

ORDINANCE #118 WITH AMENDMENT

118. ORDINANCE CONCERNING THE SEPARATION, RECOVERY, COLLECTION, REMOVAL, STORAGE AND DISPOSITION OF GARBAGE, RUBBISH, MANUFACTURE AND TREATMENT OF OIL AND OTHER REFUSE, INCLUDING RECYCLABLES

(APPROVED APRIL 19, 1999 AND AMENDED ON _____)

WHEREAS, the City of Groton's existing ordinances concerning garbage, rubbish, manufacture and treatment of oil and other refuse, including recyclables requires revision; and

WHEREAS, the following Ordinance will replace Ordinances #29, #51 and #53 upon final approval:

ORDINANCE CONCERNING THE SEPARATION, RECOVERY, COLLECTION, REMOVAL, STORAGE AND DISPOSITION OF GARBAGE, RUBBISH, MANUFACTURE AND TREATMENT OF OIL AND OTHER REFUSE, INCLUDING RECYCLABLES

GARBAGE

Section 1. For purpose of this Ordinance, garbage shall be defined as, such refuse matter as it is not defined as "recyclable" pursuant to Section 1 of "An Ordinance concerning the separation, recovery, collection, removal, storage and disposition of garbage, rubbish and other refuse, including recyclables" adopted by the City of Groton Council.

Section 2. Every person, having custody or control of residential, industrial or business premises, from which garbage is collected in the City of Groton shall cause garbage to be placed in covered metal or heavy plastic containers (not larger than thirty-five (35) gallons nor weighing when filled more than seventy-five (75) pounds) at the street curb or curb line for collection at such time as the same may be collected by a private garbage collector or the City of Groton. Any Condominium Association, from which garbage is collected in the City of Groton, shall cause garbage to be placed in a dumpster, approved by the City of Groton, and provided by the Condominium Association, that is compatible with the City of Groton collection vehicles, and in an area which is approved by the City of Groton, and accessible to the City vehicles. The Condominium Association will provide and maintain clean containers previously approved by the City of Groton, which are safely used in conjunction with City vehicles.

Section 3. No person shall set outside for collection a container of garbage sooner than eighteen (18) hours prior to the expected time of collection. Empty containers shall be removed from the street curb or curb line within twelve (12) hours after collection. Containers shall not obstruct sidewalks or roadways.

Section 4. Any person who violates any of the provisions of this Ordinance shall be fined not more than one hundred dollars (\$100.00) for each such offense. In addition, the City of Groton reserves the right to refuse to collect garbage, when the spirit or letter of this Ordinance, or "An Ordinance Concerning the Separation, Recovery, Collection, Removal, Storage and Disposition of Garbage,

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Rubbish, Manufacture and Treatment of Oil and other Refuse, including Recyclables” including, but not limited to, Section 4 thereof, is ignored. Prior to any rubbish or garbage removal, the Condominium Association, shall provide to the City of Groton proof of liability insurance, in the minimum amount of three million dollars (\$3,000,000.00), which policy shall include loss occurring to any person or property located within the Condominium property including but not limited to the Association, owners, tenants, invitees as a result of recyclable, rubbish or garbage removal.

MANUFACTURE AND TREATMENT OF OIL

Section 5. No person, firm or corporation shall, within the City of Groton, engage in the business of manufacturing from fish or garbage any oil, guano, fertilizer or phosphate, or in the business of rendering or treating garbage or other filthy or noxious matter. This section shall not apply to the treatment and disposal within such city of garbage or other filthy or noxious matter originating in said city.

Section 6. Every person, firm or corporation violating any of the provisions of this Ordinance shall upon conviction be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty (30) days or both.

RECYCLABLES

Section 7. “Recyclables” are hereby defined as discarded material which may be reclaimed and which are considered saleable and ‘recyclable’ by the Town of Groton. For purposes of this Ordinance, they are defined in the following categories:

a. Paper, clean and unsoiled, including:

- (1) Newsprint, all newspapers and newspaper advertisements, supplements, comics and enclosures;
- (2) Computer paper, non-carbonized and untreated;
- (3) Magazines;
- (4) Corrugated boxes, cardboard, cardboard cartons, pasteboard and similar corrugated and kraft paper materials;
- (5) Wrapping paper of all kinds. Paper recyclables do not include miscellaneous stationery products or paper products other than those listed.

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- b. Unbroken glass, glass bottles, all types of cans and other aluminum products, including used aluminum trays and foil, but not including dishes, crockery or spark plugs.
- c. Ferrous metals (iron and steel), tires, other rubber products, waste oil, wood, and wooden pallets and firewood are considered bulky waste.

Section 8. All recyclables shall be separated from non-recyclables in the following manner:

- a. Clean and unsoiled paper shall be separated into the individual categories defined under Section 7.a. above and tightly packed in standard grocery or paper shopping bags, placed in corrugated boxes or securely tied in flat bundles, none of which shall weigh more than fifty (50) pounds. If not used for packing other paper recyclables, corrugated boxes and cardboard cartons shall be collapsed and tied in bundles not weighing more than fifty (50) pounds.
- b. Unbroken glass, glass bottles, all types of cans and other aluminum products, including used aluminum trays and foil, shall be separated from other rubbish and combined in one or more upright containers (preferably plastic) used only for this category of recyclables and containing no paper, plastic, or other rubbish. These recyclables need not be washed, flattened or processed in any way, and labels, lids, corks and neck rings need not be removed. The container(s) can be obtained from the Public Works Director's office. The container(s) must be kept clean and in such a place as not to constitute a nuisance or otherwise be objectionable.
- c. All other recyclables shall be separated from non-recyclables and maintained in an orderly condition so as not to constitute a nuisance or otherwise be objectionable.

Section 9. Recyclables shall be separated from other garbage or rubbish and placed at the street curb or curb line for collection according to a schedule to be determined by resolution of the City Council. In no event will the scheduled collection of recyclables be less than twice a month, except that recyclables defined under Section 7.c. will only be collected by scheduling a bulky waste pickup with the Town of Groton. In the event of extremes of weather, tune in to the local radio station for cancellation. Recyclables not handled as specified in Section 8 above will not be collected.

Section 10. No person, having custody or control of residential, industrial or business premises, from which garbage, rubbish or other refuse, including recyclables, is collected in the City of Groton shall permit or cause any garbage, rubbish or other refuse, including recyclables, within his/her control, to become a hazard to public travel, health or safety, or to become a nuisance of any sort.

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Section 11. No person, other than authorized persons, shall pick up recyclables from the curb or curb line of premises, where refuse is collected by the City of Groton. Street curb or curb line shall be defined as property abutting an approved street and shall also include such private roadways abutting residential condominiums (condominium defined pursuant to the Condominium Act of the Connecticut General Statutes). Prior to any recyclables, rubbish or garbage removal, the Condominium Association, shall provide to the City of Groton, proof of liability insurance, in the minimum amount of three million dollars (\$3,000,000.00), which policy shall include, loss occurring to any person or property located within the Condominium property including but not limited to the Association, owners, tenants, invitees as a result of recyclable, rubbish or garbage removal. The City of Groton may increase the amount from time to time. In addition, the Condominium Association shall further agree in writing to hold the City of Groton, its agents and employees harmless, with respect to any property damage or personal injury including costs and attorney fees that may occur as a result of or during rubbish removal. The Condominium Association will provide and maintain clean containers previously approved by the City of Groton, which are safely used in conjunction with City vehicles. For purposes of this Ordinance, authorized persons shall be limited to:

- a. Authorized employees of the City of Groton acting in the course of their employment; or
- b. Agents of non-profit institutions, which institutions have been specifically authorized in writing by the Mayor to pick up recyclables

Section 12. Any person violating any provision of this Ordinance shall be fined not more than one hundred dollars (\$100.00) for each offense. In addition, the City of Groton reserves the right to refuse to collect garbage, rubbish or other refuse, where the spirit or letter of this Ordinance is ignored.

Section 13. All ordinances or parts of ordinances, resolutions, regulations or other documents inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 14. This Ordinance and the various parts, sentences, sections, and clauses thereof, are hereby declared to be severable. If any part, sentence, section or clause is adjudged invalid, it is hereby provided that the remainder of this Ordinance shall not be affected.

Section 15. This Ordinance was initially approved at the Mayor and Council meeting held on March 15, 1999, was published in The Day, a newspaper having circulation in the City of Groton on March 18, 1999 and March 27, 1999. This Ordinance was finally approved at the Mayor and Council meeting on April 19, 1999 and was published in The Day, a newspaper having circulation

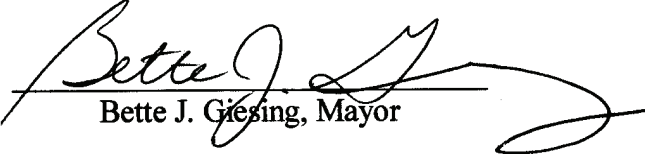
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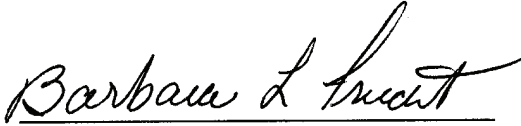
(APPROVED APRIL 19, 1999 AND AMENDED ON _____)

in the City of Groton on April 22, 1999. This Ordinance (**Ordinance #118**) shall become effective **July 1, 1999**.

Initially approved: March 15, 1999

Finally approved: April 19, 1999


Bette J. Giesing, Mayor


Barbara L Frucht, City Clerk

AMENDMENT TO ORDINANCE #118

WHEREAS, the City of Groton's existing ordinance concerning garbage, rubbish, manufacture and treatment of oil and other refuse, including recyclables requires revision; and

WHEREAS, the Mayor and Council finally approved this Ordinance at the Mayor and Council meeting held on April 19, 1999; and

WHEREAS, the amendment to this Ordinance will incorporate the procedures for Apartment Complexes that enter into a written agreement with the City of Groton for on-site pickup of garbage:

Section 2 shall be labeled Section 2A.

Add a new section entitled 2B which shall be added and which provides:

Section 2B. In addition, any apartment complex which has frontage on an accepted and maintained City street and has entered into a written agreement with the City of Groton for on-site pickup of garbage, shall cause garbage to be placed in a dumpster, approved by the City of Groton, and provided by the Apartment Complex, that is compatible with the City of Groton collection vehicles, and in an area which is approved by the City of Groton, and accessible to the City vehicles. The Apartment Complex shall provide and maintain clean containers previously approved by the City of Groton, which are safely used in conjunction with City vehicles.

Section 4 shall be deleted and in its place shall be added:

Section 4. Any person who violates any of the provisions of this Ordinance shall be fined not more than one hundred dollars (\$100.00) for each such offense. In addition, the City of Groton reserves the right to refuse to collect garbage, when the spirit or letter of this Ordinance, or an "Ordinance Concerning the Separation, Recovery, Collection, Removal, Storage and Disposition of Garbage, Rubbish, Manufacture and Treatment of Oil and Other Refuse, Including Recyclables" including, but not limited to, Section 4 thereof, is ignored. Prior to any rubbish or garbage removal, the Condominium Association and any Apartment Complex which has frontage on an accepted and maintained City street and has entered into a written agreement with the City for on-site pickup of garbage, shall provide to the City of Groton proof of liability insurance in the minimum amount of three million dollars (\$3,000,000.00), which policy shall include loss occurring to any person or property located within the Condominium property or Apartment Complex including but not limited to the Condominium Association, owners, tenants, tenants association and invitees as a result of recyclable, rubbish or garbage removal.

All other terms of Ordinance No. 118 shall remain the same.

AMENDMENT TO ORDINANCE #118

THEREFORE, BE IT RESOLVED, that the Mayor and Council **finally** approve an amendment to an ordinance entitled “Ordinance Concerning Garbage, Rubbish, Manufacture and Treatment of Oil and Other Refuse, Including Recyclables”

Initially approved:

Finally approved:


Dennis L. Popp, Mayor


Debra Patrick, City Clerk