

SEC. 102-45. - CURBSIDE PLACEMENT AND COLLECTION OF TRASH.

TRASH PLACED FOR COLLECTION BY A PROPERTY OWNER, OCCUPANT OR AGENT SHALL BE IN COMPLIANCE WITH THE REGULATIONS HEREINAFTER SET FORTH:

- (1) IN THE MONTHS OF NOVEMBER THROUGH AND INCLUDING THE MONTH OF APRIL, TRASH MAY BE PLACED ON THE PUBLIC RIGHT-OF-WAY, ADJACENT TO THE PROPERTY FROM WHICH IT CAME, NOT MORE THAN ONE DAY PRIOR TO THE SCHEDULED DAY OF COLLECTION.
- (2) DURING THE MONTHS OF MAY THROUGH AND INCLUDING THE MONTH OF OCTOBER, TRASH MAY BE PLACED ON THE PUBLIC RIGHT-OF-WAY, ADJACENT TO THE PROPERTY FROM WHICH IT CAME, NOT MORE THAN THREE DAYS PRIOR TO THE SCHEDULED DAY OF COLLECTION.
- (3) TRASH SMALL ENOUGH TO BE SCATTERED BY WIND OR RAIN, PLACED FOR COLLECTION AND DISPOSAL BY THE PUBLIC WORKS DEPARTMENT, MAY BE PLACED IN A PLASTIC GARBAGE CAN FOR CONTAINMENT. THE USE OF NONRETURNABLE CONTAINERS SUCH AS PLASTIC BAGS SHALL BE PROHIBITED FROM BEING PLACED IN TRASH FOR COLLECTION.
- (4) TRASH PLACED FOR COLLECTION SHALL NOT EXTEND MORE THAN SIX FEET INTO THE STREET FROM THE CURB OR PAVEMENT EDGE AND SHALL NOT OBSTRUCT THE STREET OR SIDEWALK OR CREATE AN UNSAFE CONDITION AS DETERMINED BY THE CHIEF OF POLICE. IF TRASH IS PLACED IN VIOLATION OF THIS SUBSECTION, THE PERSON IN VIOLATION SHALL BE CITED NOT ONLY FOR VIOLATION OF THIS SECTION, BUT ALSO FOR A VIOLATION OF SECTION 106-1 RELATING TO THE OBSTRUCTION OF SIDEWALKS AND STREETS.
- (5) NO ITEM OF TRASH PLACED FOR COLLECTION SHALL EXCEED EIGHT FEET IN LENGTH AND SIX INCHES IN DIAMETER.
- (6) IT SHALL BE THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER TO DISPOSE OF ANY TRASH OR DEBRIS WHICH DOES NOT CONFORM TO THE REQUIREMENTS OF THIS SECTION.
- (7) TRASH COLLECTION SCHEDULED FOR DATES FALLING ON A HOLIDAY WILL BE MADE ON OR BEFORE THE FOLLOWING SATURDAY.
- (8) TRASH PLACED FOR COLLECTION SHALL BE PLACED NO CLOSER THAN SIX FEET FROM ANY FIRE HYDRANT, UTILITY POLE, SIGN OR STREET MARKER, NOT UNDER ANY OVERHANGING TREE BRANCHES, OVERHEAD CABLES OR GUY WIRES.
- (9) THE OWNER OF A PROPERTY IMMEDIATELY ADJACENT TO THE RIGHT-OF-WAY IN WHICH TRASH IS PLACED FOR COLLECTION IN VIOLATION OF THIS SECTION SHALL BE DEEMED TO BE PRIMA FACIE IN VIOLATION OF THIS SECTION.

THESE PROVISIONS SHALL NOT APPLY TO THE PAVED PORTION OF THE STATE DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY WITHIN THE TOWN OR TO THE PAVED PORTIONS OF COUNTY ROAD, OCEAN BOULEVARD OR LAKE WAY, WHERE THE PLACEMENT OF TRASH IS SPECIFICALLY PROHIBITED.

(CODE 1982, § 8-15; ORD. NO. 11-97, § 1(A), 10-14-97; ORD. NO. 31-01, § 1, 12-11-01; ORD. NO. 7-02, § 1, 3-12-02)