

## **94.022 REFUSE STORAGE REGULATIONS.**

### *(A) Types of containers; specifications.*

(1) *Standard refuse container.* The standard refuse container required by this subchapter shall be a receptacle of not less than 20, nor more than 30-gallons' capacity, leakproof, of impervious material and sturdy construction, with a tight fitting cover in place at all times, equipped with at least two handles properly placed to facilitate handling and shall be subject to the approval of the Health Commissioner.

(2) *Sanitary refuse container.* The sanitary refuse container required by this subchapter shall be a receptacle constructed of impervious material, leakproof and subject to the approval of the Health Commissioner.

### *(B) Duty to provide containers.*

(1) The occupant of every single-family dwelling shall provide and maintain in good condition and repair not less than one standard refuse container.

(2) The owner or his or her agent of every multiple-family dwelling shall provide at least one sanitary refuse container for each floor and not less than one sanitary refuse container for every ten persons dwelling therein.

(3) The occupant of every building shall provide a sufficient number of sanitary refuse containers for the temporary storage of all refuse accumulating between collections.

(4) All refuse which is placed for collection service outside of the building must be kept in standard refuse containers.

### *(C) Use of containers.*

(1) It shall be the duty of the occupant of every single-family dwelling, multiple-family dwelling or occupational unit to cause all refuse, garbage or ashes produced therein to be deposited in the refuse container as provided in this subchapter.

(2) It shall be unlawful for any person, other than the owner or occupant of the premises served by a refuse container, to deposit or cause to be deposited therein any article or thing whatsoever.

(3) It shall be unlawful for any person to deposit in any standard refuse container any article or thing, except refuse, garbage or ashes, as defined in this subchapter.

(D) *Containers to be enclosed.* It shall be the duty of the occupant and owner of any building, dwelling, dwelling unit or occupational unit located in an R-2 Residential Multiple-Family Zoning District, as defined by §§ [159.045](#) through [159.047](#), to place, or cause to be placed, all garbage and/or refuse containers within an enclosure consisting of a fence, screen, walls, structure or building, or any combination thereof, completely concealed from outside view, and the enclosure shall be of a height, size and materials sufficient to completely conceal the containers therein from public view.

(E) *Placement of containers for collection.* It shall be the responsibility of the property owner or occupant of any house, building, flat or apartment in the village, where people reside, to place garbage and refuse containers at the curb line for collection not earlier than 6:00 p.m. of the day preceding collection day and to remove empty containers to their normal places of storage by 8:00 p.m. of the day of collection.

(F) *Brush and tree trimmings.* All brush and tree trimmings, limbs and branches placed for collection shall be cut into sections of not more than three lineal feet and bundled or tied.

(Prior Code, § 4-3-3) (Ord. 647, passed 7-21-1977) Penalty, see § [94.999](#)

 **§ 94.023 COLLECTION OF GARBAGE AND REFUSE.**

(A) *Single-family dwellings.*

(1) Every owner or person in possession of a single-family dwelling in the village shall be required to have accumulations of refuse, garbage and ashes removed and disposed of at his or her own cost and expense, except as specifically undertaken by the village in division (A)(3) below, utilizing scavengers who are authorized by the village to remove the refuse, garbage or ashes from single-family dwellings.

(2) Every owner or person in possession of a condominium in the village shall be required to have accumulations of refuse, garbage and ashes removed and disposed of at his or her own cost and expense, except as specifically undertaken by the village in division (A)(3) below, utilizing scavengers who are authorized by the village to remove the refuse, garbage or ashes from condominium dwellings.

(3) The initial owner and first person in possession of a newly constructed owner-occupied single-family dwelling or condominium dwelling in a fully owner-occupied condominium complex in the village electing to have refuse, garbage and ashes removed and disposed of by the village or by scavengers who are authorized by the village to remove the refuse, garbage or ashes from owner-occupied single-family dwellings or condominiums in a fully owner-occupied condominium complex on behalf of the village shall be required to pay, and shall pay, to the village prior to the commencement of the aforesaid scavenger service, a single, one-time charge equal to 12 times the then current monthly rate billed to the village by the scavenger authorized by the village for scavenger service to the subject single-family dwelling or condominium complex for a 12-month term commencing upon the date of initial occupancy of the newly constructed single-family dwelling. Thereafter, the village will pay for the removal of the refuse, garbage or ash, excepting building materials.

(B) *Multiple-family dwellings.* It shall be the duty of the owner of every multiple-family dwelling to cause to be removed, at his or her own cost and expense, at least once each week, all refuse, garbage and ashes produced therein. **MULTIPLE-FAMILY DWELLINGS** shall mean rental apartments and condominiums or condominium complexes which are rented, in whole or part.

(C) *Occupational units.* It shall be the duty of the owner or person in possession of every occupational unit to cause to be removed, at his or her own cost and expense, at least once each week, all refuse, garbage and ashes produced therein. Notwithstanding the foregoing, upon notice in writing by the Commissioner of Health, the owner or person in possession of an occupational unit may be required to cause the removal of certain garbage, refuse and ashes more often than once a week.

(Prior Code, § 4-3-4) (Ord. 1125, passed 7-6-1989; Ord. 1767, passed 5-15-2003) Penalty, see § [94.999](#)

 **§ 94.024 BURNING GARBAGE AND REFUSE PROHIBITED.**

It shall be unlawful for any person to burn garbage, refuse or any materials within the village limits.

(Prior Code, § 4-3-5) Penalty, see § [94.999](#)

**§ 94.025 UNLAWFUL DEPOSITS; LITTERING.**

(A) No garbage or refuse of any kind shall be deposited in any street, alley, drainage ditch, private place or public place, except as is provided in this subchapter and no refuse shall be so placed that it can be blown about or scattered by the wind.

(B) It shall be unlawful for any person (in person or by his or her agent, employee or servant) to cast, throw, sweep, sift or deposit in any manner in or upon any public way or other public place in the village, or in any river, canal, public water, drain, sewer or receiving basin within the jurisdiction of the village, any kind of dirt, rubbish, waste article, thing or substance whatsoever, whether liquid or solid.

(C) It shall be unlawful for any person (in person or by his or her agent, employee or servant) to cast, throw, sweep, sift or deposit any of the items mentioned in division (B) above anywhere within the jurisdiction of the village in a manner that it may be carried or deposited, in whole or in part, by the action of the sun, wind, rain or snow, into any of the aforementioned places. However, this division (C) shall not apply to:

- (1) The deposit of material under a permit authorized by any ordinance of the village;
  - (2) Goods, wares or merchandise deposited upon any public way or other public place temporarily, in the necessary course of trade, and removed therefrom within two hours after being so deposited; or
  - (3) Articles or things deposited in or conducted into the village sewer system through lawful drains in accordance with the ordinances of the village relating thereto.
- (Prior Code, § 4-3-6) (Ord. 774, passed 10-18-1979) Penalty, see § [94.999](#)

**§ 94.026 ACCUMULATION OF JUNK PROHIBITED.**

(A) No yard, lot, premises or enclosure, or part thereof, shall be used, kept, maintained or operated for the purpose of storing used lumber, metal or other secondhand building material, dismantled motor vehicles or parts thereof, crates, cases, boxes or other discarded material.

(B) It shall be unlawful for any person to store or keep any old articles or materials, including, but not limited to, automobiles in a state of disrepair, unsightliness or uncleanliness, and which may be described as junk, adjacent to or in close proximity to any schoolhouse, church, public parks, public grounds, business buildings or residences without first providing proper tight buildings for the storage of same.

(Prior Code, § 4-3-7) Penalty, see § [94.999](#)