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ORDINANCE NO. 88

AN ORDINANCE PROVIDING FOR THE COLLECTON,  
REMOVAL, DISPOSAL, AND REGULATION OF GARBAGE AND  
OTHER SOLID WASTE MATTER, AND FOR THE ESTABLISHMENT  
OF RULES AND FEES THEREFORE.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF  
HILLROSE, COLORADO:

**ARTICLE I. COLLECTION**

**Section 1. Definitions.** For the purpose of this ordinance, the following words and phrases shall have the meanings hereinafter defined:

- (a) **Garbage.** Kitchen and table refuse and offal, swill and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, fowls, birds, fruits or vegetables not including dead animals and offal of slaughterhouses.
- (b) **Waste Matter.** Broken crockery, broken bottles, broken bricks, tin cans, pasteboard boxes, paper, straw, grass clippings, sawdust, packing materials, shavings, boxes and all noncombustible waste matter, ashes and all other residue of materials burned, and other refuse and waste material other than garbage.

**Section 2. Town to Provide Collection Service.** The Town or its agents, contractors or Town licensed operators shall furnish garbage and waste matter collection service to all persons resident within the Town.

**Section 3. Contract.** The Board of Trustees may enter into an exclusive contract or agreement with any person or entity for the collection and disposal of garbage and waste matter throughout the Town, or it may at its discretion make provisions for the collection and disposal of such waste.

**Section 4. Collection of Garbage and Waste Matter by Other Than Town Prohibited; Exceptions.** The Town, by and through its duly authorized agents, employees, contractors or Town licensed operators, shall be the sole agency for the collection and disposal of garbage and waste matter, and no person or entity except such duly authorized agents, employees, contractors or Town licensed operators or the Town shall collect or dispose of any garbage and waste matter, whether his own or another's, within the Town. Nothing in this section shall relieve any contractor of the obligation of cleaning up premises after completion of his contract. Nothing in this section shall prevent an individual from hauling his own waste material, provided that it is properly disposed of in conformity with all Town regulations, and that such individual is subject to all Town regulations, and that such individual is subject to all other provisions of this section. Such self-removal shall not affect the fees charged nor relieve any person from the payment thereof.

**Section 5. Charges for Town Collection Service.** The Board shall, by resolution, establish charges for collection service under this ordinance, prescribe the time and manner of payment of such charges and adopt measures designed to enforce the payment thereof such as, in their discretion, are necessary or desirable. Such resolution, when adopted, shall be of the same force and effect as if incorporated in this section.

**ARTICLE II. PRECOLLECTION PRACTICES**

**Section 6.** Garbage, and other refuse of this nature shall be placed in proper containers for collection.

**Section 7. Refuse Containers:**

- (a) Nature and size of containers: All residential and commercial users must use containers provided by the Town or its contractor.
- (b) Duty to Provide and Maintain in Sanitary Condition. Refuse containers shall be maintained in good condition. Any container that does not conform to the provisions of the ordinance or that any defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice. The Town shall have the authority to refuse collection services for failure to comply therewith. Repair or replacement of a damaged refuse container shall be charged to the user.
- (c) Frontage Pickup. Where there is frontage pickup, containers must be kept on the premises and off the right-of-way except on days of pickup. Pickup shall occur at least weekly

**Section 8. Special Refuse Problems**

- (a) Inflammable or Explosive Refuses. Inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the utilities department at the expense of the owner or possessor thereof.
- (b) Dead Animals. The disposal of dead animals in refuse containers is prohibited

**ARTICLE III. ADMINISTRATION OF ORDINANCE**

**Section 9. Promulgation of Rules and Regulations by the Board of Trustees.** The Board shall, by resolution, promulgate rules and regulations relating to the manner of preparing and accumulating garbage and waste material for collection; the type and kind of containers to be used for such collection; the manner of use of and care for such containers; and such other rules and regulations as, in its discretion, are necessary or desirable in the interest of maintaining efficiency and sanitary conditions in the trash collection system within the Town; and such resolutions, when adopted, shall be of the same force and effect as if incorporated in this section.

**Section 10. Enforcement of Section.** The Clerk or other agent of the Town shall have charge and supervision of the trash collection system and shall be empowered to employ and direct all assistants, laborers agents, contractors, employees and town licensed operators in the operation of the service. They shall enforce the terms of this ordinance and the various rules and regulations promulgated hereunder from time to time.

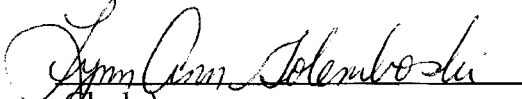
**Section 11. Penalties for Violation.** Violations of the provisions of this ordinance shall be considered misdemeanors and shall be punishable by a fine of not less than \$50.00 nor more than \$300.00.

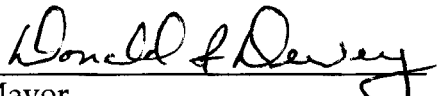
**Section 12. Emergency.** This ordinance is adopted as an emergency measure that is necessary for the immediate preservation of the public health, safety and welfare to permit the collection service to commence on or after March 1, 2003. This ordinance shall take effect immediately upon its adoption and publication.

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INTRODUCED, read, adopted, and ordered published by title only this  
3 day of February, 2003.

ATTEST:

  
Clerk  
(SEAL)

  
Mayor

