

WHEATLAND TOWN CODE

CHAPTER 17.

REFUSE, GARBAGE AND WEEDS.

For state law as to authority of town to regulate the hauling of refuse, see W.S., 1977, S 15-1-103. As to powers of town with respect to *health, safety* and welfare generally, see W.S., 1977, S 15-1-103.

As to animals and fowl, see ch. 4 of this Code. As to confiscated or *abandoned* property, see ch. 6. As to fire prevention and protection, see ch. 8. As to public utilities generally, see *ch. 16. As to streets and sidewalks, see ch. 18.*

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Sec. 17-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Abandoned Vehicle. A vehicle upon private property is an abandoned vehicle:

(a) When any of the four tires of the main wheels of such vehicle have been removed or are deflated, other than for repair.

(b) When any of the main wheels of the vehicle have been removed, other than for repair.

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(c) When such vehicle is totally or partially suspended above the ground by jacks, blocks or any other lifting devices, other than for repair.

(d) When current license plates or valid temporary permits are not displayed on such vehicle; provided, that this shall not apply to vehicles in the possession of licensed dealers for the purpose of sale at the place licensed for such sale.

(e) When any part of the mechanism of the vehicle has been removed so as to render the vehicle inoperable, other than for repair.

For state law on *abandoned vehicles*, **see W.S., 1977, § 31-13-101.**

Garbage. Wastes resulting from the handling, preparation, cooking or consumption of foods; wastes from the handling, storage and sale of produce; any other matter whatsoever that may decompose and become foul, offensive, unsanitary or dangerous to health.

Refuse. Combustible and noncombustible discarded materials including, but not limited to paper, wood, glass, metal and cloth products, yard trimmings, tree branches, furniture, bedding, building materials, leaves, ashes and solid wastes resulting from industrial and manufacturing processes.

### Sec. 17-2. Maintenance of premises--Generally.

(a) It shall be the duty of any owner, agent, tenant, purchaser, contractor or lessee of any premises within the town including places of business, dwelling houses, apartments, tenements, construction sites or other establishments, at all times, to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of materials other than those necessary or ordinarily attendant upon the use for which such premises are legally intended.

(b) It shall be the duty of any owner, occupant or agent having control of any lot or premises, as well as any portion of any alley adjoining the premises, to:

(1) Mow, cut, destroy or spray all weeds;

(2) Remove all trash, garbage, junk, abandoned vehicles, unused vehicles, abandoned machinery, unused machinery, junk machinery, abandoned and discarded appliances and all other refuse.

(c) Any accumulation of trash, garbage, junk, abandoned vehicles, unused vehicles, abandoned machinery, unused machinery, junk machinery, abandoned and discarded appliances and all other



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refuse is hereby declared to constitute a nuisance and a nonconforming use of the premises. (Ord. No. 453, § 1; Ord. No. 559, § 1.)

Sec. \_ 17-3. Same--Violations of chapter; issuance of written notice.

The owner, agent or occupant of any premises shall be liable for compliance with this chapter and if such person shall refuse to comply with the provisions of this chapter, he shall be given written notice requiring removal of the offending item within seven days from the receipt of such notice. Notice shall be deemed delivered when personally served or deposited in the United States mail, by registered or certified mail, with postage prepaid, and addressed to the owner or occupant of the premises.

Sec. \_ 17-4. Same--Failure to remove: costs of removal.

(a) Upon failure to comply with any written notice given pursuant to section 17-3, the town shall have the authority to remove any offending item and charge the cost thereof as a special bill for refuse removal. In the event such bill is not promptly paid it shall become a lien against the property and collectible as such.

(b) The abatement of the nuisance by the town shall not relieve the person in charge or control of such property of any penalty imposed for violation of this chapter. (Amended during August, 1984, supplementation; Ord. No. 543, § 3.)

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Sec. \_ 17-5. Containers--Required.

(a) All garbage and refuse cans shall be furnished by the owner or occupant of the premises where used; shall be constructed of galvanized iron, metal or other material approved by the town; shall be water tight; shall have a close-fitting lid or cover which shall be attached to the container; shall not exceed thirty gallons in capacity; shall have handles; and shall at all times be maintained in a position so as to prevent water or insects from entering therein.

(b) All garbage and refuse shall be placed in containers as specified; provided, however, yard trimmings, grass, leaves and similar items may be placed in sturdy boxes, dumpsters or similar containers. (Code, § 20-107; Ord. No. 405; Ord. No. 547, § 1.)

Sec. \_ 17-6. Same--Placement for collection.

All containers shall be placed at the rear of the premises near the alley where they are used and at a place easily accessible to the garbage collector. Where premises have no alley all containers shall be placed in a nearby alley or on a street easily accessible to the garbage collector and in no event shall any



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garbage collector be required to go upon private property for the purpose of collecting garbage or removing such containers. (Code, §20-107; Ord. No. 405.)

Sec. 17-7. Fees.

The fees to be charged for the removal of garbage and refuse shall be as established by the town council from time to time.

Sec. 17-8. Tree trimmings.

Any person who shall trim trees on any property within the town shall be responsible for the removal, from the streets, alleys and other public ways of the town, of all trash, limbs and other debris created by such trimming. (Ord. No. 451.)

Article II. Landfill.

For state law as to authority of town to purchase, etc., land for deposit *of refuse*, see W.S., 1977, § 15-1-103.

Sec. 17-9. Established.

There is hereby established a landfill to be used for the disposal of refuse, garbage and other waste matter or materials. (Ord. No. 452.)

Sec. 17-10. Rules and regulations.

(a) Use of landfill.

(1) No nonresident of Platte County shall use the landfill except as provided by separate contract.

(2) No commercial hauler of garbage or refuse shall use the landfill except as provided by separate contract.

(b) Restrictions on use:

(1) The following materials will not be accepted in the landfill and it shall be unlawful for any person to dispose of the following materials in the landfill:

(i) Asbestos or any materials containing asbestos.

(ii) Oil base paints.

(iii) Batteries of any kind.

(iv) Chemicals, pesticides and insecticides or any container which ~~has~~ been used for the storage of

any chemical, pesticide or insecticide.  
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as provided in subsection (b) (3) above, who shall pay \$30.00 per appliance if the door is removed from the appliance and \$40.00 if the door is not removed.

(iii) Any entity disposing of rubber tires shall pay the following for each tire disposed of, the measurement being to the inside or bead diameter of the tire:

16.5" and smaller tires	\$1.00 per tire
17" to 24.5" tires	\$3.00 per tire
Tires over 24.5"	\$10.00 per tire

An additional \$5.00 will be charged for any tire which remains mounted on the rim.

.(Ord. No. 636, 3rd reading 4/10/95; Ord. No. 641, 3rd reading 7/10/95)

(e) The administrative official placed in charge of the town's landfill shall establish rules and regulations for the operation of the landfill and its use by the public. (Ord. No. 452, § 1.)

Sec. 17-11. Dumping refuse, etc., outside of landfill.

It shall be unlawful for any person to use land or places within the town other than the landfill for the purpose of dumping refuse, garbage and other waste material. (Ord. No. 452, § 6., and Ord. No. 584.)

Sec. ~~17-12~~ 17-10. Removal of waste, etc., from landfill--Penalty.

All garbage, refuse, waste or matter of any kind disposed of at the town landfill shall become the property of the town and no person shall separate, collect, carry off or otherwise remove or dispose of anything whatsoever from the landfill, unless that person has obtained prior written permission from the town council. (Ord. No. 471; Ord. No. 553.)

Sec. 17-13. Garbage Rates for Collection.

(a) Residential rates:

(1) Single family dwellings shall pay \$8.00 per month for weekly collection.

(2) Multi-family dwellings, including but not limited to duplexes, four-plexes, apartment complexes and senior citizen complexes shall pay \$8.00 per month per occupied unit for weekly collection.

(b) Business and professional office rates:

(1) The following businesses shall pay \$60.00 per month

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for six day per week collection:

- (i) All restaurants, including not for profit clubs that serve meals on a regular or sporadic basis.
- (ii) Hospitals.
- (iii) Nursing homes.
- (iv) Convenience stores.

(2) The following businesses shall pay \$10.00 per month for twice a week collection:

- (i) Professional offices for each office occupied.
- (ii) Community organizations which do not sell food or, alcoholic beverages.
- (iii) Day care centers not located in a personal residence.
- (iv) Veterinary clinics, provided however there shall be an additional disposal fee of \$5.00 per animal for every dog and cat disposed of.
- (v) Churches.

(3) Grocery stores shall pay \$110.00 per month for six day a week collection.

(c) Public buildings:

(1) Platte County School District #1 shall pay \$175.00 per month for five day a week collection.

(2) Platte County shall pay \$110.00 per month for five day a week collection at the Platte County Courthouse.

(3) Platte County Public Library shall pay \$10.00 per month for twice a week collection.

(d) Other rates:

All other businesses and public buildings not specifically set forth above:  
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(1) \$15.00 per month for twice a week collection.

(2) \$25.00 per month for five day a week collection.

(3) In the event more than one business is located in the same building, but the businesses are owned by the same

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individual, the business will be considered one business, however will be charged \$25.00 per month whether the collection is twice a week or five day a week collection.

(4) In the event more than one business is located in the same building and the businesses are owned by different individuals, each business will pay a separate rate each month depending on the number of collections each week.

(5) Residential dwellings in which a business is also operated shall pay \$10.00 per month for weekly collection.

(6) The Town can require a business to have five day a week collection and pay the \$25.00 per month charge if the Town feels such collection is necessary.

(Ord. #637, 3rd reading 4/10/95.)

Sec. 17-14. \_ Violation-Penalty.

Any person, firm or corporation violating any provision of this chapter shall be guilty of a misdemeanor.

