

Chapter 195

SOLID WASTE

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[HISTORY: Adopted by the Mayor and Council of Pocomoke City 8-26-1968 as Ch. 17 of the 1968 Code; amended in its entirety at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Brush, grass and weeds -- See Ch. 98.
Housing standards -- See Ch. 146.

Littering -- See Ch. 160.
Nuisances -- See Ch. 169.

§ 195-1. Definitions.

Terms used in this chapter have the following meanings:

WASTE -- Shall include the following:

- A. ASHES -- The residue from the burning of wood, coal, coke or other combustible materials.
- B. GARBAGE -- Waste foodstuffs or table wastes of animal or vegetable origin.
- C. REFUSE -- Garden, lawn or tree trimmings and leaves.
- D. RUBBISH -- The waste material from normal household living conditions and business operations, other than garbage and ashes, but not to include garden, lawn or tree trimmings, leaves or waste materials from building construction or repair. "Rubbish" includes such items as paper, rags, bottles, tin cans, crockery, excelsior and similar materials.

§ 195-2. Collection by city; exceptions.

All waste accumulated in the city shall be collected, conveyed and disposed of by the city, except as follows:

- A. No collections shall be made from industrial establishments, commercial establishments or any other establishments operating for a profit, other than apartment houses and boarding- or rooming houses.
- B. This chapter does not prohibit the actual producers of waste or the owners of premises upon which such has accumulated from personally collecting, conveying and disposing of such by private contract or otherwise if such producers or owners comply with the provisions of this chapter and with any other governing law or ordinance.
- C. This chapter does not prohibit collectors of waste from outside the city from hauling such over city streets, if such collectors comply with the provisions of this chapter and with any other governing law or ordinance.

§ 195-3. Supervision of collections; regulations authorized.

All waste accumulated in the city shall be collected, conveyed or disposed of by the city under the supervision of the Superintendent of Public Works. The Superintendent shall have the authority to make regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection, conveyance and disposal as he or she shall find necessary and to change and modify the same after reasonable public notice, if such regulations are not contrary to the provisions hereof.

§ 195-4. Accumulation restrictions; nuisances.

- A. No person shall place any waste in any street, alley or other public place or upon any private property, whether owned by such person or not, within the city unless it is in proper containers for collection or under express approval granted by the Superintendent of Public Works.
- B. Any unauthorized accumulation of waste on any premises is hereby declared to be a nuisance and is prohibited.
- C. No person shall cast, place, sweep or deposit anywhere within the city any waste in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer or other public place or into any occupied premises within the city.
- D. No person shall bring any waste into the city from without the city for purposes of disposal.

§ 195-5. Container requirements.

- A. Sanitary condition. Waste containers shall be provided by the owner, tenant, lessee or occupant of the premises and shall be maintained in good condition. Any container that does not conform to the provisions of this chapter 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 on notice. Paper,

cardboard and paperboard containers are prohibited. The Superintendent of Public Works may refuse collection services for failure to comply herewith.

- B. Garbage. Garbage containers shall be made of metal, plastic, rubber, fiberglass or other like composition material, with suitable handles or method of lifting and tight-fitting covers, or otherwise closed, and shall be watertight. Garbage containers shall have a capacity of not more than thirty (30) gallons and shall be so constructed that the contents can be moved easily and without delay. Garbage containers shall be kept in a clean, neat and sanitary condition at all times.
- C. Ashes. Ash containers shall be of the same character, size and description as garbage containers, except that only metal containers will be used for ashes, and the contents shall be cool to the touch throughout.
- D. Rubbish. Rubbish containers shall be of a kind suitable for collection purposes, shall not exceed a capacity of thirty (30) gallons each and shall be fitted with handles.
- E. Refuse. Refuse containers shall be of the same character, size and description as rubbish containers.

§ 195-6. Preparation for collection.

- A. Tree trimmings, hedge and bush clippings and similar material shall be cut or broken in forty-inch lengths and securely tied with rope or cord in bundles not more than three (3) feet thick before being deposited for collection. Large branches, trimmings and hedge and bush clippings will also be collected periodically upon published notice for disposal by chipping.
- B. All containers shall be placed at the sidewalk area near the curblin on the days designated for garbage collection. No containers shall be permitted in such areas except on the days designated for collection, and containers must be removed by nightfall of the day of collection.

§ 195-7. Collection practices.

- A. Frequency of collection and removal. Collections of all waste accumulated will be available to all residences, apartment houses of four (4) units or fewer and boarding- and rooming houses twice each week, except for holidays, inclement weather or to meet other city requirements.
- B. Limitation on quantity. Four (4) containers or fewer will be collected on each collection day from any single dwelling or other establishment served by the city waste collection, except that four (4) additional bags will be collected during the leaf-falling season.
- C. Contagious disease refuse or rubbish. The removal of wearing apparel, bedding or other rubbish or refuse from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and

direction of an officer, agent or employee of the State Department of Health. Such rubbish shall not be placed in containers for regular collection.

- D. Inflammable or explosive rubbish or refuse. Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the Superintendent of Public Works at the expense of the owner or possessor thereof.
- E. Commercial and industrial establishments. Establishments not served by the city garbage collection shall provide containers as provided in ~ 195-5, but without regard to provisions as to size or number being collected. Commercial establishments shall have waste removed at least twice a week. Restaurants shall have garbage removed at least four (4) times a week.

§ 195-8. Violations and penalties.

Any person who violates any provision of this chapter shall, upon conviction thereof, be guilty of a municipal infraction and subject to a fine as set forth in the Fees, Charges and Rates Schedule, adopted by resolution of the City Council from time to time¹

¹Editor's Note: The current Fees, Charges and Rates Schedule is on file in the City Clerk's office.