

AN ORDINANCE PROVIDING 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 WITHIN 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; ESTABLISHING FEES FOR THE COLLECTION OF GARBAGE, WASTE MATTER AND REFUSE; 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 REGULATIONS 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 matter.

(2) "Garbage". For purposes of this ordinance, the word "garbage" shall mean kitchen and table refuse and offal, swill and every accumu-

lation 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 purposes 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 cafe 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.

## SECTION 2.

### COLLECTION 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.

## SECTION 3.

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

The town, by and through its duly authorized agents, employees, contractors or licensed operators, 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.

SECTION 4.

COLLECTION SUPERVISED BY MAYOR AND COUNCIL

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 matter pertaining to the collection conveyance and disposal as shall be necessary and to change and modify the same from time to time.

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

SECTION 5.

PRE-COLLECTION PRACTICES

(1) "Separation". All refuse, as heretofore defined, shall be separated from all garbage and waste matter, as heretofore defined, and maintained separately.

(2) "Garbage and Waste Matter". All garbage and waste matter shall be 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 cafe greases.
- (d) Sawdust and fireplace ashes.
- (e) Large cardboard boxes which, because of their size, would tend to lodge in the garbage con-

tainers 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.

(3) Items heretofore defined as "refuse" shall not be maintained in garbage containers to be collected by the routine collection process.

(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. 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 for its actual costs in collecting the refuse, transmitting it to the dump and disposing of it at the dump site.

SECTION 6.

GARBAGE CONTAINERS

(1) Duty to Provide and Maintain in a Sanitary Condition. Garbage containers shall be provided by the owner, tenant, lessee, or occupants of the premises. Garbage containers shall be maintained in good condition. 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 services 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.

(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) 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.

(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 curblines on the morning of the day of their routine pickup and secure

them at the curblin in such a manner as to prevent them being tipped over by wind or animals.

## SECTION 7.

### STORAGE OF REFUSE

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.

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 shall be deemed in violation of this ordinance.

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 8.

### 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

- (1) Frequency of Collection. (a) Residential. Garbage and waste matter accumulated by residences shall be collected at least once each week.  
  
(b) 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 collections be made.
- (2) 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 for each family shall require an additional charge for each barrel in excess of two (2).  
  
(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 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. (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 no 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 animals.

- (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 10.

FEES

Each residence or business located within the town shall be charged a minimum of Three (\$3.00) Dollars per month for the availability of garbage and waste matter collection and disposal and the town shall, without further charge, collect and dispose a reasonable quantity of garbage and waste matter from each residence or business. In this connection, a reasonable amount shall not exceed the equivalent of two (2) fifty-five (55) gallon barrels of garbage collected once each week.

For collections more often than once each week, or in excess of the equivalent of two (2) fifty-five (55) gallon barrels, the town shall make the following additional charges.

For each pickup of the equivalent of two (2) fifty-five (55) gallon barrels, additional to once each week . . . . . \$ 1.00

For each additional barrel, or equivalent, per pickup . . . . . \$ 1.50

Whenever it is impossible to determine the fees to be charged by virtue of the fact that the garbage or waste matter to be collected is not stored in and cannot be calculated in the equivalent of fifty-five (55) gallon barrels, the mayor or the mayor's representative shall, over a period of not less than one (1) week, study and determine the amount of garbage and waste matter to be collected from said premises and based upon the time involved, the nature of the garbage and waste matter and the volume of the garbage and waste matter shall determine a reasonable fee to be charged for the collection services. After such fee has been determined, the mayor or the mayor's representative shall send written notice to the owner of the premises of the fee determined to be charged, which fee shall be computed on a monthly basis and which fee shall be subject to change at any time by further study by the mayor or the mayor's

representative. Within ten (10) days after the owner of the premises has received said notification, the owner may appeal the determination of the fee to the town council. The town council, upon hearing the evidence of the mayor or the mayor's representative and of the appealing party, shall then make and determine the fee to be charged on a monthly basis for the garbage collection services from the premises.

#### SECTION 11.

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

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 12.

##### ORDER FOR REMOVAL OF ACCUMULATED REFUSE, GARBAGE OR WASTE MATTER

Whenever the town council shall direct, the town clerk shall immediately thereafter notify any owner of property, his agent or any person having charge of such property, in writing, that an order has been made by the town council requiring the removal of any accumulated refuse, garbage or other waste material from such property or premises within thirty (30) days after service of notice. If such property owner, agent or person having charge of such property, shall not remove such

refuse in accordance with the requirements of such order, the town council may order that such refuse be removed by the town, or agents of the town, and assess the cost thereof against the owner of the property or premises, or against the property as if a lien for improvement of the property, in which case the town may proceed against the property in accordance with the applicable lien foreclosure statutes.

#### SECTION 13.

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

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 endanger 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 CONSTRUCTION SITES

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 15.

##### REMOVAL OF REFUSE FROM 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

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

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

No person shall remove, handle or otherwise disturb any garbage or refuse containers or contents for servicing by the collectors; provided, 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

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 20.

ENFORCEMENT OF ORDINANCE

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 oper-

ation of the service. He shall enforce the terms of this ordinance and the various rules and regulations promulgated hereunder from time to time.

SECTION 21.

BURNING OF GARBAGE 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 22.

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 any sum not more than \$200.00 or thirty (30) days in jail for each offense.

SECTION 23.

FORMER ORDINANCE REPEALED

Any and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 24.

SEPARABILITY CLAUSE

In the event that any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication of invalidity shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this ordinance.

PASSED on First Reading the 4th day of September, 1974.

PASSED on Second Reading the 10th day of October, 1974.

PASSED, APPROVED and ADOPTED on Third and Final Reading the  
10th day of October, 1974.

TOWN OF MILLS, a Municipal Corporation

By *L. A. Wilcox*  
Mayor

Attest:

*Norene Reed*  
Norene Reed, Clerk of Town of Mills,  
a Municipal Corporation

I, Norene Reed, Town Clerk of the Town of Mills, Wyoming, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 230, entitled "AN ORDINANCE PROVIDING 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 WITHIN 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; ESTABLISHING FEES FOR THE COLLECTION OF GARBAGE, WASTE MATTER AND REFUSE; 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 PROM-

ULGATION OF RULES AND REGULATIONS BY THE TOWN COUNCIL;  
PROHIBITING THE BURNING OF GARBAGE AND OTHER WASTE  
MATTER IN THE TOWN AND PROVIDING A PENALTY FOR THE  
VIOLATION." Passed on third reading by the Town Council of the Town  
of Mills, Wyoming, at a regular meeting held at the Council Chambers  
on the 10th day of October, 1974.

Sign: Norene Reed  
Norene Reed, Town Clerk

I, regularly appointed, duly qualified and acting town clerk of the  
Town of Mills, Wyoming, do hereby certify that signed, attested, sealed  
and certified copies of this Ordinance No 230 approved and  
passed as certified above, were, following its passage by the town  
council, posted up in the town clerk's office and the Mills Post Office  
for a period of ten (10) days as required by law; that it took effect and  
became in force as a legal ordinance of the Town of Mills, Wyoming,  
on the 6th day of November, 1974.

Sign: Norene Reed  
Norene Reed, Town Clerk