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Chapter 30 HEALTH AND SANITATION*

***Charter reference(s)**--Cleaning of premises, § 17.

Cross reference(s)--Animals, ch. 6; buildings and building regulations, ch. 10; environment, ch. 18; floods, ch. 26; offenses involving health and safety, § 38-116 et seq.

State law reference(s)--Certain local regulations pertaining to food and beverage containers prohibited, Code of Virginia, § 10.1-1425; regulation of well covers, Code of Virginia, § 18.2-318; inspection warrant for inspecting or testing for toxic substances, Code of Virginia, § 19.2-393 et seq.; health, Code of Virginia, tit. 32.1; sanitation in transportation terminals, festivals, fairs, service stations, etc., Code of Virginia, § 32.1-202.

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ARTICLE I. IN GENERAL

Secs. 30-1--30-30. Reserved.

ARTICLE II. REFUSE; VEGETATION

Sec. 30-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this

section, except where the context clearly indicates a different meaning:

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Private collectors means persons engaged in the collection and transportation of refuse from residential, commercial, industrial, institutional or other establishments for compensation.

Refuse means all putrescible and nonputrescible solid wastes of the town, including trash, garbage, ashes, rubbish, street cleanings and solid wastes generated from manufacturing, industrial, commercial and agricultural activities and any other business or profession.

Storage area means an enclosed area on private property of commercial, industrial, institutional or other establishment used for the storage of refuse.

Town collectors means persons contracted by the town engaged in the collection and transporting of refuse.

(Code 1981, § 5-46.1(B))

Cross reference(s)--Definitions generally, § 1-2.

Sec. 30-32. Refuse storage--Collection and disposal.

(a) *Purpose*. The purpose of this article is to provide regulations for the sanitary and effective storage, collection and disposal of refuse in the town.

(b) *Authority to administer*. The zoning administrator is delegated authority to administer this article and to issue supplementary rules and regulations that are in support of and not in conflict with the provisions of this article. Such supplemental rules and regulations shall have the same force and effect as if fully set forth in this article.

(Code 1981, § 5-46.1(A), (C))

Sec. 30-33. Same--Standards and regulations.

(a) *Residential refuse*.

(1) *Storage*. Except as otherwise provided in this article, refuse shall be stored in watertight metal or nonbreakable plastic cans, equipped with handles and tightfitting covers. Cans shall have a maximum capacity of 31 gallons. Plastic bags with a minimum thickness of

three millimeters may be substituted for the cans. These plastic bags must be filled in such a manner as to prevent ripping or tearing of bags and must be tightly secured at the top.

- (2) *Exceptions.* The following are exceptions to the provisions of this section:
 - a. Tree trimmings with a maximum diameter of 1 1/2 inches, bushes and brush must be tied securely in bundles not more than four feet in length.
 - b. Refuse collected during the spring cleanup that is too large or bulky for containers may be placed next to the cans or bags.
 - c. Cold ashes shall be placed in metal containers.
 - d. Containers that can be mechanically lifted by the collection vehicle are excepted.
 - (3) *Placement.* All refuse shall be placed at the curbline not earlier than 4:00 p.m. of the day preceding pickup and not later than 6:00 a.m. on the day of pickup. Cans must be tightly covered. Plastic bags must be securely tied. Refuse shall not be placed on the sidewalk or on any portion of a street right-of-way where it will interfere with pedestrian traffic. Cans shall be removed from the curbline as soon as possible after trash pickup and shall be stored in the rear of the building or in a screened or enclosed trash receptacle storage area.
- (b) *Commercial refuse.*
- (1) Each business establishment shall be equipped with adequate refuse containers or storage areas. All containers, except those for storage of bulky refuse, shall be verminproof and waterproof, of noncorrosive material and equipped with tight lids, which shall be kept closed at all times except when filling or emptying the container.
 - (2) Containers and storage areas shall be emptied regularly and cleaned sufficiently often to keep them free of obnoxious odors and vermin.
 - (3) All storage areas shall be enclosed by adequate walls or opaque fencing and shall be well drained and fully accessible to collection equipment and to public health inspection. These areas shall protect refuse from dispersal by wind or otherwise, and must be kept free of litter and refuse overflow.

(c) *Prohibited activities.*

- (1) It shall be unlawful to place refuse in any street, alley, or public or private place unless placed in proper containers or storage areas for collection.
- (2) It shall be unlawful to accumulate refuse on either residential or commercial properties, except in approved containers or storage areas.
- (3) It shall be unlawful to place any refuse in a manner where it may be scattered by the elements.
- (4) It shall be unlawful to permit private containers to remain on public streets at times other than those described in subsection (a)(3) of this section.

(Code 1981, § 5-46.2)

Sec. 30-34. Property to be free of refuse.

(a) The town council finds that the proliferation of refuse and litter, including but not limited to food- and beverage-related trash and litter, unused or abandoned machinery or appliances, within the town constitutes a threat to the health, welfare and safety of the community, degrades the appearance of the community and reduces the value of surrounding properties.

(b) Owners of property within the town shall keep such property free of refuse, litter, unused or abandoned machinery or appliances, and other substances that might endanger the health, safety and welfare of residents of the town.

(Code 1981, § 5-44.1)

State law reference(s)--Removal of trash, Code of Virginia, § 15.2-901.

Sec. 30-35. Removal.

(a) When substances of the nature set forth in section 30-34 are found upon property within the town, the zoning administrator shall immediately notify the owner of such property to remove such substance. Such notification shall be by registered or certified letter sent to the owner at his last known address. If after diligent inquiry no address can be found for such owner, the letter shall be posted in a conspicuous place on the property.

(b) If the substances have not been removed from the property by the owner within ten days from the date the letter has been mailed, or the notice posted, the zoning administrator shall cause the removal by town forces or the town's agent of such substances from such property forthwith.

(c) Where substances have been removed from property by the zoning administrator pursuant to the provisions of this section, the cost of such removal shall be chargeable to and paid by the owner of the property and may be collected by the town as taxes and levies are collected. Every charge authorized by this section with which the owner and lienholder of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a priority with liens for unpaid local taxes and enforceable in the same manner as provided in Code of Virginia, §§ 58.1-3940 et seq. and 58.1-3965 et seq.

(Code 1981, § 5-44.2)

Sec. 30-36. Grass, weeds and other foreign growth.

(a) Where grass, weeds or other foreign growth in excess of 12 inches in height is found upon property, the zoning administrator shall immediately notify the owner of such property to cut such grass, weeds or other foreign substances down to a height not to exceed three inches. Notification shall be made by the same procedure as set forth in section 30-35.

(b) If the grass, weeds or other foreign growth have not been cut down within ten days from the date of the letter or posting, the zoning administrator shall cause the cutting down by the town, or the town's agent, of such grass, weeds or other foreign growth forthwith.

(c) Where grass, weeds or other foreign growth have been cut down on property by the zoning administrator pursuant to the provisions of this section, the cost of such cutting shall be chargeable to and paid by the owner of the property and may be collected by the town as taxes and levies are collected.

(Code 1981, § 5-45)

Sec. 30-37. Penalty for violation of article.

Any person who violates any provision of this article by doing a prohibited act, or failing to perform a required act or failing to perform permitted acts in the prescribed manner, shall be deemed guilty of a class 3 misdemeanor.

(Code 1981, § 5-47)