

SOLID WASTE

**Chapter 87
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**[HISTORY: Adopted by the Council of the Town of Middleburg on
2/10/2011]**

**ARTICLE I
General Provisions****§ 87-1 Accumulation**

It shall be unlawful for any owner or occupant of the premises, within the corporate limits of the town to allow garbage, ashes, trash, rubbish or any other refuse to accumulate on such premises in an offensive or unsanitary manner.

§ 87-2 Throwing of trash on vacant lots, streets or sidewalks

It shall be unlawful for any person to throw or dump garbage, ashes, trash or any other refuse onto any vacant lot, street or sidewalk in town.

§87-3 Days and frequency of collection; placement and removal of containers

- A. All receptacles containing garbage, ashes, refuse or recycling for collection by the town or by a contractor with the town shall be set out no later than the hour hereinafter provided for on collection day and shall be placed in such location as may be specified by the Town Administrator or designee, so that they can be easily and conveniently reached by the town's or contractor's employees.
- B. All collections shall be made weekly on Wednesday, unless changed in accordance with section 87-4.
- C. All receptacles shall be set out as hereinafter provided for, not later than:
 - (1) Business and commercial areas 5:00 a.m.
 - (2) Residential districts: 5:00 a.m.
- D. Receptacles shall be removed from curbside by evening of the designated collection day.
- E. Receptacles shall not be set out earlier than 3:00 p.m. on the day prior to the designated collection day.

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§ 87-4 Establishment of specific days and hours of collection

The Mayor or designated agent shall establish and specify the days and hours each week when the town employees or contractors shall collect garbage, ashes, refuse and recycling in the town and the routes to be served at the time so specified, but until further order by the Mayor, the days and hours shall be as hereinabove specified.

§ 87-5 Restrictions on service

Unless otherwise specifically approved in writing by the Town Council or its designated agent, solid waste removal services provided by the town or by a contractor with the town shall be limited to garbage, ashes, refuse or recycling generated within the town.

§87-6 Vendors/haulers (other than those under Town contract); Days and frequency of collection; Noise

- A. Any owner or occupant contracting for the services of a solid waste hauler instead of or in addition to the services provided by the town shall abide by the time restrictions provided in Section 87-3, to the extent applicable, with regard to the days of collection by such hauler except when a dumpster or other like receptacle is used to collect such garbage, ashes or refuse.
- B. The operation of a commercial vehicle or trash collection vehicle, other than those that are specifically contracted with the Town of Middleburg, shall abide by the noise restrictions provided in Section 63.1-5 of the Town Code.

§ 87-7 Violations and penalties

If any person, firm or corporation fails to comply with the provisions of this Article, such person shall be guilty of a misdemeanor.

ARTICLE II
Garbage, Rubbish and Refuse

§ 87-8 Containers and receptacles

- A. All occupants of premises in the town whose garbage, ashes and refuse is to be removed by the town or by a contractor with the town shall provide a sufficient number of watertight metal or plastic receptacles, with tight fitting covers, or plastic bags for the removal of garbage.
- B. Any receptacles for garbage, ashes and refuse shall not weigh, when filled, more than fifty (50) pounds.

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- C. All receptacles, as provided for herein, shall be suitable for and shall be strong enough to withstand handling and emptying, and shall be provided with covers or other means of closing so as to prevent scattering of contents.

§ 87-9 Limitation on use of receptacles

- A. All garbage containing animal or vegetable matter subject to decay or fermentation shall be drained of moisture and wrapped before being placed in the receptacles provided therefore. Only garbage shall be placed in such receptacles.
- B. Ashes and refuse shall be placed in the receptacles provided therefore. Ashes shall be contained in an appropriate manner; and, shall not be placed loosely in the receptacle.
- C. No receptacles shall be filled more than level full.

§ 87-10 Violations and penalties

If any person, firm or corporation fails to comply with the provisions of this Article, such person shall be guilty of a misdemeanor.

**ARTICLE III
Recycling****§ 87-11 Approved recycling items**

- A. Regular recycling items shall include glass, metal, #1 and #2 plastic containers, paper, cardboard, newspapers, magazines and other items as approved by the Town; and, shall be placed in recycling containers as provided in Section 87-12.
- B. Yard waste shall include organic items, including grass clippings, leaves and other yard waste. It shall also include brush. Yard waste shall be disposed of in accordance with Section 87-13.

§ 87-12 Recycling containers and receptacles

- A. All occupants of premises in the town whose recycling items are removed by the town or by a contractor with the town shall provide a sufficient number of recycling bins or may place recycling in a contained manner marked specifically for recycling.
- B. Any receptacles for recycling, when filled, shall not weigh more than fifty (50) pounds.

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- C. All receptacles, as provided for herein, shall be suitable for and shall be strong enough to withstand handling and emptying, and shall be contained to prevent the scattering of contents.

§ 87-13 Yard waste disposal

- A. Organic yard waste may be placed in biodegradable paper bags or loose in trash cans. If trash cans are used for yard waste, they must have a "Yard Waste" sticker on them, be equipped with handles for lifting and have tightly-fitting lids.
- B. Brush shall be bundled and tied with string or twine. Brush shall be no longer than three (3) feet or have a diameter of more than three (3) inches.
- C. Yard waste set out for collection shall not exceed twenty-five (25) pounds in weight, including the weight of the container.

§ 87-14 Burning of items

The open burning of leaves, grass and landscape debris is not permitted except as outlined in Town Code Section 46.1-7.

§ 87-15 Violations and penalties

If any person, firm or corporation fails to comply with the provisions of this Article, such person shall be guilty of a misdemeanor.

**ARTICLE IV
Animal Waste****§ 87-16 Accumulation of animal refuse on private property**

It shall henceforth be unlawful for any owner or occupant of premises within the corporate limits of the Town of Middleburg to allow animal waste, including but not limited to stable manure, used stable bedding or any other such stable refuse to accumulate on such premises for periods longer than one (1) week.

§ 87-17 Dog waste on public and private property

It shall be unlawful for the owner of any dog to knowingly or willfully allow his dog to defecate on public property or on private property that is not owned or leased by the dog's owner. Defecation by a dog on public property out of doors or on private property not owned or leased by the dog's owner shall not constitute a violation of this section if the owner of the dog immediately removes the material defecated and disposes of it in a manner not inconsistent with the provisions of this chapter.

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§ 87-18 Violations and penalties

If any person, firm or corporation fails to comply with this Article, such person shall be guilty of a misdemeanor as set for the in § 1-19 of the Code of the Town of Middleburg and shall be punishable according to said section.