

TITLE V: PUBLIC WORKS

Chapter

50. SOLID WASTES

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Section

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SOLID WASTE CONTROL

§ 50.01 BURNING OR BURYING SOLID WASTES.

(A) No person may burn or cause to be burned any garbage for purposes of disposal, and no person may burn or cause to be burned any refuse except as specifically authorized by § 92.12.

(B) No person may bury or cause to be buried any solid waste for purposes of disposal.
(1999 Code, § 50.01) Penalty, see § 50.99

§ 50.02 HARMFUL MATERIALS NOT TO BE PLACED IN CONTAINERS.

No harmful materials such as hot ashes, charcoal, paint solvents, or other inflammable materials shall be placed in solid waste containers.

(1999 Code, § 50.02) (Mo. of 12-28-1987) Penalty, see § 50.99

§ 50.03 OWNER TO BE RESPONSIBLE FOR DISPOSAL OF BULKY, HEAVY MATERIAL.

Building materials such as brick, broken concrete, lumber and plaster, ashes, dirt, rocks, or gravel, automobile frames and parts, dead trees, and other bulky, heavy material shall be disposed of by the owner or person controlling same.

(1999 Code, § 50.03) (Mo. of 12-28-1987) Penalty, see § 50.99

§ 50.04 SOLID WASTE MANAGEMENT FEE.

A solid waste management fee shall be charged to all residents of the town and all businesses and commercial establishments of the town permitted to use roll-out containers. The fee (or fees) shall be in an amount to be determined from time to time by the Town Board and listed in the town's schedule of fees and charges.

(Ord. passed 2-23-2015)

ENFORCEMENT**§ 50.15 VIOLATIONS RESULTING FROM CONTINUING CONDITIONS.**

(A) Whenever a violation of this chapter results from a continuing condition rather than a discrete event, a written notice shall be sent to the last known address of the responsible person, specifying the nature of the violation and what must be done to correct it, requiring the responsible person to correct the violation within ten calendar days after delivery of the notice, and informing the responsible person of the possible consequences of his or her failure to comply.

(B) Whenever a violation of this chapter results from a continuing condition rather than a discrete event, the penalties and remedies provided for in § 50.99 may not be invoked until after the ten-day correction period specified in this section has expired.

(1999 Code, § 50.15)

§ 50.16 SUMMARY ABATEMENT.

(A) If the Town Manager or his or her designee concludes that any condition or situation prohibited by this chapter or any other condition or situation is dangerous or prejudicial to the public health or safety, he or she may:

(1) Order appropriate town officials or employees to summarily remove, abate, or remedy everything so found and to assess the cost of this action against the respondent in accordance with divisions (B) and (C) of this section; or

(2) Order the respondent to correct the situation within a specified time period and order town officials to abate, correct, or remedy the offending condition if the respondent fails to act within the prescribed time limits.

(B) (1) The order described in division (A)(2) of this section shall inform the respondent:

(a) What condition or situation is dangerous or prejudicial to the public health or safety;

(b) That the Town Manager or his or her designee may order town officials to summarily abate, remedy, or correct the offending condition; and

(c) That the expenses incurred by the town in connection with the actions described in division (B)(1)(b) of this section, if not paid by the respondent, shall become a lien upon the land where the offending condition is located, to be collected as unpaid taxes.

(2) This order shall be sent by mail (certified, deliver to addressee only, return receipt requested) or delivered to the respondent by a town officer or employee.

(C) For the purposes of this section, the **RESPONDENT** is the person who is responsible for the offending condition, as well as the owner of the property where the offending condition is located, if different from the former.

(1999 Code, § 50.16) (Mo. of 3-23-1987)

§ 50.99 PENALTY.

(A) A violation of any of the provisions of this chapter shall constitute a misdemeanor punishable by a fine of not more than \$50 or imprisonment for not more than 30 days, or both.

(B) A violation of any of the provisions of this chapter shall also subject the offender to a civil penalty of \$25. If the offender fails to pay this penalty within 15 calendar days after being cited for a violation, the penalty may be recovered by the town in a civil action in the nature of debt.

(C) Each day that any violation continues after a person has been notified that such violation exists and that he or she is subject to the penalties specified in divisions (A) and (B) of this section shall constitute a separate offense.

(D) This chapter may also be enforced by any appropriate equitable action, including injunctions or orders of abatement.

(E) The town may enforce this chapter by any one or any combination of the foregoing remedies. (1999 Code, § 50.99)

