood, and any and all discarded substances and materials from stores, offices, and other places of business. The term "miscellaneous refuse" as used herein shall mean and include all materials not included in the terms "garbage" and "rubbish" such as tin cans, glass, floor sweepings, ashes and similar matter.

Section 7. Any place of abode or any place of business in operation shall be prima facie evidence that refuse and/or garbage is being produced or accumulated on such premises, and it shall be the duty of the proper representatives of the Town of Mills to inspect and supervise said premises and remove therefrom any and all refuse and/or garbage found thereon, at cost to property owner thereof. Any accumulation of refuse and/or garbage on any premises in the Town of Mills is hereby declared to be a nuisance and is prohibited hereunder.

Section 8. a.) No hay, straw, shavings, excelsior, paper or other combustible materials, sod, lawn mowings, leaves, weeds, ashes, garbage, bottles, broken glass, nails, tacks, wire, cans rocks, stones or any other

refuse or material shall be stored or accumulated anywhere in the Town, or thrown or swept into any street, gutter, sewer intake, alley, vacant lot, lake or other property.

b.) No dirt, rubbish or refuse of any kind shall be thrown, swept or pushed into the street in front of any store or place of business by the owner, manager, or any employee or agent thereof. Each business establishment shall be held responsible for keeping the sidewalk in front of such building free of any accumulation of dirt, paper, or rubbish, which when so removed, shall be taken up and deposited with other refuse from such establishment. The owner or manager of such business shall be held liable for any violation thereof.

Section 9. Except as otherwise provided in this chapter, all ashes, garbage and refuse shall be placed in barrels or receptacles as hereinafter provided. All combustible material when placed in barrels or other receptacles shall be reduced to ashes. No wire, or other material that will hinder the free use of a shovel or that will hinder the dumping of the barrel or other receptacle shall be placed in said barrel or receptacle. Restaurants, boarding houses or apartment houses, or other establishments in the Town where accumulation of garbage is especially great, may be required by the Sanitation Committee to keep such garbage apart from other refuse in covered sanitary containers. All paper, excelsior, or other inflammable material as well as all cartons, and boxes, whether of paper, pasteboard, wood or other material (which must be knocked down), if not burned, must be baled or securely tied in bundles, or when so approved by the Sanitation Committee may be sacked and placed where accessible for collection. Leaves and grass mowed from lawns should be placed in separate containers and deposited adjacent to the barrel or other receptacle.

Section 10. It shall be the duty of every person, whether owner, lessee, or renter, of any vacant lot, building or premise, including place of business, hotel, restaurant, dwelling house, apartment, tenement or other establishment, at all times to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of materials other than those ordinarily attendant upon the use for which said premises are

legally intended. Any such accumulation is hereby declared to constitute a nuisance and a non-conforming use of said premises.

Section 11. At a time designated by the Sanitation Committee, and approved by the Council, for a general Spring Clean-up, all material such as refuse, lawn rakings, plant waste, dirt, concrete, rocks, sod, building material and similar refuse, which regularly accumulate about a yard and residential premises, may be deposited in a convenient place at or near the barrels or other receptacles for the accommodation of the residents, and to encourage the maintenance of premises in a clean and orderly manner, the Town will make a special collection and disposal of such refuse, lawn rakings, plant waste, dirt, concrete, rocks, sod, building materials and similar refuse, but such collections shall be made and removed at the expense of the person owning or occupying the property.

Section 12. Whenever possible, leaves, tree cuttings, weeds, etc., shall be burned. However, no rubbish or anything whatsoever shall be burned upon any parking or on asphalt, concrete, oiled or paved streets, in other words, no such fire shall be permitted any place except upon the private property which is owned, rented or controlled by the owner, lessee, agent or purchaser of such property, or in the alley adjacent to said property; and it shall be unlawful to have a fire in any such location as to endanger property, and any fire shall be attended until reduced to ashes and extinguished.

Section 13. For the purpose of providing suitable receptacles or garbage cans for the deposit of ashes, garbage and refuse, and the retention therein in a manner such that neither garbage, papers or other objectionable matter may be scattered, misplaced or removed from such receptacle by high winds or other foreseeable causes, it shall be the duty of every owner, agent, lessee, tenant and occupant of every building, apartment, dwelling house and other type of residential quarters within the corporate limits of the Town of Mills to immediately provide, and to constantly hereafter maintain in good order and in a clean and sanitary condition, one or more garbage cans or other type of receptacle constructed of fireproof material in conformity with other requirements of this chapter and of ample size or in units of ample number to accommodate within such receptacles when closed a

small children. Every person being the owner, agent, lessee, tenant, or occupant of such building, apartment, or residential dwelling, and also the head of the family occupying the same, shall be responsible for supervising the maintenance of said receptacles and keeping the lids fitted thereon; and no such receptacle shall be allowed to overflow or to be constructed or used that garbage, refuse or paper may be blown or scattered about therefrom by high winds, animals or other foreseeable causes. It shall be unlawful and a violation of this Ordinance for any such person to permit papers, garbage or refuse to be placed in any such receptacle, except when the same shall be constructed in accordance herewith, and it shall be the duty of every such person to keep said receptacle covered with such lid at all times while any such garbage, refuse, papers or ashes are deposited therein; and it is further hereby provided that all refuse receptacles of whatever nature shall be fixed by the owner of said receptacles in such a way so that the receptacle is fastened securely in an upright position and cannot be upset or overturned by animals rummaging through said receptacles, and the manner of fixing the said receptacle securely in position as hereinabove provided, will be determined within the sound discretion of the owner thereof. And it is further hereby provided that sand, cement or other heavy substances, not properly garbage, shall not be placed in the barrels or other receptacles, wherein ashes, garbage and refuse shall normally be deposited and kept, but shall be separately contained or gathered, and special arrangements with the Sanitation Committee made for its removal as herein otherwise provided.

Section 14. It shall be unlawful and a violation of this Ordinance for any person to haul or transport any refuse, ashes or garbage from the place where it is accumulated to the dump established by the Town of Mills, unless such refuse, ashes or garbage is adequately covered to prevent blowing, scattering or loss en route.

Section 15. Certain garbage and/or soil removed from specified establishments under special contract with the Town shall be kept in closed sanitary containers, apart from other refuse, and taken out of the Town

for use as stock feed or otherwise. Such removal shall be made in closed, watertight containers approved by the Town Health Officer, at such times as he may direct, and shall be subject to supervision by the Sanitation Committee.

Section 16. The owners or persons responsible therefor shall not permit any unreasonable accumulation, and shall be held responsible for the immediate removal to the Town dump of trash and refuse as follows (unless special arrangements are made with the Sanitation Committee - which arrangements shall include both the removal of such material and payment to the Town for such removal):

- (a) Furniture, stoves, etc.
- (b) Establishments dealing in wool, hides or furs, slaughter or packing houses, tire shops, etc., shall be kept clean and orderly at all times. Premises shall be kept clean by periodic removal, by the proprietors, of all discarded or waste materials.
- (c) Christmas tree vendors shall destroy or remove refuse.
- (d) Refuse from bill-boards shall be removed to the Town dump by the licensed billposters.
- (e) Silt and similar deposits from automobile wash racks shall be removed to the Town dump by the establishment creating such deposits.
- (f) Manure, other than a light spread of manure which may be applied on lawns or gardens for fertilizing purposes and which shall be removed or plowed under within a reasonable time, shall not be allowed to accumulate for periods longer than one week in any stable, barn, corral, hutch, pen, or upon any premises within the corporate limits of the Town of Mills, but shall be removed not less than once each week by the owner or person in charge thereof, and shall be removed more often if determined by the Health Officer of the Town to be necessary; all such accumulation shall be removed to the Town dump of said Town.

- (g) Building materials: All plaster, broken concrete, stone, wood roofing materials, wire or metal binding, sacks or loose, discarded or unused materials of all kinds, resulting from the wrecking, construction or reconstruction of any room, basement, wall, fence, sidewalk or building, shall be promptly removed or stored in such a manner as not to be scattered about by wind or otherwise, and, as soon as possible, removed by the person responsible for said work. Such person shall be held liable for any scattering of such refuse upon adjacent property.
- (h) Dead animals: It shall be the duty of every person, being the owner of or having in his possession or charge any horse, or other animal which shall in any manner come to its death within the Town, to immediately remove the body or carcass of such animal to the Town dump, and to bury the same under three (3) feet of earth, where designated by the caretaker or person responsible for said dump ground, or arrange with the Sanitation Committee to have the person responsible or the caretaker bury the same.
- (i) Any accumulation of refuse that is highly explosive or inflammable which might endanger life or property, shall be removed to such place as approved by the Sanitation Committee; such removal to be handled by the establishment responsible therefor (such as garages, filling stations, dry cleaning plants, etc.).
- (j) All other refuse which may be classed as regular accumulation of waste resulting from any factory, warehouse, trade or other industry, shall be removed to the Town dump by those responsible therefor.

Section 17. That all persons to whom the foregoing sections shall apply, be and they hereby are authorized, directed and required to

secure from the Sanitation Committee of the Town of Mills a permit entitling them to use the Town dump grounds for the purpose of dumping all of the discarded furniture, stoves, hide and wool remnants, building materials, dead animals, and all other refuse accumulated by them as set out in the foregoing section, and for which permit all such persons as are required under the aforementioned section shall pay to the Sanitation Committee through the agency of the Town Clerk for said permit the sum of \$ per annum, in addition to the other charges herein specified, which amount shall be used by the Sanitation Department of the Town of Mills, to help defray the cost of supervising and maintaining the said dump.

Section 18. Except as otherwise provided in this Ordinance, all persons, firms or establishments hauling their accumulation of refuse and garbage to the established dump of the Town of Mills, are hereby authorized, directed and required to first secure from the Town Clerk of Mills a permit entitling them to use the Town dump grounds for the purpose of dumping their said accumulation of garbage and refuse, and for which permit all such persons, firms or establishments shall pay to the Town of Mills for said permit an annual fee, to be determined by the Mayor and Town Council, and no person, firm or establishment shall be permitted, from and after September 1, 1896, to use the established Town dump grounds for the purpose of disposing of their accumulated garbage and refuse unless and until they have first secured a permit therefor.

Section 19. At any time that the Town may have an exhausted gravel pit or low ground which it desires to have filled, the Town Council may authorize the Sanitation Committee to direct the deposit at such place of any and all garbage, refuse or ashes collected from the Town until such purpose shall have been accomplished.

Section 20. The location of barrels or other receptacles for the accumulation of garbage or trash must be placed on private property at the lot line and/or adjacent to an established alley or driveway. Where the property has no access to an alley, said Committee may, by a special permit, authorize some other practical location, or the use and

location of another type of receptacle. It shall be unlawful to keep refuse containers in any parking space.

Section 21. Every receptacle or barrel as required under this Ordinance, which is not:

- (a) So located as to conform with the requirements of this Ordinance;
- (b) Convenient and easy of access, for removal of refuse;
- (c) Of tight construction so as to exclude rodents or other animals and to prevent any contents thereof from being scattered by wind or otherwise;
- (d) So located as not to be obnoxious to occupants of adjacent buildings, or to constitute a fire hazard to nearby buildings, fences, etc.;

is hereby declared to constitute a nuisance, and as such shall be condemned by the Sanitation Committee. Said Committee is hereby authorized to order the same demolished, replaced or moved to a location deemed by them to be just and proper.

Section 22. All waste paper, cardboard boxes, etc. shall be burned, and burning of papers, trash, leaves, weeds, grass, tree cuttings and the like, to be permitted within the corporate limits of the Town of Mills. Said burning is hereby required to be done at least twenty-four (24) hours prior to any scheduled pickup, by an authorized contractor for hire.

Section 23. The burning of wet or dry garbage, waste food products, waste oil, slag and the like within the corporate limits of the Town of Mills at any time is hereby declared to be a nuisance.

Section 24. The burning of papers, trash, leaves, weeds, grass, tree cuttings and the like shall be permitted within the corporate limits of the Town of Mills each day except Monday after 2:00 o'clock P.M. and before 6:00 o'clock P.M. thereof. Provided, that an adult is in constant attendance at any such burning, and provided, however, that no burning shall be permitted at any time upon any blacktop pavement.

Section 25. From and after the passage, approval and posting of this Ordinance, it shall be unlawful for any person or persons, firm or corporation to burn, cause or permit to be burned, any garbage, trash, rubbish, refuse, waste food products, waste oil, weeds, grass, leaves, tree cuttings, slag and the like, except as permitted herein.

Section 26. That from and after the passing and posting of this Ordinance, all garbage, rubbish and miscellaneous refuse shall be by the owner or person in charge of the premises whereon the same is found, placed in suitable containers equipped with cover, so as to prevent the scattering of same and removed from time to time to the Town dump; removal and hauling of same shall be in accordance with the ordinances of the Town regulating the removal and hauling of garbage, rubbish, miscellaneous refuse and similar matters.

Section 27. That any person found guilty of violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefor shall be fined in any sum not less than \$5.00 nor more than \$100.00 for each such offense.

Section 28. Sec. 2, Ordinance No. 99 as amended and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

TOWN OF MILLS, a Municipal
Corporation

By: Floyd Wilcox
Mayor

Attest:

Norma Reed
Town Clerk

ORDINANCE NO. 113 (continued)

I, the undersigned, Town Clerk of the Town of Mills, Wyoming do hereby certify that the foregoing is a true and correct copy of Ordinance Number One Hundred Thirteen entitled: "AN ORDINANCE CREATING A SANITATION COMMITTEE, THEIR DUTIES AND POWERS, AND ESTABLISHING A SANITATION CODE FOR THE TOWN OF MILLS, ETC." Approved and passed by the Town Council of the said Town of Mills at a Regular Meeting thereof, held on the 7 day of August, 1956, and that the ayes and nays were taken and entered upon the journal of the said Town Council.

Norene Reed
Town Clerk

I, regularly appointed and qualified Town Clerk of the Town of Mills, Wyoming and acting in that capacity, do hereby certify that signed, attested, sealed and certified copies of this Ordinance (Number 113) approved and passed as certified above, were, following its enactment by the Town Council, by me posted up in three public places within the Town of Mills for a period of ten days as required by law, and that this Ordinance did take effect and become in force as a legal Ordinance of the Town of Mills, the 3 day of September, 1956.

Norene Reed
Town Clerk