

**ORDINANCE NO. 13, 2013**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WISE,  
VIRGINIA PROVIDING FOR THE IMPOSITION OF FEES FOR THE  
COLLECTION AND DISPOSAL OF LEAVES BY VACUUM SERVICE**

**WHEREAS**, pursuant to Virginia Code §15.2-928(A) the Town of Wise is authorized to charge and collect compensation for the collection and disposal of solid waste in the Town of Wise; and,

**WHEREAS**, the Wise Town Council wishes to provide regulations and fees for the collection and disposal of leaves by vacuum service; and,

**WHEREAS**, legal notice, advertisement, and public hearing have been provided as required by Virginia Code §15.2, et. seq.

**NOW, THEREFORE BE IT ORDAINED AND ENACTED** by the Town Council of the Town of Wise, Virginia as follows:

**Sec. 1. - Purpose**

The vacuum leaf collection service is intended to assist citizens in the removal of loose leaves that have fallen from deciduous trees in the fall. Residential loose leaf collection season will begin on or about October 15<sup>th</sup> and continue through November 30<sup>th</sup> of each year. During loose leaf collection season, Public Works crews cycle through the Town collecting loose leaves multiple times. While crews are gathering leaves with the vacuum, large item and brush removal services will be temporarily suspended.

**Sec. 2. – Prohibited Waste**

Nothing other than loose leaves may be staged for pick-up by the leaf vacuum. Limbs, sticks, rocks, pine cones, garden waste, etc. can damage the vacuum equipment and creates a safety hazard for collection crews.

**Sec. 3. - Scope of Service; Fee**

Town-wide vacuum leaf collection service shall be provided by the Town to curbside customers of the Town who comply with this Ordinance and other applicable code provisions. Scheduled collections for vacuum leaf collection service must be made by written application at the Town Hall, and a non-refundable fee of thirty dollars (\$30.00) for up to ½ box of leaves shall be paid to the Treasurer's office. Applicants shall pay thirty dollars (\$30.00) for each additional ½ box of leaves collected to complete the order for service. Payment shall be remitted to the Town of Wise within fifteen (15) calendar days of invoicing.

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**Sec. 4 - Conditions of Service**

To qualify for service under this Ordinance, curbside customers must rake loose leaves into rows placed near the curb. Leaves should not be raked into a pile and should never be raked past the property line into streets or ditches where they can obstruct storm water drains and cause flooding. A properly prepared leaf furrow for is one that contains loose leaves with no other yard or solid waste and is out in the open and away from obstructions such as parked vehicles, fire hydrants, mailboxes, fencing, designer landscaping, water meters, utility poles and guy wires. Crews need room to work to avoid damaging the leaf collection equipment or private property.

**Sec. 5 - Noncompliance with Provisions of this Article**

Whenever a person places leaves for vacuum collection by the town without complying with all the provisions of this Ordinance, the town may choose not to collect the leaves. In such case, the town shall affix a notice to the front door of the premises explaining the reason for the rejection. If material(s) other than leaves are comingled with the leaves scheduled for pick up, and the vacuum is damaged, the town may prosecute as a Class 1 misdemeanor violation.

**Sec. 6 - Landlord and Tenant Responsibility**

Owners of property in the town whose property is eligible for service under this large item collection program and their tenants must comply with provisions of this Ordinance.

**Sec. 7 - Additional Regulations**

The Solid Waste Superintendent is hereby authorized to publish, implement, and enforce reasonable regulations necessary to administer the town's large item collection program. Such regulations shall serve as a supplement to this Ordinance.

**Sec. 8 – Effective Date**

This Ordinance shall be effective July 1, 2013.

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**BE IT FURTHER ORDAINED AND ENACTED** by the Town Council of the Town of Wise, Virginia, that any previous Ordinance or Resolution, or portion thereof, in conflict herewith is hereby repealed.

**VOTING "AYE":** Erra Sutherland, Caynor Smith Jr., Teresa Adkins, Billy Bartlett Jr., Jeff Dotson

**VOTING "NAY":** - None -

**ABSENT:** - None -                      **ABSTENTIONS:** - None -

**ADOPTED, ORDAINED, and ENACTED** on this the 28th day of May, 2013.

**TOWN OF WISE, VIRGINIA**

*Erra Sutherland*  
**MAYOR**

**ATTEST:**

*Rolinn M. Bryant*  
**CLERK OF COUNCIL**