

Sec. 12-1. - Definition.

Garbage can be defined as household waste materials that cannot be reused and will instead be sent to the landfill. Items may include leftovers by human or pet consumption, plastics, cardboard packages, packaging discarded from the store or online shopping.

There are 5 categories of refuse;

- 1) Household refuse
- 2) Yard debris: bagged leaves, bundled sticks, grass clippings.
- 3) Bulk refuse: furniture, appliances, electronics, metals, construction debris.
- 4) Hazardous materials as characterized by the EPA, to include paint, used motor oil, flammables, industrial waste, any other waste defined above or waste that cannot be disposed of at a permitted landfill without special handling.
- 5) Recyclables

Household refuse shall be collected weekly and yard debris will be collected periodically by Public Works.

(Ord. No. 100, § 2)

Sec. 12-2. - Residential receptacles—Required; specifications.

- (a) The occupants of every house or other private residence within the town shall have all garbage and trash accumulated on such premises, placed in toter carts meeting the requirements of this section.
- (b) Toter carts stamped with the Town logo, will be provided by the Town, one per account. Toter carts must be kept in serviceable condition, with lids closed. Toters deemed unserviceable due to Town misuse, or length of service will be replaced by the Town.
- (c) Household refuse shall be bagged and placed in the toter cart. Loose garbage or trash will not be handled by collection crews. Bags outside of toters will not be handled by collection crews.
- (d) It shall be unlawful for the occupant of any premises to have, maintain or keep any garbage or trash on the premises, except receptacles or containers meeting the requirements of this section.
- (e) Additional Town toters may be requested per account. Town toters may be requested for an additional quarterly fee, up to a maximum of 3 per residential account. If additional toters are needed, a separate account must be set up.
- (f) Toter carts are property of the Town of Colonial Beach and must be returned if municipal refuse services cease for that occupant. (Ord. No. 100, §§ 1, 3; Ord. No. 100A; Ord. No. 254)

Cross reference— Zoning ordinance, App. A.

Sec. 12-3. - Same—Maintenance.

All toters required by section 12-2 must be kept in good physical condition by the occupant of the premises. Occupants may report a toter needing replacement to the Department of Public Works. Replacement of can, due to damaged or missing by owner or occupant, shall be charged to the owner at the rate of the current replacement cost.

(Ord. No. 100, § 1)

Sec. 12-4. - Same—Placement for collection; handling by collectors.

On the days that toter carts are collected by the town, the occupant of any premises shall place their toter cart(s), handles outward, within the easement closest to the street no later than 7:00 A.M. With the town manager's approval, pick-up at points next to residences will be allowed on an individual basis for residents with special needs. The collectors shall exercise reasonable care in handling the toter carts.

(Ord. No. 100, § 1; Ord. No. 254)

Sec. 12-5. - Same—Violations of sections 12-2—12-4.

Any person violating any provision of sections 12-2, 12-3 or 12-4 shall be guilty of a Class 4 misdemeanor.
(Ord. No. 100, § 4)

Cross reference— Penalty for Class 4 misdemeanor, § 1-10.

Sec. 12-6. - Littering.

(a)No person shall dump or otherwise dispose of trash, garbage, refuse or other unsightly matter on a public street, or right-of-way, or property adjacent thereto, or on private property without the written consent of the owner thereof or his agent. Nothing in this section shall be construed to permit the dumping of any material on private property in violation of section 12-7.

(b)When any person is arrested for a violation of this section, and the matter alleged to have been dumped or disposed of has been ejected from a motor vehicle, the arresting officer may comply with the provisions of section 46.2-936 of the Code of Virginia in making the arrest.

(c)When a violation of the provisions of this section has been observed by any person and the matter dumped or disposed of has been ejected from a motor vehicle, the owner or operator of such motor vehicle shall be presumed to be the person ejecting such matter; provided, however, that such presumption shall be rebuttable by competent evidence.

(d)Any person violating this section shall be guilty of a Class 1 misdemeanor.

(Ord. No. 151)

Cross reference— Penalty for Class 1 misdemeanor, § 1-10; deposit of hazardous or injurious material on street, § 19-3.

State Law reference— Similar provisions, Code of Virginia, § 33.1-346.

Sec. 12-7. - Permit for dumping.

(a) No garbage, trash or offensive or disease-producing material shall be dumped on any lot or space within the town for the purpose of filling or for any other purpose, without a written permit issued by the town manager.

(b) A violation of this section shall constitute a Class 1 misdemeanor.

(Ord. No. 100, § 1)

Cross reference— Penalty for Class 1 misdemeanor, § 1-10.

Sec. 12-8. - Specifications for businesses.

(a) Businesses shall conform to the toter cart standards enumerated in section 12-2.

(b) Business accounts will receive one toter. Additional toters may be requested for an additional quarterly fee, up to a maximum of 6 per account. If additional toters are required, a separate account must be obtained.

(Ord. No. 254)

Sec. 12-9. – Fees for municipal refuse collection service.

(a) For each single-family residence in the town limits, a quarterly fee in the amount of thirty dollars (\$30.00) shall be charged.

(b) All businesses, short term rentals, or commercial accounts receiving municipal refuse services shall be charged a quarterly fee in the amount of forty-five (\$45.00).

(c) Attached and multi-family units and commercial businesses may choose not to use municipal refuse collection services. In this circumstance, users wishing to cancel their municipal refuse service must provide the following to the Town Manager or designee:

- a. frequency and days of collection
- b. contractor license and contact information
- c. term length of contract

(d) Municipal refuse services may be available to users outside of town limits, as approved by the Town Manager or designee, at 150% of the fees set forth in this section for the uses identified in section 12-8 and is subject to the same requirements as town residents using municipal refuse services.