

ORDINANCE 3.08**AN ORDINANCE GOVERNING THE
COLLECTION AND DISPOSAL OF
GARBAGE AND RUBBISH AND
PROVIDING PENALTIES THEREOF**

THE CITY COUNCIL OF THE CITY OF ROTHSAY DOES ORDAIN AS FOLLOWS:

SECTION 1. It shall be unlawful for any person, firm or corporation to fail to dispose of garbage and rubbish which may be on or may accumulate upon property owned or occupied by him/her or them, within the City of Rothsay, in a sanitary manner as provided herein.

SECTION 2. The word "garbage", as used herein, shall include only organic refuse resulting from the preparation of food, and decayed and soiled food from any source. The word "rubbish", as used herein, shall include all inorganic refuse matter such as tin cans, glass, paper, ashes, sweepings, cardboard, worn-out clothing or furniture, garden, lawn or tree trimmings (not exceeding a length of four (4) feet), factory wastes or refuse from industrial plants of any character (not exceeding a length of four (4) feet), etc. It shall not include waste materials from building construction or repair.

SECTION 3. Every householder or occupant of any dwelling house, residence, boarding house, restaurant, or place of business within the City of Rothsay, having garbage and rubbish which may accumulate and to dispose of, shall provide one or more fly-tight regulation garbage metal or plastic cans, sufficient to receive all such garbage and rubbish which may accumulate between the times of garbage and rubbish collection in the City of Rothsay. Each can shall have a capacity of not to exceed twenty-two (22) gallons, provided with a bail or handles and a tight-fitting cover. Said cans shall be placed in a conveniently accessible place near the street so as to be serviced by the collector and remover thereof. The City Council shall be the exclusive judges of the sufficiency of said garbage and rubbish cans and receptacles, and their location to make ready their accessibility for removal by the collector and remover thereof.

SECTION 4. All garbage and rubbish accumulating between the times of collection, shall be placed in cans provided in Section 3 above. Said garbage and rubbish shall be drained of all water and securely wrapped before placement in the can. It shall be unlawful to deposit any substance or materials other than garbage or rubbish in such cans.

SECTION 5. The collection and removal of garbage and rubbish shall be made at the times and in the manner that may be provided for by the City Council by contract or employed labor. The times and manner of collecting and removing may vary as said City Council shall appropriately decide. The City Council, from time to time, may determine appropriate rules and regulations governing the times and manner of collection and removal of the garbage and rubbish. It shall also be determined by the City Council the charge of removal of garbage and rubbish.

GARBAGE & RUBBISH COLLECTION continued.....

SECTION 6. It shall be unlawful for any person, firm or corporation to collect garbage without having first secured from the City Council a license or contract to do so.

SECTION 7. Each licensed garbage collector shall provide a covered tank or wagon, so constructed that the contents will not leak or spill therefrom, in which all garbage collected by him/her shall be conveyed to the place designated in his/her application. The wagon or conveyance used shall be kept clean and as free from offensive odors as possible, and shall not be allowed to stand in any street, alley, or public place longer than is reasonably necessary to collect garbage.

SECTION 8. Any person, firm or corporation desiring a license to collect garbage shall make application for the same to the City Clerk upon a form prescribed by the Council. The application shall set forth, (1) the name and address of the applicant; (2) a list of the equipment which is proposed to be used in such collection; (3) the place or places to which the garbage and rubbish is to be hauled and disposed of; (4) the portion of the City in which collections are to be made. Before any license or contract, as the case may be, is issued or granted, the applicant shall provide for public liability insurances and insurances to provide for reimbursement for property damage.

SECTION 9. Any person, firm or corporation violating any of the provisions of this Ordinance shall, upon conviction thereof, be deemed guilty of a misdemeanor and punished by a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, or by imprisonment not to exceed ninety (90) days.