

ORDINANCE NO. 661

AN ORDINANCE TO AMEND ORDINANCE 230 FOR THE COLLECTION AND DISPOSAL OF GARBAGE, REFUSE AND WASTE MATTER IN THE TOWN OF MILLS, WYOMING: DEFINING REFUSE, GARBAGE WASTE MATTER, PROHIBITING COLLECTION OF GARBAGE WITH THE TOWN BY ANYONE OTHER THAN THE AGENTS OR LICENSED OPERATORS OF THE TOWN, ESTABLISHING RULES AND REGULATIONS PERTAINING TO THE SEPARATIONS, STORAGE AND DISPOSAL OF GARBAGE REFUSE AND WASTE MATTER: ESTABLISHING LOCATIONS FOR COLLECTION: ESTABLISHING COLLECTION PRACTICES: PROHIBITING ACCUMULATION OF GARBAGE, WASTE MATTER OR REFUSE: REQUIRING THE DISPOSAL OF ALL MATERIALS FROM CONSTRUCTION SITES: PROHIBITING UNAUTHORIZED DISTURBING OF GARBAGE OR REFUSE CONTAINERS: PROVIDING FOR THE PROMULGATION OF RULES AND REGULATION BY THE TOWN COUNCIL: PROHIBITING THE BURNING OF GARBAGE AND OTHER WASTE MATTER IN THE TOWN AND PROVIDING A PENALTY FOR THE VIOLATION

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MILLS, WYOMING

~~SECTION 1~~

Definitions

~~1 "Refuse" For purposes of this ordinance, the word "refuse" shall mean and include any limbs, branches or trees in excess of the size specified hereafter in the definition of "waste material", construction material; lumber; rocks; bricks; concrete; scrap iron, bearings, large bolts, etc.; carpet; dirt and sod; furniture; appliances, bathroom fixtures and any other items which due to the size of the item or types of material are inappropriate to be hauled with routine domestic garbage or waste mater.~~

~~2 "Garbage". For purposes of this ordinance, the word "garbage" shall mean kitchen and table refuse and offal, will and every accumulation of animal, vegetable or 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.~~

~~3 "Waste matter" For purpose of this ordinance, the words "waste matter" shall mean and include animal manure or other excrement from animals or birds gathered from animal or bird enclosures; grass cuttings, leaves and yard cleanings; car oil and cage greases; sawdust and fireplace ashes; straw; packing materials; shavings and fiberboard boxes of such size as would become lodged in a garbage barrel. If placed therein, together with tree branches and limbs of a diameter not to exceed six (6) inches and of a length not to exceed four (4) feet.~~



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6.04.010 DEFINITIONS

“Compostable materials” means refuse materials such as yard trimmings, tree branches, and leaves which are capable of being diverted to the city compost site.

“Electronics” means components and equipment, such as computers, monitors, keyboards, televisions, cellular telephones and personal devices that contain hazardous materials.

“Garbage” means wastes resulting from the handling, reparation, cooking or consumption of foods: wastes from the handling, storage and sale of produce: and any other matter whatsoever that may decompose, become foul, offensive, unsanitary or dangerous to health.

“Litter” or “solid waste” means all of the materials identified as garbage and refuse.

“Recyclable material” means refuse materials that are capable of being diverted from the waste stream and reused.

“Refuse” means combustible and noncombustible discarded materials including, but not limited to, paper, wood, glass, metal and cloth products, weeds, yard trimmings, tree branches, furniture, bedding, building materials, leaves, ashes and solid wastes resulting from industrial and manufacturing processes.

“Secured load” means placement of tarp, cloth, netting, rope or any other device that prevents the spread of litter during transportation by any vehicle or trailer to the city landfill.

“Unsecured load” means any vehicle, trailer or truck bed that transports materials without utilization of tarps, cloth, netting, rope or any other device that prevents the spread of litter during transportation to the city solid waste facility or transfer station.

“White goods” means refuse materials such as refrigerators, freezers, washers, dryers and other large home appliances.

SECTION 2

COLLECTION BY TOWN

6.04.020 Collection service by town

The town or its agents, contractors or licensed operators shall furnish garbage and waste matter collection service as provided in this ordinance to all persons resident within the town; ~~however, as to items defined as refuse, the town shall provide collection service only as provided for hereafter.~~

The town shall have exclusive control for the collection and disposal of residential solid waste within the town limits

Developed subdivisions annexed into the town shall be serviced with residential collection exclusively by the town. The town shall have exclusive control of the collection and disposal of residential solid waste within newly annexed undeveloped subdivisions

SECTION 3

~~COLLECTION OF GARBAGE AND WASTE MATTER BY OTHER THAN TOWN PROHIBITED; EXCEPTIONS~~

6.04.030 Collection of garbage and waste matter by other than town ~~prohibited;~~ ~~exceptions~~

The town, by and through its duly authorized agents, employees, contractors, 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 licensed operators, of the town shall collect or dispose of any garbage or waste matter, whether his own or another's within the town. ~~The town may allow, professional sanitation companies to collect refuse and waste materials for commercial businesses, construction and demolition on residential property. Provided such company maintains a valid business license issued by the Town.~~

SECTION 4

~~COLLECTION SUPERVISED BY MAYOR AND COUNCIL~~

6.04.040 Supervision of collection

All garbage, waste matter and refuse collection shall be under the supervision of the mayor or the mayor's designated agent, who shall have the authority to make such regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection, conveyance and disposal as shall be necessary and to change and modify the same from time to time.

6.04.050 Appeals from regulations or fees.

~~(1) "Appeals"~~ Any person aggrieved by a regulation or a fee set by the mayor under the provisions of this chapter shall have the right of appeal to the town council who shall have authority to confirm, modify or revoke any such regulation of fee.

SECTION 5

~~PRE-COLLECTION PRACTICES~~

6.04.060 ~~Pre-collection practices~~—Separation

~~1 "Separation"~~. All refuse, as ~~heretofore~~ defined in Section 6.04.010, shall be separated from all garbage and waste matter, as ~~heretofore~~ defined in Section 6.04.010, and maintained separately

6.04.070 Pre-collection Garbage and waste matter

~~2~~ “garbage and Waste Matter”. All garbage and waste matter shall be bagged, placed and maintained in garbage containers, except the following items which shall either be placed and maintained in plastic bags, similar containers or as specified:

- (a) Animal manure and other excrement from animals or birds gathered from animal enclosures.
- (b) Grass cuttings, leaves and yard cleanings.
- (c) ~~Car oil and café greases.~~
- (d) Sawdust and fireplace ashes.
- (e) Large cardboard boxes which, because of their size, would tend to lodge in the garbage containers shall not be placed in such containers, but shall be secured to the containers in such a manner as to prevent their not being spread by the wind.
- (f) Tree branches and limbs. Any tree branches or limbs of a diameter of less than six (6) inches shall be cut to a length not to exceed four (4) feet and tied in bundles not to exceed two (2) feet in diameter.

6.04.080 Pre-collection Refuse

~~3~~ Items heretofore defined as “refuse” in Section 6.04.010 shall not be maintained in garbage containers to be collected by the routine collection process.

6.04.090 Pre-collection Storage of items unsuitable for routine collection

~~4~~ All items unsuitable for routine garbage and waste matter collection shall be accumulated and stored in a neat and sanitary manner.

~~4 Storage and Disposal of Non-Collectable Items.~~

6.04.100 Pre-collection Storage and disposal of noncollectable refuse items

Any person desiring to have the town collect and dispose of refuse not suitable for routine garbage and waste matter collection shall assemble the refuse in a neat and orderly manner on the property of the resident having the refuse to be disposed and not in the street or alleys of the town, and shall cut the size of any large limbs, branches or trees to not more than five (5) feet in length and eighteen (18) inches in diameter and shall notify the clerk of the necessity of extraordinary collection services. The town clerk shall then dispatch the necessary town employees and equipment to collect said refuse. The mayor may establish charges for extraordinary collection services under this section and prescribe the time and manner of the payment of such charges which charges shall be reasonably calculated to reimburse the town of its actual costs in collecting the refuse, transmitting it to the dump and disposing of it at the dump site.

SECTION 6

GARBAGE CONTAINERS

6.04.110 Containers Maintenance Compliance failure Action

~~1 Duty to Provide and Maintain in Sanitary Condition.~~ Garbage containers shall be provided by the ~~owner, tenant, lessee, or occupants of the premises~~ **town for residential use.** Garbage containers shall be maintained in good condition. **Commercial business that provide their own garbage containers must conform to the provisions of this chapter.** Any container that does not conform to the provisions of this ordinance, or that may have ragged or sharp edges, or any other defect liable to hamper or injure the person collecting the contents thereof, shall be promptly replaced upon notice, The mayor or the mayor's authorized agent shall have the authority to refuse collection service for failure to comply herewith. The mayor or the mayor's authorized agent, upon the discovery of any container that does not conform with the provisions of this ordinance, shall notify the owner thereof and at the next regular collection date after said notification ~~shall remove said container from the premises.~~

6.04.120 Containers Specifications

~~(a)~~ All garbage containers shall be made of ~~metal or~~ heavy duty plastic and shall have a capacity of not more than ~~fifty-five (55)~~ **ninety-five (95) gallons.** All garbage containers shall be equipped with lids sufficiently large enough to cover the entire opening of the container and sufficient in weight to prevent entry of animals and to prevent their being displaced by the wind. **Commercial garbage containers shall meet the specifications to match the sanitation vehicle pick-up requirements.**

6.04.130 Containers Placement if inaccessible for collection

~~2 Storage of Containers in Areas Without Public Alleys or Where Alleys Are Inaccessible.~~ In those areas of the town where, because there are no public alleys or the alleys are inaccessible. It is necessary that garbage collection be picked up at the curb, it will be required that the owners or occupants thereof transport their garbage containers to the curbline on the morning of the day of their routine pickup and secure them at the curbline in such a manner as to prevent them being tipped over by the wind or animals.

SECTION 8

POINTS OF COLLECTION

6.04.140 Containers Points of collection

Garbage containers shall be placed for collection on the property of the occupant, not within the right-of-way of a street or alley, and accessible to and not more than ten (10) feet from the side of the street or alley from which collection is made, provided that containers may be placed for collection at a distance of more than ten (10) feet when approved by the mayor or the mayor's representative and an additional payment for the extra service is agreed upon by both parties.

Section 9

COLLECTION PRACTICES

6.04.150 Collection Frequency

~~1~~ Frequency of Collection

- ~~(a)~~ Residential. Garbage and waste matter accumulated by residences shall be collected at least once each week.
- ~~(b)~~ **Commercial.** Hotels, restaurants and such other businesses and institutions as deem it necessary may enter into an agreement for a greater frequency of collection. Where necessary to protect the public health, the mayor or the mayor's representative shall have the authority to require that more frequent collection be made.

~~(2)~~ Limitation on Quantity.

6.04.160 Collection Limitation on quantity

- (a) Residential. The town shall collect a reasonable accumulation of garbage and waste materials of each occupant of a dwelling during a collection period for the standard charge. In this regard, it is understood the collection or accumulation of garbage in excess of ~~two (2) fifty five (55) gallon barrels~~ **one ninety- five (95) gallon container** for each family shall require an additional charge for each ~~barrel in excess of two (2)~~ **extra pickup**.
- (b) Commercial. The town shall collect a reasonable accumulation of garbage and waste materials of hotels, restaurants and other businesses and institutions during the collection period at a fair charge based upon the number of ~~barrels~~ **garbage containers**, ~~or the amount of time necessary to collect and dispose of said garbage or waste materials~~. Any person aggrieved by the amount set as the charge shall have the right within ten (10) days after notification of the charge, to appeal the same to the town council.

~~(3) Special Refuse Problems.~~

6.04.170 Collection dead animals

~~(a) Animals. Dead animals not in excess of fifty (50) pounds will be picked up by the collectors on regular designated days of collection, but in on event shall the person having such dead animal allow it to remain undisposed of for a period longer than twenty four (24) 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 at the town hall between the hours of 9:00 A. M. and 5:00 P. M.~~

~~Dead animals in excess of fifty (50) pounds will be removed by the town at the owner's expense, upon the payment of a fee as set by the mayor or the mayor's representative. In no event shall a dead animal remain undisposed of for a period longer than twenty four (24) hours.~~

The town will not pick up dead animals from places making a business of treating, handling or disposing of animals.

6.04.180 Prohibited collection Items

The following items cannot be placed in garbage containers:

Dirt, sod, brick, concrete and rock

Lumber, drywall, shingles, plaster and other construction materials

Wood, plastic and metal fencing and posts

Televisions, computers, gaming systems, DVD players and other electronic items

Furniture, appliances and carpet

Bicycles, lawn mowers, grills and satellite dishes

Vehicle parts and large metal items and furniture

Tires (car, truck, bicycle, etc.)

Paint, pesticides, household cleaners and poisons

Used, oil, gas/fuel, antifreeze and batteries

Propane tanks

Explosive, ammunition and fireworks

Hot ashes

Needles, urine, heavily blood-stained materials and dead animal carcasses

~~(4) Inflammable or Explosive Refuse.~~

~~Highly inflammable or explosive materials shall not be placed in containers for regular collection, but shall be disposed of as directed by the mayor at the expense of the owner or possessor thereof~~

~~SECTION 11~~

~~RESPONSIBILITY OF OWNERS, LESSEES, ETC. FOR REFUSE, ETC. ON PREMISES~~

6.04.200 Accumulation owner's responsibility to remove Nuisance declared.

It shall be the duty of every person, whether owner, lessee or renter of any vacant lot, building or premises, including any place of business, hotel, restaurant, dwelling house, apartment, or any other establishment, at all times to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of refuse, garbage or waste materials other than those ordinarily attendant upon use for which such premises are legally intended. Any such accumulation shall constitute a nuisance and shall be a non-conforming use of such premises.

~~SECTION 13~~

~~ACCUMULATION AND DEPOSIT OF GARBAGE, ETC. PROHIBITED~~

6.04.220 Prohibited acts.

No person shall deposit or place any garbage, rubbish or waste material or ashes in such a manner that the same is or tends to become a nuisance or in such a manner endangers or intends to endanger the public health. No person having the occupancy, control or management of any premises shall cause or permit any garbage, waste material, rubbish or ashes to be accumulated thereon in such a manner that the same is or tends to become a nuisance or in such a manner as endangers or tends to endangers the public health. No person shall in any manner throw, place, scatter, deposit or bury any garbage, rubbish, waste materials or ashes in or upon any alley or other public place or upon his own premises or the premises of another.

~~SECTION 14~~

~~BUILDING MATERIALS TO BE REMOVED FROM CONTRUCTION SITES~~

6.04.230 Refuse Building material removal

All plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire or metal binding, sacks or loose discarded or unused material of any kind resulting from the wrecking, construction or re-constructing of any room, basement, wall, fence or sidewalk or building shall be promptly removed or discarded in such a manner as not to be scattered about by the wind or otherwise, and as soon as possible be removed by the person responsible for such work. Such person shall be held liable for any scattering of such refuse upon adjacent property.

~~SECTION 7~~

~~STORAGE OF REFUSE~~

6.04.240 Refuse prohibited acts Nuisance declared

- (1) No person shall place any refuse in any street, alley, or other public place, or upon any private property whether owned by such person or not within the town except it be in proper containers for collection or under express approval granted by the mayor or the mayor's representative. Nor shall any person throw or deposit any refuse in any stream or other body of water.
- (2) Any unauthorized accumulation of refuse, garbage or waste matter on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within thirty (30) days after the ~~effective date of this ordinance~~ notice of violation shall be deemed in violation of this ordinance.
- (3) No person shall cast, place, sweep or deposit anywhere within the town any refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway or other public place, or into any occupied premises within the town.

~~SECTION 15~~

~~REMOVAL OF REFUSE FROM BUSINESSES REQUIRED~~

6.04.250 Refuse Periodic removal from certain businesses required

Discarded automobile parts, stoves, furniture, wool, hides, junk yard refuse and packing house or slaughterhouse refuse shall be removed periodically from such respective establishments by the proprietor so that the premises are clean and orderly at all times. Silt and similar deposits ~~from automobile wash racks~~ shall be removed ~~to the town dump~~ by the establishment creating such deposit. Any accumulation of refuse that is highly explosive or inflammable which might endanger life or property shall be removed to such places as approved by the chief of police or the chief of the fire department; such removal to be handled by the establishments responsible therefor.

~~SECTION 16~~

~~ACCUMULATION AND USE OF MANURE~~

6.04.260 Manure accumulation and use

Other than a light spread of manure which may be applied on lawns or gardens for fertilizing purposes, manure shall not be kept on any property for any purpose, or kept in any place for later use, but shall be either plowed under or removed by the owner, occupant or agent.

~~SECTION 17~~

~~TOWN REFUSE DISPOSAL SITES~~

6.04.270 Disposal sites.

All garbage, refuse waste matter and ash disposal sites owned or under the control of the town, together with all matter whatsoever deposited or existing thereon, shall be the property of the town, and no person shall enter upon such sites, or carry off, dispose of, burn or in any manner disturb or molest any matter of thing deposited or existing upon such sites, except under direction or authority of the mayor, or the mayor's representative.

~~SECTION 18~~

~~UNAUTHORIZED REMOVAL ETC. OF GARBAGE, ETC. CONTAINERS PROHIBITED~~

6.04.280 Unauthorized removal prohibited

No person shall remove, handle or otherwise disturb any garbage or refuse containers or contents for servicing by the collectors; provide, that this section does not apply to the owner, occupant, lessee or tenant of the residence or dwelling so placing the container and contents.

~~SECTION 19~~

~~PROMULGATION OF RULES AND REGULATIONS BY TOWN COUNCIL~~

6.04.290 Rules and regulations promulgation

The town council 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 ash collection system and service within the town; and such resolutions, when adopted, shall be of the same force and effect as if incorporated in this ordinance.

~~SECTION 21~~

~~BURNING OF GARBAGE PROHIBITED~~

6.04.300 Burning prohibited

It shall be unlawful for any person within the town to burn refuse, garbage or other waste material within the limits of the town and specifically it shall be unlawful for any person to burn any garbage, waste material or other refuse within any garbage containers.

~~SECTION 20~~

~~ENFORCEMENT OF ORDINANCE~~

6.04.310 Enforcement

The mayor, or the mayor's representative, shall have charge and supervision of the garbage, rubbish, waste material and ash 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 ordinance and the various rules and regulations promulgated hereunder from time to time.

~~SECTION 22~~

~~PENALTY FOR VIOLATION~~

6.04.320 Penalty for violation

Any person found guilty of violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in the any sum not more than ~~\$200.00~~ **\$750.00** or ~~thirty (30) days in jail~~ for each offense.

Effective Date.

This ordinance shall be in full force and effect ten (10) days following its passage and approval on third and final reading.

Repeal of Conflicting Ordinances.

All existing Ordinances or parts of Ordinances of the Town of Mills, Wyoming are hereby amended or repealed insofar as they may be inconsistent with the provisions of this Ordinance.

PASSED ON 1ST READING THE 23rd DAY OF September, 2015

PASSED ON 2ND READING THE 14th DAY OF October, 2015

PASSED, ADOPTED AND APPROVED ON 3RD AND FINAL READING THE 28th
DAY OF October, 2015.

Town of Mills, Wyoming

By: Marrolyce Wilson

Marrolyce Wilson Mayor

Attested by: Lisa Whetstone

Lisa Whetstone – Mills Town Clerk



I, Lisa Whetstone, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 661 " AN ORDINANCE TO AMEND ORDINANCE 230 FOR THE COLLECTION AND DISPOSAL OF GARBAGE, REFUSE AND WASTE MATTER IN THE TOWN OF MILLS, WYOMING: DEFINENG REFUSE, GARBAGE WASTE MATTER, PROHIBITING COLLCECTION OF GARBAGE WITH THE TOWN BY ANYONE OTHER THAN THE AGENTS OR LICENSED OPERATORS OF THE TOWN, ESTABLISHING RULES AND REGULATIONS PERTAINING TO THE SEPARATIONS, STORAGE AND DISPOSAL OF GARBAGE REFUSE AND WASTE MATTER: ESTABLISHING LOCATIONS FOR COLLECTION: ESTABLISHING COLLECTION PRACTICES: PROHIBITING ACCUMULATION OF GARBAGE, WASTE MATTER OR REFUSE: REQUIRING THE DISPOSAL OF ALL MATERIALS FROM CONTRUCTION SITES: PHOHIBITING UNAUTHORIZED DISTURBING OF GARBAGE OR REFUSE CONTAINERS: PROVIDING FOR THE PROMULGATION OF RULES AND REGULATION BY THE TOWN COUNCIL: PROHIBITING THE BURNING OF GARBAGE AND OTHER WASTE MATTER IN THE TOWN AND PROVIDING A PENALTY FOR THE VIOLTION" Passed on Final Reading by the Town Council of the Town of Mills, Wyoming, at a regular meeting held by the Council Members on the 28th day of October, 2015.

Lisa Whetstone
Lisa Whetstone, Town Clark

I, Lisa Whetstone, Town Clerk appointed, duly qualified and acting as Town Clerk of the Town of Mills, Wyoming do hereby certify that signed, attested, sealed, and certified copies of the Ordinance No. 661 approved and passed as certified above, and following its passage by the Town Council, was posted in the Town Clerk's Office and at the Mills Post Office for a period of ten (10) days as required by law, that is took effect and became in force as legal ordinance of the Town of Mills, Wyoming on the 7th day of November, 2015.