

ORDINANCE NO. _____¹⁴_____, 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 SPECIFIC SOLID WASTE**

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 large item refuse collection and disposal; 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:

LARGE ITEM REFUSE COLLECTION AND DISPOSAL

Sec. 1. - Purpose

Collection of refuse items too large or bulky to fit into thirty-two-gallon containers will be available to curbside customers under the conditions set forth in this Ordinance. Examples of "large items" include, but are not limited to, appliances; furniture; Christmas trees; construction, remodeling, or demolition debris; shrub and tree waste or prunings; etc.

Sec. 2. – Prohibited Waste

Construction and demolition debris shall not include asbestos, lead paint, or materials with lead paint, contaminated soils, or regulated hazardous waste.

Sec. 3. - Scope of Service; Fee

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

Sec. 4 - Conditions of Service

To qualify for service under this article, curbside customers must place all accumulated large items for collection near the curb no later than 7:00 a.m. on the day of the scheduled large item collection.

Sec. 5 - Noncompliance with Provisions of this Article

Whenever a person places refuse for collection by the town under its large item collection program without complying with all the provisions of this article, in addition to or in lieu of prosecution of such person for a Class 1 misdemeanor violation, the town may do either of the following:

- (1) The town may choose not to collect the refuse or material. In such case, the town shall affix a notice to the rejected refuse or material explaining the reason for the rejection. A similar notice may be given to the owner of the property in front of which such uncollected refuse or material was placed. The latter notice may be verbal or written and shall be provided as soon as is feasible after the rejection; or
- (2) The town may collect the refuse or material notwithstanding the fact that its placement does not comply with the provisions of this article. In such cases, the town shall after reasonable notice, assess the actual cost of collection, which shall not exceed sixty dollars (\$60.00) per truck load, against the owner of the property in front of which such refuse was placed. This charge shall be billed to the owner, and collected as taxes and levies are collected, or in separate billings, including but not limited to, those related to utility payments. Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property.

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 article.

