

Title 7

HEALTH AND SANITATION

Chapters:

- 7.04 Nuisances
- 7.06 Refuse
- 7.08 Trailers
- 7.10 Odor Control

Chapter 7.04

NUISANCES

Sections:

- 7.04.010 Definitions.
- 7.04.020 Accumulation of Trash Prohibited-Junk Automobiles Included.
- 7.04.030 Removal of Weeds-Time Designated.
- 7.04.040 Removal by Town-Costs Assessment.
- 7.04.050 Burning of Solid Waste Prohibited.
- 7.04.060 Violation-Penalty.

7.04.010 Definitions.

The following definitions shall apply in construing this Chapter:

A. "Solid waste" shall mean and include garbage, refuse, sludge of sewage disposal plants, and other discarded solid materials, including solid waste materials resulting from industrial, commercial, and from community activities, but shall not include agricultural waste.

B. "Garbage" shall include and mean kitchen and table refuse, offal swill, and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of food or of food materials.

C. "Refuse" shall mean all waste matter, excepting garbage, and shall include ashes, cinders, waste paper, cardboard, cloth material, cans, containers, boxes, bottles, crockery, tree limbs, grass, leaves, weeds, trash, junk, or a combination of any two (2) or more of the foregoing types of material. It shall further include all waste matter resulting from the occupancy of a residence, apartment, hotel, motel, or other place of dwelling, together with all the premises appurtenant thereto, and from the operation of a business, including waste matter resulting from the construction, demolition or repair of a building or other structure.

(Ord. 57, §1, 1982)

7.04.020 Accumulation of Trash Prohibited-Junk Automobiles Included.

A. It is unlawful for the owner of any lot, block, or parcel of land within the Town, or any agent in charge of property to allow or permit brush, trash, or rubbish of any kind to accumulate upon such property or on or along any alleys behind or sidewalk area in front of the same.

B. The phrase “trash or rubbish” shall specifically include any unlicensed, uncovered automobiles or portions of automobiles or automobiles, which are inoperable or valued only as “junk”. Such unlicensed automobiles must either be covered, or inside a privacy fence.

(Ord. 44, 1977; Amended Ord. 104, 2002)

7.04.030 Removal of Weeds-Time Designated.

A. It is unlawful for the owner of any lot, block, or parcel of land within the Town, or any agent in charge of such property to allow or permit weeds to grow or to remain when grown upon such property or on along any alleys, in front of said property, between said property and the traveled roadway to the rear property line or a depth one hundred fifty feet (150’) from the edge of any traveled roadway, whichever is lesser.

B. Undeveloped lots or parcels of land may be exempted from the operation of this Section at the sole discretion of the Town Administrator or the Town Council or his designated agent based upon such factors as location in an undeveloped area and/or proximity to residential, commercial, or other improvements.

C. Any owner of property or any agent in charge of such property may appeal the decision of the Town Administrator or Town Council or his designated agent to the Board of Zoning Adjustments in the same manner as appeals may be taken to said Board from decisions of the building inspector.

D. All weeds, which are of a height of eight inches (8”) or more, shall be cut and removed.

(Ord. 44, 1977; Amended Ord. 104, 2002)

7.04.040 Removal by Town-Costs Assessment.

A. If any person fails to comply with Sections 7.04.020 or 7.04.030, in addition to the penalty provided therefor, a written notice may be served personally or by certified mail upon the owner or agent in charge of the property, requiring the weeds or rubbish to be removed within thirty (30) days after receipt of the notice.

B. If the weeds or rubbish are not removed within the stated time, the Town may remove the same and assess the whole cost thereof upon the property, and the assessment shall be a lien until paid. If any assessment is not paid within thirty (30) days after it is made, the same shall be certified by the Town Clerk to the Treasurer for Moffat County and placed upon the tax list for the current year and thereby collected in the same manner as other taxes are collected, with a ten percent (10%) penalty thereon to defray the costs of collection.

(Ord. 44, 1977; Amended Ord. 104, 2002)

7.04.050 Burning of Solid Waste Prohibited-Exceptions.

Except as provided in this Section, the burning of solid waste, refuse, garbage or any other combustible matter, whether in ash pits or other receptacles, or on the ground or in any other manner whatsoever, by any person, firm, or corporation is hereby declared to be a nuisance and is prohibited. Provided, however, this Section shall not be construed to prohibit the burning of wood or wood products or charcoal in household fireplaces or stoves, or in what are commonly referred to as outdoor barbeque grills and fire pits. In addition, this Section shall not be construed to prohibit the burning of weeds, leaves, grass, tree limbs and other similar plant material, unless such open burning is prohibited by the Fire Protection District because of weather conditions.

Any person desiring to burn plant refuse as permitted herein shall only do so if such burning is attended to in person at all times during the burning, adequate safeguards to prevent the spread of fire are taken, and only if a water hose is available nearby to extinguish the fire.

Any person desiring to burn plant refuse, as permitted herein, shall do so with the understanding that such burning is an inherently dangerous activity and that he/she assumes the risk of any and all injury to persons or property. The Town of Dinosaur, its officers, agents or employees, shall not be responsible or in any way liable for any injury to persons or properties occasioned by the burning of refuse, whether or not such burning was in compliance with this Chapter. (Ord. 57, §V, 1982; Amended Ord. 77, §1, 1993; Amended Ord. 92, §1, 1998)

7.04.070 Violation-Penalty.

Any person violating any of the provisions of this Chapter shall be fined in the sum of not less than fifty dollars (\$50.00) and not more than three hundred dollars (\$300.00) and shall be imprisoned for not more than ninety (90) days.

(Ord. 44, 1977; Amended Ord. 104, 2002)

Chapter 7.06

REFUSE

Sections:

- 7.06.010 Definitions.
- 7.06.020 Accumulation Prohibited.
- 7.06.030 Refuse Along Waterways.
- 7.06.040 Refuse on Public and Private Property.
- 7.06.050 Disposal of Rubbish and Garbage.
- 7.06.060 Containers Required.
- 7.06.070 Refuse Collection Frequency.
- 7.06.080 Refuse Collection License-Required.
- 7.06.090 Refuse Collection License-Fees and Expiration Date.
- 7.06.100 Vehicle and Covers.
- 7.06.110 Insurance for Refuse Collectors.
- 7.06.120 Refuse Collection License-Revocation or Renewal.
- 7.06.130 Violation-Penalty.

7.06.010 Definitions.

The following words and phrases shall have meaning ascribed to them:

- A. "Debris" means all other refuse materials not otherwise listed in this Section such as cleaning fluids, acids, caustics, poisons, or any hazardous materials as defined by Colorado Department of Transportation; discarded lath, plaster, boards, and similar building materials; and brush, dirt, grass, paper trash, leaves and similar materials.
- B. "Garbage" means all animals and vegetable waste resulting from the handling, preparation, cooking or consumption of food.
- C. "Junk" means heavy metal, automobile parts, an automobile no longer in operation, pipe, tanks, sheeting, white goods and materials of like nature.
- D. "Refuse" means garbage, rubbish, junk or debris.
- E. "Rubbish" means ashes, cans, bottles, earth, wire, glass, broken kitchenware, household appliances, boxes, papers, mattresses, and other materials of like nature.

7.06.020 Accumulation Prohibited.

No owner, household or occupant of any premises, or any other person owning or occupying any premises within the corporate limits of the Town, shall throw, drop, pile, place or otherwise dump or deposit refuse on said premises or allow refuse to accumulate on said premises in an offensive, unsightly, or unsanitary manner, and at all times said premises shall be kept in a neat, clean, orderly and healthy condition.

7.06.030 Refuse Along Waterways.

No person owning, occupying, or in control of any premises along a waterway, or any other person, shall permit to be deposited or shall deposit any refuse into or upon the banks or margin of any waterway for any purpose whatsoever, except that such may be done if written permission is obtained from the Town Administrator or Town Council or his authorized agent; such permission to be granted only if the proposed act will not in any way obstruct, defoul, or make unsightly said waterway. A "waterway" shall include, but not be limited to, any waterway, gulch, draw, channel or ditch either natural or constructed, which carries surface water.

7.06.040 Refuse on Public and Private Property.

No person shall throw, drop, pile, place, or otherwise dump or deposit refuse on any sidewalk, street, alley or gutter, or in any catch basin, pipe, drainage ditch or channel, or in or on any lots, parks, land, buildings or structures, except in containers or places clearly provided and marked for the purpose. No garbage or household or business refuse shall be placed in any street container or other container maintained by the Town, county, or any special district.

7.06.050 Disposal of Rubbish and Garbage.

No person shall fail to dispose in a sanitary manner of garbage and rubbish, as defined in Section 7.06.010, which accumulates or may accumulate upon the premises owned or occupied by him/her. No person shall have, store, deposit, or keep garbage or rubbish where rats, dogs, cats, or other animals may have access thereto, and no garbage or rubbish shall be kept or handled by any person in any manner likely to cause a nuisance or injury to any other person or the public.

7.06.060 Containers Required.

All persons owning or occupying any premises within the corporate limits of the Town shall provide themselves with substantial, suitable containers approved by the Town of a durable material for the purpose of keeping garbage or rubbish. Such containers shall be placed or kept to the rear of buildings, inside garages or otherwise screened from public view except at the time or during the day when such garbage or rubbish is collected. (Ord. 57, §II, 1982; Amended Ord. 104, §8.08.60, 2002)

7.06.070 Refuse Collection Frequency.

All owners, occupants and tenants of residences and private homes shall remove or cause to be removed at least once a week all garbage or rubbish that accumulates or may accumulate upon or in their homes and premises, and all owners, occupants and tenants of nonresidential uses shall remove or cause to be removed at least twice a week all garbage or rubbish that accumulates or may accumulate upon or in their buildings or premises. For good and sufficient reasons, the Town Administrator or Town Council or his authorized agent may require a greater frequency of collection or permit a lesser frequency of collection.

7.06.080 Refuse Collection License-Required.

No person shall collect refuse in the Town of Dinosaur without first obtaining a license for such purpose from the Town Administrator or Town Council or his/her authorized agent. Such licenses shall be applied for upon forms prescribed by him/her, which forms shall call for the providing of the home and business addresses of the applicant and of all partners, proprietors and officers thereof, the vehicles proposed to be used for refuse collection, all places and methods of disposal of refuse, proposed collection days and times, proposed rates to be charged, and such other information he deems necessary to determine the applicant's qualifications for collecting refuse.

7.06.090 Refuse Collection License-Fees and Expiration Date.

If the Town Administrator or Town Council or his authorized agent determines that the applicant has the capability to collect refuse and to fulfill contracts involved therewith, he/she shall issue a license upon payment of twenty-five dollars (\$25.00) which is good for that calendar year.

7.06.100 Vehicles and Covers.

All vehicles conveying rubbish and garbage, in the Town of Dinosaur shall be properly covered so as to prevent such objects from being blown from and falling from such vehicle. The section of such vehicle used for storage of garbage and rubbish shall be solidly constructed so as to prevent the escape of liquids and to prevent easy access of insects and vermin.

7.06.110 Insurance for Refuse Collectors.

The collector shall carry public liability insurance of not less than three hundred thousand/one hundred thousand dollars (\$300,000.00/\$100,000.00) for the death of or injury to any one person, and three hundred thousand dollars (\$300,000.00) upon each of the vehicles used by him/her in collection of rubbish and garbage, and certificates of such insurance shall be filed with the Town Clerk.

7.06.120 Refuse Collection License-Revocation or Nonrenewal.

The Town Administrator or Town Council or his authorized agent may revoke or fail to renew any license that has been issued for collection of refuse, provided that he/she has by certified letter given the licensee a statement of violations of this Chapter or conditions of such license, and that such licensee within ten (10) days has failed to correct such violations or satisfy such conditions.

7.06.130 Violation-Penalty.

Any person violating any of the provisions of this Chapter shall be deemed guilty of a municipal offense and may be punished by a fine not to exceed three hundred dollars (\$300.00), imprisonment for a period not to exceed ninety (90) days, or by both such fine and imprisonment.

(Ord. 44, 1977; Amended Ord. 57, §VIII, 1982; Amended Ord. 104, 2002)

Chapter 7.08

TRAILERS

Sections:

- 7.08.010 Compliance with Location Requirements.
- 7.08.020 Emergency, Temporary Parking on Streets.
- 7.08.030 Recreational Vehicle and Trailer Parking.

7.08.010 Compliance with Location Requirements. It is unlawful within the Town for any person to park any recreational vehicle, travel trailer, motorized home, motor home, recreational bus, or trailer on any street, alley or highway, or other public place, or on any tract of land owned by any person, occupied or unoccupied, with the Town, except as provided in this Chapter.

7.08.020 Emergency, Temporary Parking on Streets. Emergency or temporary stopping or parking of recreational vehicles, travel trailers, motorized homes, recreational buses and trailers are permitted on any street, alley or highway for not longer than twelve (12) hours subject to any other and further prohibitions, regulations and limitations imposed by traffic and parking regulations or ordinance for the street, alley or highway. Any person who violation this Section commits a noncriminal municipal offense.

7.08.030 Recreational Vehicle and Trailer Parking. No person shall park or occupy any trailer, travel trailer, motorized home, motor home, recreational bus or recreational vehicle, outside of an approved recreational vehicle park, trailer park or other specifically permitted location in accordance with the provisions of the Town's Land Use Regulations, except that invited overnight guests may occupy such vehicles located on any tract of land owned by the person extending the invitation for a period of time not to exceed seventy-two (72) hours, and provided such use and occupancy does not violate any other ordinances. Temporary parking or occupancy shall be permitted in designated rest areas only for a period of twelve (12) hours. The parking of one unoccupied trailer, travel trailer, motorized home, motor home, recreational bus or recreational vehicle in a private garage building, or in a rear yard, or in a driveway at least twenty feet (20') from the street curb is permitted providing no living quarters shall be maintained or any business practiced in such trailer or recreational vehicle while such vehicle is so parked or stored. A permit must be obtained from the Town Clerk for a trailer, travel trailer, motorized home, motor home or recreational vehicle to be used as a temporary construction office on the site of and during construction, however, sleeping or cooking shall be prohibited. Any person who violates this Section commits a noncriminal municipal offense.