

ORDINANCE NO. 102

AN ORDINANCE ESTABLISHING A SANITATION SERVICE IN THE TOWN OF MEXICO BEACH; PROVIDING DEFINITIONS OF CERTAIN TERMS RELATING TO SAID SANITATION SERVICE; PROVIDING COLLECTION PRACTICES FOR SAID SANITATION SERVICE; PROHIBITING CERTAIN ACTS WITH REGARD TO THE COLLECTION AND DISPOSAL OF GARBAGE; REQUIRING GARBAGE CANS TO BE EASILY ACCESSIBLE; PROHIBITING THE DEPOSITING OF GARBAGE OR TRASH UPON UNOCCUPIED PREMISES; PROHIBITING THE BURNING OF GARBAGE OR TRASH WITHOUT A PERMIT; PROVIDING FOR THE DISPOSAL OF BUILDING AND REMODELING REFUSE AND SPENT OILS OR GREASES; LIMITING THE ACCUMULATION OF GARBAGE OR TRASH; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING PENALTY FOR VIOLATION THEREOF; AND RECITING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Mexico Beach, Florida, has determined that it is necessary for the protection and preservation of the peace, safety, health and property of the town and its inhabitants, that this ordinance be enacted, therefore

BE IT ORDAINED BY THE PEOPLE OF THE TOWN OF MEXICO BEACH, FLORIDA:

Section 1. Establishment of Sanitation Service.

There is hereby established for the Town of Mexico Beach, Florida, a sanitation collection to service the territory of the existing town limits as from time to time are extended by law.

The purpose of said sanitation service is the healthful, sanitary, efficient and economical collection and disposal of garbage as herein defined.

Section 2. Definitions.

For the purposes of this ordinance the following words and terms are herewith defined:

(a) Refuse. The word "refuse" shall include garbage and trash, as hereinafter defined, and all trash, rubbish, paper, glass, metal and discarded matter which the last owner intends to abandon to the sanitation service for disposal.

(b) Garbage. The word "garbage" is hereby defined to mean every refuse accumulation of animal, fruit or vegetable matter that attends the preparation, use, cooking and eating in, or storage of meats, fish, fowl, fruit or vegetables, and any other matter of any nature whatsoever, which is subject to decay and the generation of noxious or offensive gases or odors, or which during or after decay, may serve as breeding or feeding

material for flies or other germ-carrying insects; and any bottles, cans or other containers, utilized in normal houseuse use, which due to their facility to retain water, may serve as breeding places for mosquitoes or other water-breeding insects.

(c) Trash. The word "trash" shall mean refuse, accumulation of paper, wooden or paper boxes or containers, sweepings, and all other accumulations of a nature other than garbage, which are usual to housekeeping and to the operation of stores, offices and other business places.

(d) Garden or lawn trash. The words "garden or lawn trash" shall mean all accumulations of grass, leaves, shrubbery, vines and trimmings.

(e) Garbage can. The words "garbage can" shall be defined to mean a watertight container, with suitable handles, and a tight fitting cover of the type commonly sold as a "garbage can" and of a capacity of not more than thirty-two (32) gallons nor less than fifteen (15) gallons.

#### Section 3. Collection practice.

The following collection practice shall apply:

(a) Garbage and trash accumulated by residences shall be collected at such times as the Town Council shall decide.

(b) Commercial and industrial refuse shall be collected at such times as the Town Council shall decide.

(c) 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 Town Council. Such refuse shall not be placed in containers for regular collection.

(d) Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of, in each case, as directed by the Town Council at the expense of the owner or possessor thereof. The producer of such refuse shall not take same to the (town) sanitary land fill without the approval of the Town Council.

#### Section 4. Offenses defined.

It shall be unlawful for any person to:

(1) Place or cause to be placed upon the street, alley or sidewalk of the town any garbage, trash, refuse, debris or like matter, except as provided by this ordinance.

(2) To throw, place or dispose of any trash, litter, refuse or like matter upon the property or premises of any person.

from any container as provided herein except by order of the Town Council.

(4) To place any brick, rock, stone, iron, dirt or ashes in a garbage container.

(5) To sweep or throw trash, waste matter, garbage or like matter into the street, alley, sidewalk, or upon any property not his own or under his control.

(6) To allow garbage to remain exposed on his premises.

(7) To allow garbage to accumulate on his premises without disposal of it periodically in the manner prescribed by this ordinance.

(8) To keep garbage in containers other than in containers prescribed by this ordinance or the keeping upon premises of garbage and rubbish which is allowed to become offensive and/or noisome, shall constitute a public nuisance and may be abated in the manner provided by law for the abatement of nuisances. This remedy may be in addition to any other remedy provided herein.

Section 5. Garbage cans required; accessibility to sanitation service employees.

It shall be the duty of every person in possession, charge or control of any place in or from which garbage is created, accumulated or produced, to provide and at all times keep in a suitable place, readily visible and easily accessible to the garbage collectors, garbage cans or containers capable of holding all garbage which would ordinarily accumulate on such premises between the times of successive collections. The owner of any multiple dwelling shall furnish or require his tenants to furnish proper garbage containers. Garbage containers located at multiple dwellings, if furnished by the tenants, shall be marked so as to indicate the apartment or flat to which they belong. Cans may be placed near the street permanently only when they are concealed by a structure that is not unsightly to the neighborhood and which is in keeping with the surrounding area.

No garbage containers or other containers for refuse other than those of the Town of Mexico Beach, shall be placed, kept, stored or located within the right-of-way of a street or alley; provided however, that the Town Council may authorize the location of such containers within the public

sanitary sewers.

Spent oils or greases will not be placed in storm sewers or

Section 10. Spent oils or greases.

owner or contractor performing such work.

Building and remodeling refuse must be removed by the property

Section 9. Building and remodeling refuse.

and safety precautions are maintained.

subject to periodic fire department inspections to assure that adequate fire

the permission of the fire department. Operation of incinerators shall be

fire department of the town. No incinerators shall be installed without

limits of the town without first obtaining a permit from the chief of the

No person shall burn any trash or garbage within the corporate

Section 8. Burning of garbage or trash; incinerators.

property.

the property which is in the possession of another person, or on public

within the town, or upon the property or premises of another person, or on

upon any vacant or unoccupied premises or in any waterway, pit or pool

It shall be unlawful for any person to deposit garbage, or trash

Section 7. Deposit of garbage or trash upon unoccupied premises.

ful for any person to allow trash to remain exposed to flies on his premises.

piece of trash shall exceed fifty (50) pounds in weight. It shall be unlaw-

of garden or lawn trash shall exceed four (4) feet in length; no single

at or near the street in order to facilitate its collection. No single item

in residential areas, accumulations of garden or lawn trash shall be placed

broken down and placed in containers or stored in a suitable enclosure.

employees and trucks of the sanitation collection service. Boxes shall be

near the rear of the business establishment at a place accessible to the

in suitable receptacles or dumpable metal refuse containers, placed in or

in areas of business all accumulations of trash shall be placed

Section 6. Accumulations of trash; disposition.

for the expeditious collection and disposition of garbage.

right-of-way at specified places and times when such location is necessary

Section 11. Accumulations of garbage or trash limited.

No person is permitted an accumulation of garbage upon any premises in the town for a period longer than four (4) days. No person shall permit an accumulation of trash upon any premises within the town for a period longer than eight (8) days.

Section 12. Penalties for violations.

Any person or persons violating this ordinance is guilty of a misdemeanor of the second degree, punishable as provided in Florida State Statute 775.082 and 775.083.

Section 13. Conflicting ordinances.

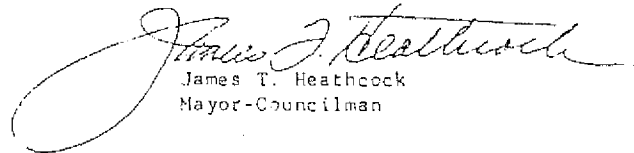
All ordinances and parts of ordinances in conflict herewith are repealed.

Section 14. Effective date.

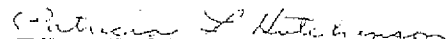
This ordinance shall take effect as provided by law.

INTRODUCED at a regular meeting of the Town Council on the 23rd day of September, A.D., 1980, and ADOPTED by the Town Council on the 14th day of October, 1980.

TOWN OF MEXICO BEACH, FLORIDA

  
James T. Heathcock  
Mayor-Councilman

ATTEST:

  
Town Clerk

(SEAL)