

## CHAPTER 2

**REFUSE, GARBAGE AND WEEDS**

## SECTION:

- 3-2-1: Definitions
- 3-2-2: Maintenance Of Premises
- 3-2-3: Garbage Service
- 3-2-4: Dumpsters
- 3-2-5: Rate Schedules
- 3-2-6: Tree Trimmings
- 3-2-7: Landfill
- 3-2-8: Dumping Refuse Outside Landfill; Travel Off Access Road;  
Obstructing Access
- 3-2-9: Burning
- 3-2-10: Violation; Penalty

3-2-1: **DEFINITIONS:**

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

**GARBAGE:** Wastes resulting from the handling, preparation, cooking or consumption of foods; wastes from the handling, storage and sale of produce; any other matter whatsoever that may decompose and become foul, offensive, unsanitary or dangerous to health.

**REFUSE:** Combustible and noncombustible discarded materials including, but not limited to, paper, wood, glass, metal and cloth products, yard trimmings, tree branches, furniture, bedding, building materials, leaves, ashes and solid wastes resulting from industrial and manufacturing processes. (Ord. 30, 5-9-2002)

July 2014

**3-2-2: MAINTENANCE OF PREMISES:**

- A. **Duty To Maintain:** It shall be the duty of any owner, agent, tenant, purchaser, contractor or lessee of any premises within the town including places of business, dwelling houses, apartments, tenements, construction sites or other establishments, at all times, to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of materials other than those necessary or ordinarily attendant upon the use for which such premises are legally intended.
- B. **Duty To Mow, Cut, Spray Or Remove:** It shall be the duty of any owner, occupant or agent having control of any lot or premises, as well as any portion of any alley adjoining the premises, to:
1. Mow, cut, and destroy or spray all weeds.
  2. Mow grass on a consistent basis such that grass does not exceed fourteen inches (14") in height.
  3. Remove all trash, garbage, junk, abandoned vehicles, abandoned mobile homes, abandoned machinery, junk machinery, abandoned and discarded appliances and all other refuse.
  4. No person shall possess four (4) or more abandoned vehicles on his property or on property which is in his lawful possession or control, if any four (4) or more of the vehicles are visible from a public roadway for more than thirty (30) consecutive days.
  5. For purposes of this section a vehicle shall be presumed to be abandoned if it is in an inoperable condition or deemed uninhabitable and/or is not currently registered.
  6. This section shall not apply to antique or historic motor vehicles as defined by Wyoming Statutes 31-1-101(a)(xv)(A); vehicles kept in an enclosed garage or storage building; vehicles used for riprap on rivers, streams or reservoirs, or for erosion control; persons licensed in accordance with Wyoming Statutes 31-13-114 and in compliance with zoning ordinance; or vehicles used for educational or instructional purposes at a school.
- C. **Nuisance Declared:** Any accumulation of trash, garbage, junk, abandoned vehicles, abandoned machinery, junk machinery, abandoned and discarded appliances and all other refuse is hereby declared to constitute a nuisance and a nonconforming use of the premises.

D. Notice To Comply: The owner, agent or occupant of any premises shall be liable for compliance with this section, and if such person shall refuse to comply with the provisions of this section, he shall be given written notice requiring removal of the offending item within seven (7) days from the receipt of such notice. Notice shall be deemed delivered when personally served or deposited in the United States mail, by registered or certified mail, with postage prepaid, and addressed to the owner or occupant of the premises.

E. Failure To Remove; Costs Of Removal:

1. Authority To Remove; Costs; Lien: Upon failure to comply with any written notice given pursuant to subsection D of this section, the town shall have the authority to remove any offending item and charge the cost thereof as a special bill for refuse removal. In the event such bill is not promptly paid, it shall become a lien against the property and collectible as such, including reasonable attorney fees.

2. Abatement By Town Not Relief From Penalty: The abatement of the nuisance by the town shall not relieve the person in charge or control of such property of any penalty imposed for violation of this section. (Ord. 30, 5-9-2002; amd. Ord. 30A-1, 4-10-2014; Ord. 75, 6-8-2023)

### 3-2-3: **GARBAGE SERVICE:**

Garbage services shall be supplied to, and all residents and businesses of the town of LaGrange, shall pay a monthly charge for garbage service unless the resident or business is vacant from the property for at least thirty (30) days. The town of LaGrange is authorized to contract with TDS Collection Service, Inc., for garbage collection services and all residents and businesses shall abide, to the extent applicable, by the terms therein. (Ord. 46A-1, 2-13-2014)

### 3-2-4: **DUMPSTERS:**

A. Required:

1. Furnished By Town: All garbage dumpsters shall be furnished through the town of LaGrange by a third party contract and shall be constructed of galvanized iron, metal or other material approved by the town.

2. Use Of Dumpsters Required; Exceptions: All garbage and refuse shall be placed in dumpsters as specified; provided, however, yard trimmings, grass, leaves and similar items shall be taken by property owner to a collection site designated by the town council.

September 2023

3. Placement Of Garbage: No garbage shall be left outside of the dumpster. It is the responsibility of the property owner and will not be picked up by the town unless prior arrangements have been made.
- B. Placement For Collection: All dumpsters shall be placed at the rear of the premises near the alley where they are used and at a place easily accessible to the garbage collector. Where premises have no alley, all dumpsters shall be placed in a nearby alley or on a street easily accessible to the garbage collector and in no event shall any garbage collector be required to go upon private property without written consent of the property owner for the purpose of collecting garbage or removing such dumpsters. (Ord. 30A-1, 4-10-2014; amd. Ord. 75, 6-8-2023)

3-2-5: **RATE SCHEDULES:**

- A. The rate schedule policy for garbage pick-up shall be set by the LaGrange Town Council on an annual basis prior to the annual budget. The rate will include the current contracted garbage pick-up with fuel surcharge fees and administration fees. The rate schedule policies will be kept in the office of the Town Clerk.
- B. The foregoing charges shall be due and payable on or before the twentieth day of each month for the garbage service for the preceding calendar month. All payments made toward the monthly utility billing of water, sewer and garbage will be applied to the balance incurred for all utilities. Any unpaid balance is a delinquency in payment of all utilities.
- C. If any customer chooses to pay the entire utility service including water, sewer and garbage on an annual basis a discount fee of two percent (2%) will be given to the customer at time of payment.
- D. If any customer fails to pay the monthly minimum charge, when the same is due, under the terms of this section, the town shall have the right to charge a recurring ten percent (10%) service charge on the unpaid balance of the entire bill after the first month of delinquency. (Ord. 46A-1, 2-13-2014; amd. Ord. 75, 6-8-2023)

3-2-6: **TREE TRIMMINGS:**

- A. Any person who shall trim trees on any property within the town shall be responsible for the removal from the streets, alleys and other public ways of the town of all trash, limbs and other debris created by such trimming.

September 2023

- B. Anyone wanting to trim or remove a tree located in the town right-of-way or town property must first obtain permission from a town representative/official. (Ord. 30, 5-9-2002; amd. Ord. 75, 6-8-2023)

3-2-7: **LANDFILL:**

- A. Established: A landfill was previously established for the purpose of disposal of refuse, garbage and other waste matter or materials. As of June 1, 2011, the landfill is closed to all wastes other than lumber, yard waste and concrete per Department of Environmental Quality and is in the process of final closure.
- B. Removing Waste From Landfill: All garbage, refuse, waste or matter of any kind disposed of at the town landfill shall become the property of the town and no person shall separate, collect, carry off or otherwise remove or dispose of anything whatsoever from the landfill, unless that person has obtained written permission from the public works director. (Ord. 30, 5-9-2002; amd. Ord. 30A-1, 4-10-2014; Ord. 75, 6-8-2023)

3-2-8: **DUMPING REFUSE OUTSIDE LANDFILL; TRAVEL OFF ACCESS ROAD; OBSTRUCTING ACCESS:**

- A. Dumping Outside Landfill: It shall be unlawful for any person to use land or places within the town other than the landfill for the purpose of dumping refuse, garbage and other waste material.
- B. Obstruction Of Access: No person shall obstruct the access to the pits or other areas designated for dumping.
- C. Travel Off Access Road: No person shall be permitted off the access road and landfill properties without expressed permission from landowners. (Ord. 30, 5-9-2002)

3-2-9: **BURNING:**

It shall be unlawful for anyone in the town to burn or cause to be burned any buildings, fences, garbage, trade waste or trash. (Ord. 46, 12-30-2004)

3-2-10: **VIOLATION; PENALTY:**

Any person violating any of the above sections, upon conviction, shall be subject to penalty as provided in section 1-4-1 of this code. Each person shall receive one warning before penalties are assessed. (Ord. 46, 12-30-2004; amd. 2011 Code)

September 2023