

This document includes Chapter 4, Section 11 and Chapter 21 of the Three Rivers City Code.

**Chapter 4  
Police Regulations**

**4-11    JUNK, TRASH AND INOPERABLE VEHICLES.**

**4-11.1    Determination.** It is hereby determined that the storage or accumulation of trash, rubbish, junk, junk vehicles, abandoned vehicles, building materials, and the maintenance of blighted structures upon any private property within the City tends to result in blighted and deteriorated neighborhoods, the spread of vermin and disease, the increase in criminal activity, and therefore is contrary to the public peace, health, safety and general welfare of the community.

**4-11.2    Open Storage Yards.** It shall be unlawful for any person to store, or permit the storage or accumulation of trash or junk on any private premises in the City within public view except on premises of a business enterprise operated in a lawful place and manner when necessary to the operation of such business enterprise, or at a storage place or depository maintained in a lawful place and manner. It shall be unlawful for any person to store or permit storage or accumulation of building materials on any private premises except in a completely enclosed building; or except where such building materials are part of the stock in trade of a business enterprise operated in a lawful place and manner when necessary to the operation of such business enterprise; or except when such materials are being used in the construction of a structure on the private premises in accordance with a valid building permit issued by the City.

**4-11.3    Vacant Structures.** It shall be unlawful for any person to keep or maintain any blighted or vacant structure, dwelling, garage, outbuilding, factory, shop, store or warehouse unless the same is kept securely locked, the windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance thereto by unauthorized persons or unless such structure is in the course of construction in accordance with a valid building permit issued by the City.

**4-11.4    Inoperable and Infrequently Operated Vehicles.** No owner or person having charge, custody, control, or use of real property in the City shall engage in the following:

- (A)    Placing, parking or storing an inoperable vehicle within open view.
- (B)    Placing, parking or storing an infrequently operated vehicle within open view except by permit as provided in this Section.
- (C)    Placing, parking or storing more than two (2) inoperable vehicles regardless of whether in open view or not.

**4-11.5    Permits for Keeping Infrequently Operated Vehicles.** Every owner, or person having charge, custody, control or use of real property in the City shall, if desiring to place, park or store an infrequently operated vehicle upon his or her premises, apply to the City Manager for a permit. A permit shall not be issued until the applicant pays a permit fee as provided in this Chapter 6 of this Code. Permits for race cars shall be valid from April 1 to October 1. Permits for all other vehicles shall be valid for thirty (10) days. A permit shall state a date of expiration. It may be renewed upon payment of another permit fee.

**4-11.6    Fees.** The schedule of fines applicable to offences under this Section is set forth in Section 6-4 of Chapter 6 of this Code.

**4-11.7    Investigation of Premises.** Any City enforcement officer on routine inspection or upon receipt of a complaint may investigate a suspected violation of this Chapter.

**4-11.8    Notice of Removal.** Whenever an enforcement officer finds building material, trash, or junk on a private premises in violation of this Chapter, the officer shall personally serve the owner of the premises or any adult occupant of the premises with a notice of removal; or if the owner or occupant cannot be reasonably located at such premises within twenty-four (24) hours, the officer shall cause a notice of removal to be mailed to the owner of the premises as shown on the tax assessment records of the City. The notice of removal shall contain the following information:

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- (A) Name and address of the owner of the premises.
- (B) Nature of complaint.
- (C) Description and location of the items on the premises in violation of this Chapter.
- (D) The statement of such items are to be removed from the premises within ten (10) days of the date of notification.
- (E) Statement that removal from the location specified in the notice to another location upon which storage is not permitted is prohibited and shall subject the person to additional penalties.

**4-11.9 Vehicle Violations.** Whenever an enforcement officer finds a vehicle kept or stored in violation of any provision of this Chapter, the officer shall cause a notice to be served upon any person having charge, custody, control, use or ownership of the premises by personal service or by certified mail. The notice shall state the nature of the violation, the description of the offending vehicle(s), a statement that the vehicle(s) must either be removed, screened from open view; or otherwise brought into compliance with this Section within ten (10) days, and a statement of penalties for noncompliance. In addition, the officer shall affix a sticker in a conspicuous place upon the vehicle(s). The sticker shall contain the same information as the written notice.

**4-11.10 Penalties.** Violation of this Section shall subject the violator to the following penalties:

- (A) Violation shall constitute a misdemeanor punishable by a fine of not more than Five Hundred (\$500) Dollars and jail imprisonment of not more than ninety (90) days.
- (B) Violations shall also, alternatively, constitute a civil infraction carrying a maximum civil fine of up to Five Hundred (\$500) Dollars.
- (C) This Section shall also be enforceable by a suit for injunction, abatement of nuisance, damages, or other legal remedy appropriate and provided by law.
- (D) Each separate vehicle and each day of violation shall constitute a separate offense.
- (E) If a condition in violation of this Section is not removed or corrected within ten (10) days after mailing or giving personal notice pursuant to Section 4-11.8, the City Manager or his or her duly authorized representative is hereby authorized and empowered to arrange and pay for the removal of or correction of such condition, either by a Department of the City or by others. For such purpose, the City Manager or his or her duly appointed representative is hereby authorized and empowered to enter upon the premises of any such public or private land within the City at reasonable times and under reasonable conditions to accomplish the appropriate corrective action.
- (F) In addition to any other penalty imposed pursuant to this Section, violators shall be chargeable with the actual cost incurred by the City in the removal of any building materials, inoperable vehicle(s), trash or junk, together with an additional charge of twenty (20%) percent of such removal costs reimbursing the City for incidental expenses necessitated by the removal and abatement of the nuisance. The total cost so determined shall constitute a lien against the premises and shall be charged and billed to the owner of the premises. If any sum so billed is not paid within a period of thirty (30) days, such sum shall become a lien against the premises, or the City may file suit for collection of such charges against the owner of the premises.
- (G) In addition to any other penalty for violation of this Chapter, a person who violates any provision of this Chapter is responsible for a municipal civil infraction, subject to the payment of a civil fine of not less than Fifty (\$50) Dollars, plus costs and other sanctions for each infraction.

**4-11.11 Exclusion.** This Section shall not apply to licensed junk yards, car dealers, or licensed auto parts dealers.

**CHAPTER 21  
SANITATION****21-1 DEFINITIONS.**

**Ashes** means the residue from the burning of wood, coal, coke or other combustible materials.

**Collector** means a person duly licensed to collect refuse within the City.

**Garbage** means rejected food wastes including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attend the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetable.

**Property Owner** means tenants or other occupants of residential premises.

**Refuse** means solid waste, except body wastes, and includes garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleaning and solid market and solid industrial wastes.

**Refuse Transporting Unit** means a container which may be an integral part of a truck or any other piece of equipment used for the transportation of refuse on or by a motor vehicle or by rail.

**Rubbish** means nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes such as paper, cardboard, metal containers, wood, glass, bedding, crockery, demolished building materials or litter of any kind that will be a detriment to the public health and safety.

**Scavenger** means a non-property owner who examines and/or removes salvageable items from trash placed for collection pursuant to this Chapter.

**Trash** means worthless, unwanted, and discarded items or objects normally accumulating in and about residential household premises.

**21-2 CITY TRASH PICKUP SERVICE.**

**21-2.1 Authorization.** Each year, at times designated by the City Manager, the Department of Public Services will conduct a trash pickup in the residential areas of the City in accordance with the provisions of this Chapter.

**21-2.2 Trash Pickup Restrictions.** No trash shall be picked up by the Department of Public Services unless it is boxed, bagged or securely bundled. No item of trash shall exceed eight (8') feet in length. All glass, items with sharp corners and sharp items shall be securely wrapped to prevent injury to City pickup personnel.

**21-2.3 Prohibited Items.** The following materials shall not be placed for collection or be collected by the Department of Public Services: garbage, dead animals, car bodies, large metal items, hazardous materials, large gas or propane tanks, and items not accepted by licensed landfills.

**21-2.4 Unauthorized Collection.** No person except a property owner shall place any trash for collection. No person shall bring trash from outside the City for pickup under the provisions of this Chapter.

**21-2.5 Scavengers.** Unless prohibited by the property owner, scavengers may remove salvageable items placed for collection pursuant to this Chapter, provided that items of trash not removed are left boxed, bagged or securely bundled as provided in Section 21-2.2. It shall not be the responsibility of City pickup personnel to pick up trash left unboxed, unbagged or unbundled by scavengers or by any other person or for any other reason.

**21-2.6 Placement for Collection.** On the day trash collection is scheduled in a residential district of the City or not earlier than seventy-two (72) hours before collection is scheduled all trash shall be neatly placed in the street curbside directly in front of the owner's premises.

**21-2.7 Unauthorized Materials.** The Department of Public Services shall not pick up any materials placed for collection in violation of the terms of this Chapter. Each collection crew shall carry a supply of

printed cards listing the most common reasons for refusing to collect trash placed for pickup. There shall be a space for a check mark to each reason given. The person in charge of each trash pickup crew shall place a check mark next to the statement which best explains the reason for their refusal to collect the material involved and deliver the card to the resident or occupant of the premises. If no person can be found at the premises, the card shall be placed on a doorknob at the entrance of the premises. Trash items refused for collection shall be removed from the street curbside and properly disposed of by the property owner within twenty-four (24) hours after notice of refusal has been delivered or posted.

**21-2.8 Collection Charges.** If any person places for collection:

- (A) More than one large appliance (including water heaters);
- (B) More than four (4) motor vehicle tires; or
- (C) Other trash in excess of the limitations as provided in Section 21-2.2, the City may charge a reasonable service fee for collecting these items or the excess trash. Service fees shall be established by resolution of the City Commission upon the recommendation of the City Manager.

**21-2.9 Cost Study.** The City Manager shall from time to time prepare and submit to the City Commission a cost study showing the cost of providing trash pickup service in the manner provided in this Chapter.

**21-2.10 Commercial and Industrial Premises.** The provisions of this Chapter shall not apply to commercial and industrial premises. No collection of trash shall be made at any non-residential premises.

**21-3 REFUSE COLLECTION.** All ashes, garbage, rubbish and refuse accumulated in the City shall be collected, conveyed and disposed of by duly licensed refuse collectors unless the same shall be collected, conveyed and disposed of by the actual producers of refuse or the owners of the premises where refuse is accumulated. Each producer, owner and collector shall in all respects comply with the provisions of this Code, all rules and regulations issued pursuant to this Chapter, and with any other governing law.

**21-4 REFUSE CONTAINERS.**

**21-4.1 Duty to Provide and Maintain in Sanitary Condition.** Refuse containers shall be provided by the owner, tenant, lessee, or occupant of the premises. Refuse containers shall be maintained in good condition. Any container that does not conform to the provisions of this Chapter or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents shall be promptly replaced upon notice. A collector shall have the authority to refuse collection service for failure to comply with this Chapter or rules and regulations issued pursuant to this Chapter.

**21-4.2 Capacity.** The refuse container shall have a capacity of not more than twenty (20) gallons and shall be made of metal or other durable material equipped with two handles, tight fitting cover and shall be watertight unless other capacities or types of containers such as commercial type "garbage" bags are authorized by rules adopted hereunder.

**21-4.3 Sanitation.** Each container shall be kept in a clean, neat and sanitary condition at all times.

**21-5 STORING OF REFUSE.**

**21-5.1 Public Places.** No person shall place any refuse in any street, alley or other public place, or upon any private property whether owned by such person or not within the City except it be in proper containers for collection as provided in Section 21-4 of this Chapter. Nor shall any person throw or deposit any refuse in any stream or other body of water.

**21-5.2 Unauthorized Accumulation.** Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited.

**21-5.3 Refuse in Public Places.** No person shall cast, place, sweep or deposit anywhere within the City any refuse in such a manner that it may be carried or deposited by the elements upon or into any street, sidewalk, alley, sewer, parkway or other public place, or into any occupied premises within the City.

**21-5.4 REMOVAL.** Any person responsible for the deposit or accumulation of refuse in violation of this Chapter shall remove the refuse to a permitted location within forty-eight (48) hours after receiving a verbal or written notification of the violation from an authorized officer of the City.

**21-5.5 MUNICIPAL CIVIL INFRACTION.** In addition to any other penalty for violation of this Chapter, a person who violates any provision of this Chapter is responsible for a municipal civil infraction and subject to the payment of a civil fine of not less than fifty (\$50) dollars, plus costs and other sanctions for each infraction. Repeat offenses under this Chapter shall be subject to increased fines as provided in Chapter 9 this Code pertaining to Municipal Civil Infractions.

**21-6 NUMBER OF REFUSE CONTAINERS.** A person may have unlimited refuse containers provided each such container complies with the requirements of Section 21-4.

**21-7 POINTS OF COLLECTION.** All refuse containers shall be placed for collection on the premises at an easily accessible central location for the collectors. No refuse or refuse container shall be placed within the right-of-way of any street or at street curbs for collection unless specifically authorized by this Chapter or by resolution of the City Commission in accordance with Section 21-10 of this Chapter.

**21-8 COLLECTION PRACTICES.**

**21-8.1 Frequency of Collection.** Refuse collectors shall provide collection service to their customers at a minimum of once week if a customer so requests.

**21-8.2 Refuse Containers.** Refuse collectors may require their customers to place all refuse, garbage, ashes and rubbish in a refuse container or containers for collection.

**21-9 SPECIAL REFUSE PROBLEMS.**

**21-9.1 Contagious Disease Refuse.** The removal of wearing apparel, bedding or other refuse from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the Health Officer. Refuse shall not be placed in containers for regular collections.

**21-9.2 Inflammable or Explosive Refuse.** Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the City Manager or Fire Chief at the expense of the owner or possessor thereof.

**21-10 COLLECTION BY ACTUAL PRODUCERS, PRIVATE AND COMMERCIAL COLLECTORS AND OUTSIDE COLLECTORS.**

**21-10.1 Requirements of Vehicles.** The actual producers of refuse or the owners of premises upon which refuse is accumulated who desire to dispose of such refuse, City licensed collectors collecting refuse in the City, and collectors of refuse from outside the City who desire to haul over the streets of the City shall use a water-tight vehicle or containers with tight covers to prevent offensive odors escaping and refuse from being blown, dropped or spilled. Refuse transporting units shall meet all requirements of this Chapter and any other governing law.

**21-10.2 Disposal.** Disposal of refuse by persons so permitted under Section 21-3 shall be made outside the City limits at a landfill licensed by the State for the disposal of such material.

**21-11 RULES AND REGULATIONS.** The City Commission by a resolution adopted by two-thirds of its members may make such reasonable written regulations or rules concerning the collection and disposal of refuse and relating to the hauling of refuse over City streets as it shall find necessary to implement the provisions of this Chapter.

**21-12 INCINERATION AND HOME GARBAGE DISPOSAL MACHINE.** Nothing contained in this Chapter shall be construed as preventing any person from burning combustible refuse and garbage within his or her own premises in an incinerator unit specifically designed for that purpose and which in no manner creates a nuisance or from disposing of garbage by means of a garbage disposal machine directly connected to the City sewer system. Except as permitted in this Section, no person shall burn garbage in the City.

**21-13 CHARGES FOR REFUSE COLLECTION.** A written schedule of charges for refuse collection within the City by licensed collectors shall be filed by each collector semi-annually with the City Clerk. The City Commission may review such rate schedules at a regular or special meeting.

**21-14 ASSIGNED COLLECTIONS.** A licensed collector may for just cause discontinue service to any customer within the City, provided the collector gives such customer at least two (2) weeks advance notice. If a customer is discontinued for any reason other than for refusal to pay his account with his collector and the customer is unable to retain the services of another licensed collector, the City Manager may assign any such customer to another licensed collector. Such assignments shall be on a rotating basis.

**21-15 YARD WASTE BAN.** No person shall deliver to, deposit in, or accept for disposal in a landfill or solid waste incinerator any yard clippings. The open burning of yard clippings is prohibited. For the purpose of this Chapter, "yard clippings" includes leaves, grass clippings and brush.