

CHAPTER 94: GARBAGE, REFUSE, AND LITTER

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§ 94.01 THROWING LITTER FROM VEHICLE.

No person while a driver or passenger in a vehicle shall throw or deposit litter upon any street or other public place within the city or upon private property.

Penalty, see § 94.99

§ 94.02 TRACKING FOREIGN MATTER ON STREETS.

No person shall drive or move any vehicle or truck within the city, the wheels or tires of which carry onto or deposit in any street, alley, or other public place, mud, dirt, sticky substances, litter, or foreign matter of any kind.

Penalty, see § 94.99

Cross-reference:

Materials on streets and sidewalks, see § 91.32

§ 94.03 HAULING LOOSE MATERIAL.

Every person hauling or causing to be hauled dirt, sand, gravel, cement, fill dirt, or loose material of any kind in or upon any street, alley, sidewalk, or other public place shall haul it, or cause it to be hauled in vehicles provided with tight boxes or beds so constructed or loaded as to prevent any of the contents from falling or being thrown, blown, or deposited upon any street, alley, sidewalk, or other public place. Any materials which fall from, or which are thrown, blown, or deposited from any vehicle upon any street, alley, sidewalk, or other public place, shall be removed immediately by the person in charge of the vehicle. Penalty, see § 94.99

§ 94.04 SWEEPING LITTER INTO GUTTERS.

No person shall sweep into or deposit in any gutter, street, or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

Penalty, see § 94.99

§ 94.05 MERCHANTS TO KEEP SIDEWALKS FREE OF LITTER.

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street, or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk. Persons owning or occupying places of business within the city shall keep the sidewalk in front of their business premises free of litter.

Penalty, see § 94.99

Cross-reference:

Materials on streets and sidewalks, see § 91.32

§ 94.06 POSTING NOTICES.

No person shall post or affix any notice, poster, or other paper or device which is calculated to attract the attention of the public, to any lamp post, public utility pole, or shade tree, or upon any public structure or building, except as may be authorized by law.

Penalty, see § 94.99

§ 94.07 LITTER ON PRIVATE PROPERTY.

(A) No person shall throw or deposit litter on any occupied private property within the city, whether owned by that person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon streets, sidewalks, or other public places, or upon any private property.

(B) No person shall throw or deposit litter on any open or vacant private property within the city whether owned by that person or not. Penalty, see § 94.99

§ 94.08 CONTAMINATION OF LAKES.

(A) No person, firm, partnership, corporation, or other legal entity shall construct, maintain, or permit to be utilized any structure, sewage line, waste water line, or other device which will cause directly or indirectly any polluted waters to flow into the original Williamstown reservoir, Lake Obispo, or Lake Williamstown.

(B) No person, firm, partnership, corporation, or other legal entity shall permit to exist on any lands owned, controlled, leased, or rented by them any device which will directly or indirectly cause polluted waters to flow over, under, across, or through any lands lying within 50 feet of the waters of the above named bodies of water.

(C) No person, firm, partnership, corporation, or other legal entity shall cast any litter of any description whatsoever on or into the waters of any of the three above named bodies of water.

(D) No person, firm, partnership, corporation, or other legal entity shall cast any litter of any description whatsoever on any lands lying with 50 feet of any of the above named bodies of water.

(E) No person shall cast any litter or place any garbage, refuse, or junk on any land so that the natural effects of nature will cause such garbage, refuse, litter, or junk or polluted waters therefrom to enter the waters of any of the three above named bodies of water or on any land within 50 feet of any of such bodies of water.

(F) No person, firm, partnership, corporation, or other legal entity shall permit to remain on any lands, owned, controlled, leased, or rented by him, any litter, garbage, refuse, or junk so situated that the natural effects of nature will cause such garbage, refuse, litter, or junk or polluted waters therefrom to enter the waters of any of the three above named bodies of water or on any land within 50 feet of such bodies of water.

(Ord. 164, passed 1-3-75) Penalty, see § 94.99(B)

Cross-reference:

Lake Williamstown, see Ch. 95

§ 94.09 IMPORTATION OF SOLID WASTES.

(A) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

"CITY LIMITS." Any area or place within the boundaries of the city as presently fixed or hereafter fixed by appropriate annexation or deannexation ordinances;

"ORIGINATING." The place or point at which such household waste was first created as waste or the point at which discarded electrical appliances were first discontinued from active use, or as to scrap metals and scrap materials the place where such metals and materials were first removed from a building or machine or other device having a useful purpose;

"SOLID WASTE." Household wastes of any and all description, discarded electrical appliances, scrap metals, and scrap materials of all types.

(B) No person shall bring or cause to be brought into the city any solid waste for the purpose of causing the same to be deposited on public or private property within the city limits.

(C) No person shall cause or permit any solid waste, not originating within the city limits to be deposited on any public or private property subject to his control and lying within the city limits.

(D) The deposit of any solid waste which contains matter or material showing an origination of such solid waste at a point within the city on any lands, either private or public within the city limits, shall create a rebuttable presumption that the person identifiable as the owner of such solid waste is guilty of a violation of this section. (Ord. 176, passed 8-1-77) Penalty, see § 94.99(C)

COLLECTION OF GARBAGE

§ 94.15 COLLECTION DAY.

The city will provide for all domestic garbage, trash, waste, and similar refuse to be picked up from all dwelling units in the city on one day, other than Sunday, each week. The city or its agents may designate different days for various areas within the city limits. (Ord. 178, passed 11-7-77)

§ 94.16 CONTAINERS.

Residents of each dwelling unit shall cause such domestic garbage, trash, waste, or similar refuse to be placed in a garbage can, equipped with a tight-fitting lid and a handle and not exceeding 20 gallons in volume and placed at the curb or roadside in the vicinity of such dwelling unit (except that no garbage cans will be picked up on High Street at a point west of 124 High Street or on Waterworks Road at a point east of 603 Waterworks Road; or at any point on Johnson Street south of Paris Street or on North (Licking) Street southwest of #114 North Street; or at the Williamstown boat dock or the site of the former swimming pool of the city). Residents of any such excluded area shall cause any solid domestic waste, which they desire to be picked up, to be placed in garbage cans, equipped with a tight-fitting lid and handle and not exceeding 20 gallons and deposited at the curb or roadside of the street nearest the affected dwelling unit and within the serviced area.

(Ord. 178, passed 11-7-77)

§ 94.17 VOLUME OF GARBAGE; LIDS AND HANDLES.

The city will provide garbage or waste collection service for a volume not to exceed two 20 gallon garbage cans per week from each business, factory, office, store, or other commercial enterprise located within the city except in those areas excluded in § 94.16. Such garbage or waste shall be placed in a garbage can equipped with

a tight-fitting lid and handle, which can shall be placed at the curb or streetside in the vicinity of such business prior to the time and date designated for pickup service in such area.
(Ord. 178, passed 11-7-77)

§ 94.18 MONTHLY CHARGE.

The city levies a monthly charge for such garbage pickup and disposal service at a rate of \$9.50 per month to be levied against each separate dwelling unit and each separate business, professional, commercial, or industrial enterprise, the charge to be included and made a part of the utility bill of each such user, however, if more than one residential unit or business, professional, commercial, or industrial unit is included in one utility bill the charge for such garbage pickup and disposal service shall be equal to the individual charge multiplied by the number of such units.

(Ord. 178, passed 11-7-77; Am. Ord. 87-271, passed 5-4-87; Am. Ord. 1998-20, passed 6-18-98; Am. Ord. 1999-28, passed 12-6-99; Am. Ord. 2009-18, passed 11-23-09) (Mun. Order 6, passed 12-7-81; Am. Ord. 2003-08, passed 7-7-03; Am. Ord. 2012-05, passed 4-17-12; Am. Ord. 2015-08, passed 6-1-15; Am. Ord. 2017-08, passed 6-20-17)

§ 94.19 NOTIFICATION OF DELINQUENT BILL.

(A) The City Clerk/Treasurer shall cause one written notice to be sent, to any person or other entity who or which fails to pay his utility bill including the garbage pickup and disposal service charge set out above within 12 days of the rendition of such statements, notifying such person or entity that such payment is overdue, and if payment in full is not made within 20 days of the rendition of the original bill, the City Clerk/Treasurer shall cause the appropriate employees of the city to disconnect or shut off all utility services provided by the city.

(B) No utility services will be reconnected or service reinstated until all delinquent utility bills, including the garbage collection and disposal charges mentioned above, of such person or entity have been paid in full with penalties including a reconnect fee of \$25 for electrical service and reconnect fee of \$25 for water service as applicable, provided however, that the total disconnect and reconnect fees for all utilities shall not exceed \$85.

(Ord. 178, passed 11-7-77; Am. Ord. 1996-06, passed 4-1-96; Am. Ord. 2005-12, passed 6-21-05; Am. Ord. 2009-14, passed 11-23-09; Am. Ord. 2013-08, passed 4-1-13)

Cross-reference:

Delinquent electric charges, see § 50.05

Water charges, see § 52.08

§ 94.20 LIEN ON REAL ESTATE WHERE SERVICES RENDERED.

(A) All utility charges, including garbage collection disposal charges set out above for services rendered on and after January 1,

1978 shall constitute a lien on the parcel of real estate to which such service is rendered. If the person or other entity receiving such service is not the owner of such property, the owner of such property shall be obligated to pay any such charges not paid by the occupant of such property unless the owner, prior to the time such service is rendered shall file with the City Clerk/Treasurer a written notice that the owner will not be liable for such charges. On receipt of such notice the City Clerk/Treasurer shall notify in writing the occupant of such property that unless a security deposit, equal to one and one-half times the estimated monthly utility bills of such property, is deposited with the City Clerk/Treasurer within ten days all unguaranteed utility service to such property will be terminated.

(B) If such deposit is not made within ten days of the mailing of such notice to the address served, the City Clerk/Treasurer will cause the appropriate employees of the city to disconnect all such utility service to the property involved and no such service shall be restored until such deposit is made or the owners' notice mentioned above withdrawn.

(Ord. 178, passed 11-7-77)

§ 94.99 PENALTY.

(A) Whoever violates any of the provisions of this chapter shall be fined in an amount not exceeding \$100. Each day the violation is committed or permitted to continue shall constitute a separate offense.

(B) Any person, firm, partnership, or corporation convicted of a violation of any provision of § 94.08 shall be guilty of a misdemeanor and shall, on conviction, be fined not less than \$50 nor more than \$500 or be confined for a period of not less than one nor more than 90 days or both. (Ord. 164, passed 11-3-75)

(C) Any person violating any provision of § 94.09 shall be guilty of a misdemeanor and shall, on conviction, be fined not less than \$50 nor more than \$500 or confined in the county jail for not less than three days nor more than 60 days or both. (Ord. 176, passed 8-1-77)