

TOWN OF WEST WARWICK

ORDINANCE

OF THE

TOWN COUNCIL

ORDINANCE NO. 2014-9

AN ORDINANCE AMENDING ARTICLE VII. RULES AND REGULATIONS FOR COLLECTION AND DISPOSAL OF RUBBISH, SECTIONS 8-104, 8-104.1, 8-105 AND 8-106 OF THE CODE OF ORDINANCES OF THE TOWN OF WEST WARWICK.

WHEREAS: The Town of West Warwick provides for the orderly collection and disposal of refuse and items as described in the Code of Ordinances, and

WHEREAS: The purpose of the Ordinance is to maintain an orderly and systematic collection and disposal of such waste in an efficient manner so as not to allow the accumulation of rubbish along the highways of the Town, and

WHEREAS: The Town Council has determined that certain changes are necessary in order to insure compliance with the Ordinance and to accomplish the goals and purpose of the Ordinance,

NOW, THEREFORE, IT IS HEREBY ORDAINED that the Town Council of the Town of West Warwick hereby amends ARTICLE VII. Rules and Regulations for the Collection and Disposal of Rubbish Sections 8-104, 8-104.1, 8-105 and 8-106 as follows:

**ARTICLE VII. RULES AND REGULATIONS
FOR COLLECTION AND DISPOSAL OF RUBBISH**

Sec. 8-104. Definitions and descriptions.

(b) Bulky Waste - Shall include but not be limited to the following items: Large furniture such as: overstuffed chairs, studio couches, sofas, rugs, dressers, tables, bureaus, desks, bookcases, cabinets. And will be collected with your normal weekly pickup. All steel and/or metal must be removed before collection. Steel and/or metal may be brought to DPW for recycling.

~~(e) Curbside Pickup—Refers to bags, containers, bundles or recycling bins, containing bulky waste, household refuse, residential garbage and recyclable materials, and to construction/demolition debris, hazardous waste, white goods, mattresses, box springs, and yard waste placed at the curb. In areas where there are no curbs, curb pickup shall refer to items placed no further than five (5) feet away from the edge of the roadway.~~

~~(f)~~ (e) Hazardous Waste - Waste in any amount, which is defined, characterized, or designated as hazardous by the United States Environmental Protection Agency (EP A) or The Rhode Island Department of Environmental Management (RI DEM) or pursuant to Federal or State Law, or waste in any amount which is regulated under Federal or State Law. For purposes of these Rules and Regulations, the term "Hazardous Waste" shall also include motor oil, gasoline, non-latex paint, pesticides and pesticide containers, cathode-ray tubes (CRT used mostly in televisions and computer display screens), and sewerage wastes.

~~(g)~~ (f) Household Refuse - All solid waste materials ~~not included in the definition of bulky waste, construction debris, hazardous waste, residential garbage, recyclable materials, white goods, and yard waste.~~ not otherwise herein defined.

~~(h)~~ (g) Residential Garbage - Vegetable matter, household food waste and recyclable wastes from residential kitchens. Vegetable matter or household food wastes shall be drained and wrapped tightly in paper bags, plastic bags, and or other, and placed in containers.

~~(i)~~ (h) Recyclable Materials – Material specified by ~~Central Landfill~~ the Rhode Island Resource Recovery Center (RIRRC) in accordance with regulations. Such material may include, but is not limited to, aluminum products, clean glass containers, plastic containers, newspapers, ~~and~~ magazines, mattresses and box springs.

~~(j)~~ (i) Recycling Bins - Receptacles designed for the purpose of curbside collection of materials. The receptacle shall be one made of ~~fiberglass or~~ plastic and can be picked up at the Department of Public Works (DPW) for a \$5.00 fee. Any suitable, clearly marked trash can may also be used for extra recyclable materials as needed.

~~(k)~~ Rubbish — ~~Any item placed for curbside pickup.~~

~~(l)~~ (j) White Goods - An appliance employing electricity, oil, or natural gas or liquefied petroleum to preserve or cook food, to wash or dry clothing, cooking or kitchen utensils or related items or to cool or heat air or water. These include refrigerators, freezers, dish washers, clothes dryers, gas or electric ovens and ranges, and hot water heaters.

~~(m)~~ Mattresses and Box Springs

~~(n)~~ (k) Paper Leaf Bags – A biodegradable paper sack of up to 30 gallons capacity and meeting specifications set by the DPW.

~~(o)~~ (l) Yard Waste - All tree trimmings (less than one and one half (1.5”) inches in diameter, grass cutting weeds, leaves, wood chips and yard shavings, and other wastes associated with residential yard maintenance that is compostable.

Sec. 8-104.1. Curbside pickup

Curbside Pickup - Refers to bags, containers, bundles or recycling bins, bulky waste, household refuse, residential garbage and recyclable materials, white goods, paper leaf bags and yard waste placed at the curb. Such items shall hereinafter be referred to as "rubbish". In areas where there are no curbs, curb pickup shall refer to items placed no further than five (5) feet away from the edge of the roadway.

Sec. 8-105. Rules and Regulations.

(a) General Provisions.

(4) Any container that does not conform to these specifications or that may have ragged or sharp edges or any defect tending to hamper or injure the persons collecting may not be collected and disposed of by the DPW as ~~refuse~~ rubbish.

(b) Specific regulations.

(1) Mattresses and Box Springs will be collected only by appointment and upon the purchase of a sticker upon payment of a ~~\$25.00~~ \$20.00 fee per ~~Bulky~~ item collected. A sticker shall be required for the collection of every mattress or box spring. A sticker for each item may be purchased at the DPW or the Tax Collector's office. Mattresses and Box Springs may also be brought to the DPW and a fee of \$10.00 per item will be charged.

(3) White Goods will be collected only by appointment and upon the purchase of a sticker upon payment of a \$25.00 fee per item for each item collected. A sticker for each item may be purchased at the DPW or the Tax Collector's office. White Goods may also be dropped off at the DPW during normal operating hours at no cost, with the exception of refrigerators and air conditioning units which will require a \$25.00 fee.

~~(4) Mattresses and box springs will be collected only by appointment and upon payment of a \$20.00 fee per item for each item collected. A sticker for each item may be purchased at the PWD or the Tax Collector's office.~~

~~(5)~~ (4) Tires will be collected only by appointment and are preferred without rims attached. Tires with or without rims may also be dropped off at the DPW during normal operating hours at no cost.

~~(6)~~ (5) Waste Oil and hazardous waste may not be placed at curbside. All automotive waste oil must be returned to point of purchase or may be brought to the DPW facility for disposal by town residents only. There will be no commercial drop-off. Hazardous waste must be returned to the place of purchase or contact the Rhode Island Resource Recovery Center (RIRRC) for instructions.

~~(7)~~ (6) No junk automobiles or automobile parts will be collected by the DPW.

(7) Any item with a circuit board or a Cathode Ray Tube (CRT) which is considered electronic waste, such as computers, towers, monitors, servers, phones, key boards mice, printers, pagers, routers, scanners, copiers, fax machines, telephones, televisions, VCRs, DVD players, remote controls, radios, GPS receivers, smoke detectors and any similar device may not be placed at curbside. All such items must be brought to the DPW facility for disposal.

Sec. 8-106. Compliance.

(a) Failure to comply with any of the requirements contained herein shall result in the refusal of the DPW to collect the rubbish at the property at which such violation occurred until such time as said violation is corrected.

(b) Any violation of Section 8-105 of this Ordinance shall be filed by the Director of DPW or an authorized official of DPW in the municipal court with all powers as provided by the Rhode Island General Laws and shall carry a fine of not less than \$50.00 nor more than \$500.00 per violation, as shall be determined appropriate by the court. Said violation shall be filed against the property owner and tenant in all instances of a rental property. Said Director shall be further authorized to file said violation against any person who shall violate the provisions of Section 8-105, even though such person may have no legal interest in the property at which said violation occurred.

(c) Any item for which the purchase of a "sticker" as herein provided to be picked up by DPW shall not be placed at curbside without said "sticker attached. The owner and tenant, of any property at which such an item shall be placed shall be jointly and severally liable for a fine of \$100.00 per day, for each day that such item remains at curbside, commencing with the date of notice as sent by the Office of the Building Official to the landlord and tenant. In addition, the owner and tenant shall further be jointly and severally liable for the following costs incurred by DPW for the removal of such items:

(1) \$25.00 per laborer and driver

(2) \$20.00 per item

(3) \$25.00 administrative fee.

All such fines, fees and interest, if any, shall constitute a lien upon the property, which lien shall run with the land and shall not be released until all fines, fees and lien release fee of \$49.00 have been paid in full. All such fines and fees shall be satisfied by payment in full within 60 days of the date of notice. An interest rate of twelve percent (12%) per annum upon all sums due and payable shall commence on the 60th day subsequent to the date of notice and shall continue to accrue until all fines, fees and interest shall be paid in full.

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POSTED: APRIL 24, 2014

SPONSORED AND INTRODUCE BY COUNCIL PRESIDENT GOSSELIN

FIRST READING AT COUNCIL MEETING ON: MAY 6, 2014

SECOND READING AT COUNCIL MEETING ON: MAY 27, 2014

COUNCIL PRESIDENT: _____

TOWN CLERK: _____

ADVERTISED IN: KENT COUNTY DAILY TIMES

THIS ORDINANCE WILL TAKE EFFECT ON: JUNE 16, 2014