

CHAPTER 52: GARBAGE

Section

- 52.01 Definitions
- 52.02 Garbage or trash accumulation
- 52.03 Responsibility; removal by city; assessment by lien
- 52.04 Containers and bundles; requirements
- 52.05 Container location
- 52.06 Garbage collection and disposal
- 52.07 Collection; franchise required
- 52.08 Franchise regulations
- 52.09 Collection times and charges

- 52.99 Penalty

Cross-reference:

Garbage; Outdoor Burning, see § 92.01 et seq.

§ 52.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

GARBAGE. Indicates material subject to decomposition including fruit and vegetables materials; waste meat and meat scraps; dead animals; and all other waster material resulting from the preparation, use, cooking, or otherwise dealing with or storing of meat, fish, fowl, or vegetable, or the leftover from partaking thereof; excluding, however, sewerage of all kinds.

PERSON IN CHARGE PROPERTY. Includes any owner, agent, renter, occupant, lessee, contract purchaser, or other person having possession or control of property.

TRASH. Includes all refuse of a nonperishable nature such as waste packing material; old papers; sweepings; discarded articles; and supplies other than materials classified herein as garbage; excluding however, soil, rocks, ashes, and recognized industrial byproducts.
(Ord. 181, passed 4-18-1974)

Merrill – Public Works

§ 52.02 GARBAGE OR TRASH ACCUMULATION.

No person in charge of property shall permit to accumulate in or about any yard, lot, place, or premises, or upon any street or sidewalk adjacent or abutting upon any lot, place, or premises, owned and kept by him or her or for which he or she may be agent, any garbage or trash; or permit garbage or trash to accumulate in or about any yard, lot, place, or premises, or any paper from which there may be danger of fire or which shall render any yard, lot, place, or premises unsightly; nor shall any person in charge of property permit to accumulate in or about any yard, lot, place, or premises, or upon any street, any rubbish or filth of any kind.

(Ord. 181, passed 4-18-1974) Penalty, see § 52.99

§ 52.03 RESPONSIBILITY; REMOVAL BY CITY; ASSESSMENT A LIEN.

All premises shall be maintained by the person in charge of property free of garbage and trash, if after ten days' notice from the police office, the person in charge of the property fails to remove garbage or trash, the city may cause it to be done and the cost thereof assessed as a lien against the property.

(Ord. 181, passed 4-18-1974) Penalty, see § 52.99

§ 52.04 CONTAINERS AND BUNDLES; REQUIREMENTS

(A) Garbage shall be deposited in water-tight metal or plastic containers which shall be provided with close-fitting metal or plastic covers. Covers shall be kept on garbage containers at all times except when garbage is being deposited therein or removed therefrom. Garbage containers shall be emptied not less than once a week in the business district and once a week in the residential areas. The containers shall be non-leakable containers with covers that will prevent the entering thereof by flies and like insects. The containers shall have a capacity of no to exceed 32 Gallons.

(B) Trash may be placed in containers hereby directed to be used for garbage; except that dry trash, not subject to decomposition or the creating or obnoxious odors, may be placed in neatly tied bundles of not to exceed 50 pounds. These bundles, together with the contents of the garbage container, for the purpose of collections, shall not exceed 100 pounds.

(Ord. 181, passed 4-18-1974) Penalty, see § 52.99

§ 52.05 CONTAINER LOCATION.

All garbage and trash containers shall be kept in a location easily accessible to a public garbage collector. *(Ord. 181, passed 4-18-1974)* Penalty, see § 52.99

Garbage

§ 52.06 GARBAGE COLLECTION AND DISPOSAL.

The City Council may provide for the regular and systematic collection and disposal of any and all rubbish, refuse, or other garbage and trash of whatever description and shall, in its discretion and upon terms and conditions as it may determine, enter into any contract or Public for the purpose or grant permits in connection therewith as it shall see fit; and expenses shall be paid by the city out of the general funds thereof.

(Ord. 181, passed 4-18-1974)

§ 52.07 COLLECTION; FRANCHISE REQUIRED.

No person, firm, or corporation shall haul, transfer, or convey any garbage of any description upon or through the streets of the city, for hire, without having first obtained permission therefor either by contract, franchise, or permit from the City Council.

(Ord. 181, passed 4-18-1974) Penalty, see § 52.99

§ 52.08 FRANCHISE REGULATIONS

(A) Any person, firm, corporation authorized or permitted by the city under § 52.07 of this code shall be governed by the following regulations.

(B) The above-mentioned person, firm, or corporation shall;

(1) Provide a conveyance adapted to the purpose to the end that no garbage, papers, or trash of any kind, or contents of the conveyance, shall be permitted to spill or escape into streets or highways over which the same is being hauled;

(2) collect and remove all accumulated garbage at frequent intervals so as to prevent premises from becoming encumbered and to prevent the development of fire or health hazards or unsightly and objectionable conditions existing at any time or place in the city; provided the collections be made at least once a week from each residence, store, shop, or other establishment, and not less than twice a week from restaurants, boarding houses and other places where conditions require more frequent service;

(3) Dispose of all garbage by conveying it to a garbage dump or other place designated by the City Council for that purpose and to no other place; and

(4) Keep the garbage dump or other depository in a sanitary and orderly condition.
(Ord. 181, passed 4-18-1974) Penalty, see § 52.99

Merrill – Public Works

§ 52.09 COLLECTION TIMES AND CHARGES.

Services charges, dates of collection, and days and period of payment shall be established by the City Council by resolution. The city reserves the right to alter the charges from time to time in accordance with the needs of the city. (Ord. 181, passed 4-18-1974)

§ 52.99 PENALTY.

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction, be subject to penalties as set forth in § 10.99 of this code.

(B) (1) Any person who shall violate any of the provisions of § 52.01- 52.09 of this code shall, on conviction thereof, be fined not less than \$5 nor more than \$500 for each offense; and each day the violation exists shall be considered a separate offense.

(2) Any person refusing to comply with reasonable and lawful directions of the police officer and his or her agent, as by § 52.01- 52.09 provided, within the time named by the police officer or his or her agent or the Chief of Police, shall be guilty of an offense and on conviction thereof, shall be fined not more than \$500.

(Ord. 181, passed 4-18-1974)