

ORDINANCE NO. 1, 1973

AN ORDINANCE PROVIDING FOR THE REMOVAL AND DISPOSAL OF GARBAGE AND REFUSE, PROVIDING DEFINITIONS, PROHIBITING BURNING, PROVIDING STANDARDS, AUTHORIZING THE TOWN COUNCIL TO CONTRACT FOR REMOVAL OF GARBAGE, PROVIDING FEES AND BILLING, PROVIDING FOR GARBAGE RECEPTACLES AND CONTAINERS, AUTHORIZING THE GENERAL COMMISSIONER TO CONDEMN RECEPTACLES NOT IN CONFORMITY AND TO CONSTITUTE A NUISANCE, PROVIDING FOR PENALTIES FOR VIOLATIONS, PROVIDING FOR EFFECTIVE DATES AND REPEALING ANY ORDINANCE IN CONFLICT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF SUNDANCE, CROOK COUNTY, WYOMING:

SECTION 1:

SANITARY AND SAFETY MEASURE. This ordinance is declared to be strictly a sanitary and safety measure, enacted for the promotion of the public health and safety. The town Council is hereby authorized, empowered and directed to use every means at its disposal, including police powers, for the enforcement hereof.

SECTION 2:

DEFINITIONS-GARBAGE AND REFUSE. 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, and other refuse, accumulation of fruit, vegetable, or animal matter, that attend the preparation and 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. The word refuse as herein used is hereby defined and shall be taken as, and held to mean any containers, boxes, glass, cans, bottles, metal and residue from the burning or other destruction of all combustible material whatsoever and any other material commonly known as rubbish or refuse of any kind or character or by any name known except as herein excluded.

SECTION 3:

OCCUPIED PREMISES. Any place of abode, dwelling, or any place of business in operation shall be prima facie evidence that refuse and or garbage is being produced and accumulated on said premises, and it shall be the duty of the proper representatives of the town to inspect and supervise said premises and to remove there from any and all refuse and or garbage on any premises in the town.

SECTION 4:

ILLEGAL TO STORE OR SCATTER REFUSE AND GARBAGE No refuse and or garbage shall be stored or accumulated anywhere in the town or thrown or swept into any street, gutter, sewer, intake, alley, vacant lot, pond or other property. Each business establishment shall be held responsible for keeping the sidewalk in front of such building free from any accumulation of refuse and or garbage. The owner or manager of such business shall be held liable for any violation hereof.

SECTION 5:

NO BURNING WITHIN THE TOWN. No garbage and or refuse of any kind shall be burned within the town other than in furnaces or stoves in the buildings of the occupants thereof.

SECTION 6:

RECEPTACLE REQUIRED AND THE DISPOSITION OF WASTE THEREIN. To provide for the regular deposit of garbage and refuse as herein required it shall be the duty of every owner, agent, lessee, renter, or purchaser of any building, dwelling or premises (excluding only vacant lots) within the town to provide forthwith and to maintain in good order and in clean con-

dition for the exclusive use of such building, dwelling and premises one or more 32 gallon fireproof garbage receptacles with a lid therefor, except as otherwise provided, all ashes, garbage and refuse shall be properly deposited in such receptacles in a moisture proof bag or container, and shall be kept in no other place. Restaurants, boardinghouses, or apartment houses or other establishments where the accumulation is especially great may be required by the general commissioner to keep such garbage apart from any other refuse in covered sanitary containers. All paper, excelsior, or other inflammable material, as well as cartons and boxes, whether of paper, pasteboard, wood, or other material (which must be knocked down), must be baled or tied securely in bundles: or when so approved by the general commissioner, may be sacked and placed where accessible for collection.

SECTION 7:

PREMISES TO BE CLEAN AND ORDERLY. It shall be the duty of every person whether owner, lessee, or renter of any vacant lot, building, or premises, including places of business, hotes, restaurants, dwelling house, apartment, tenements, or other establishments, at all time 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 violation of this ordinance.

SECTION 8:

WHO SHALL HANDLE REMOVAL. The collection and removal of all garbage and refuse within the town, except as hereinafter provided, shall be at all times under the supervision of the general commissioner. The same may be handled exclusively by the town, or the town council is hereby authorized to contract for the removal of all or any specified part thereof with the lowest and best responsible bidder or bidders for a period not to exceed three years.

SECTION 9:

EXCEPTIONS. To be removed by those responsible. The owners or persons responsible therefor shall not permit any unnecessary accumulation and shall be held responsible for the immediate removal to the town dump or trash and refuse as follows (unless special arrangements are made with the general commissioner, which arrangements shall include both removal of such material and payment to the town for such removal)

- A. Discarded. Discarded automobile parts, furniture stoves, etc.
- B. Establishments dealing in wool, hides, etc. Establishments dealing in wool, hides, or furs, slaughter or packing houses, junk yards, tire shops, auto wrecking yards, etc., shall be kept clean by periodic removal by the proprietors of all discarded waste material.
- C. Refuse from billboards. Refuse from billboards shall be removed to the town dump by the licensed bill posters.
- D. Tree Vendors. Christmas tree vendors shall destroy or remove refuse.
- E. Manure. 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 premises for any purpose or kept in piles for later use, but must be either plowed under or removed by the owner, occupant, or agent. Where regulary accumulated manure shall be periodically removed by the proprietors of the establishment at such intervals as may be prescribed by the general commissioner.
- F. 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 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.
- G. 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 remove the body or carcass of such animal to the town dump immediately, and to bury the same under three feet of earth in such place as may be designated by the general commissioner of the town.

- H. Highly Explosive or Inflammable refuse. Any accumulation of refuse that is highly explosive or inflammable and which might endanger life or property shall be removed to such place as approved by the general commissioner. Such removal to be handled by the establishment responsible therefor (such as garages, filling stations, dry cleaning plants, etc.)
- I. All other Refuse. All such refuse which may be classed as a regular accumulation of waste resulting from any factory, warehouse, trade or other kind of industry shall be removed to the town dump by those responsible therefor.

SECTION 10:

REMOVAL TO DUMP GROUNDS. Except as otherwise provided in this ordinance, any town department or person responsible for the collection, removal, and disposal of garbage, refuse, or ashes is hereby required to deposit the same upon the dump grounds of the town hereto fore established as such, or which hereafter may be so established, and the removal to or burying at any other place of any garbage, refuse, or ashes shall be unlawful.

SECTION 11:

RECEPTACLE MAY BE CONDEMNED. Every receptacle 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 as to exclude rodents and other animals and to prevent any contents thereof from being scattered by the wind or otherwise,
- D. So located as not to be obnoxious to occupants of adjacent buildings, is hereby declared to constitute a nuisance and as such be condemned by the general commissioner. Said commissioner is hereby authorized to order the same demolished, replaced, or removed to a location deemed by him to be just and proper.

SECTION 12:

PAYMENT FOR SERVICES. The fee for the services provided shall be in such amount as the council may from time to time set by resolution. Until the council by resolution shall otherwise provide, every place of abode, and every place of business within the town shall pay to the town for the supervision and removal of garbage and refuse as defined herein the following fees:

- A. Residence Fee. For each family unit, five dollars per month. The term, family unit, is for the purpose of this ordinance, defined as a house or building or any portion of a house or building occupied by one family.
- B. Business Fee. For each place of business fifteen dollars.
- C. Billing and payment. For all residences and businesses where water service is furnished, the monthly charge set forth in this ordinance shall be added to and collected as a part of the water bill. For all other places serviced, the monthly charge set forth in this ordinance may be added to the water bill or may be billed separately to the owner as the council may direct. Bills for charges made under this ordinance shall be due and payable each month at the same time as the water bill. If such charge is not paid when due, the water service to such premises may be shut off by the city in the same manner as is provided in the case of delinquent water and sewer charges and such service shall not be restored until the charge in question has been paid in full, together with any penalties.

SECTION 13:

VIOLATIONS.

- A. Upon notice being given to any owner, agent, lessee, renter, or purchaser of any building or premises, requiring him to provide or relocate a receptacle as hereinbefore required, a period of not to exceed thirty days shall be given to such person to provide or relocate said receptacle. Each day after said thirty days that said requirement is not fully complied with shall constitute a separate offense under the penalty provisions of this ordinance.
- B. The refusal or neglect of any owner, purchaser, tenant, or lessee to pay the fees prescribed by the town for the supervision and removal of garbage and refuse or to comply with any other provision of this ordinance shall constitute a violation thereof.

SECTION 14:

PENALTY. Any person whomsoever, who shall violate any of the provisions of this ordinance shall upon conviction, be fined in any sum not exceeding one hundred dollars, plus costs of prosecution for each offense, and in case of failure to pay said cost of prosecution he shall be imprisoned in the town jail until such fine and costs be paid at the rate of one dollar for each day of confinement: Provided said imprisonment shall not be for longer than three months.

SECTION 15:

EFFECTIVE DATE. This ordinance shall be in force and effect from and after its passage and publication.

SECTION 16:

REPEALING CLAUSE. Ordinance Number 9, Revised Ordinances of the Town of the City of Sundance, Wyoming 1960, and all ordinances in conflict herewith, be and the same are hereby repealed.

Passed, Adopted, and approved this 13th day of April, 1973