

TITLE 8
HEALTH AND SANITATION

Chapters:

8.01 (Reserved)

8.02 Refuse

8.03 (Reserved)

8.04 Weed Control

CHAPTER 8.01
(Reserved)

CHAPTER 8.02
REFUSE

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8.02.010 Definitions. For the purpose of this Chapter the following words shall have the meanings herein set forth:

- (a) Board is the Board of Trustees of the Town of Collbran.

- (b) Litter is refuse or other waste material which if thrown, deposited, scattered, or spilled, as prohibited in this Chapter, in such a manner to endanger the public health, safety and welfare or creates a public nuisance.

- (c) Nuisance is an act or condition which endangers the public health, safety or welfare or results in annoyance or discomfort to the public.

- (d) Refuse shall mean and include shavings, excelsior, paper, ashes, rubbish, containers, boxes, glass, cans, bottles, garbage, trash, putrescible, waste and discarded building and construction materials, including but not limited to plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire or metal binding, sacks or loose discarded or unused material; all rubbish of any kind or nature whatsoever; and any other materials commonly known as rubbish or refuse of any kind or character or by any means known. (*Source: Ord. No. 100*) (*"putrescible" from Ordinance No. 7, Series 2016*)

8.02.020 Accumulation of Refuse; Prohibited and Declared Nuisance. An accumulation of refuse on any premises, improved or unimproved, in the Town is prohibited and is hereby declared to be a nuisance.

8.02.030 Abatement Of Nuisance. In all cases where a nuisance shall be found in any building or upon any grounds or other property within the jurisdiction of the Town, the Town Clerk, Town Marshal, or their designees shall notify any owner of property, his agent or any person having charge of such property, by posting upon the property or by registered or certified mail, requiring the removal of any accumulated refuse from such property or premises within ten (10) days after service of notice. If such property owner, agent or person having charge of such property shall not remove such refuse in accordance with the requirements of such order, the Town Clerk, Town Marshal, or their designees may order that such refuse be removed by an employee of the Town and assess the cost thereof against the property or premises. The amount so assessed shall be a lien upon such property until the same is paid, and may be collected according to law; provided, that in case of failure to pay such assessment within ten (10) days after the same shall be made, the Town Clerk shall cause notice of such assessment to be given the owner of such property, by registered or certified mail, which notice shall advise such property owner of the amount assessed against his property, and shall designate a time and place when the Board will hear any objections as to the adjustment and correctness of the amount so assessed. If such assessment is not paid within ten (10) days after the time fixed for hearing such objections, and unless the same are sustained, the Town Clerk shall certify such assessment to the County Treasurer to be placed by him on the tax list for the current year, to be collected in the same manner as other taxes are collected, with ten percent (10%) penalty added thereto to defray the cost of collection. (*Ordinance No. 7, Series 2016*)

8.02.040 Accumulation and Deposit of Refuse. No person shall deposit or place any garbage, rubbish, waste material or ashes in such a manner that the same is or tends to become a nuisance. No person having the occupancy, control or management of any premises shall cause or permit any garbage, waste material, rubbish or ashes to be accumulated thereon in such a manner that the same is or tends to become a nuisance.

8.02.050 Littering Prohibited. Littering of public and private property is hereby prohibited. No refuse shall be thrown or swept into any public right of way, sewer or vacant lot or other property.

8.02.060 Responsibility of Owners, Lessees, Etc. for Refuse on Premises. It shall be the duty of every person, whether owner, lessee or renter of any vacant lot, building or premises, including any place of business, hotel, restaurant, dwelling house, apartment, tenement or any other establishment, at all times to maintain the premises in a clean and orderly condition, permitting no deposit or accumulation of refuse or materials other than those ordinarily attendant upon the use for which such premises are legally intended. Any such accumulation shall constitute a nuisance, and shall be

nonconforming in the use of such premises.

8.02.070 Building Materials to be Removed from Construction Sites. All plaster, broken concrete, bricks, cinder blocks, stones, wood, roofing material, wire or metal binding, sacks or loose discarded or unused material of any kind resulting from the wrecking, constructing or reconstructing of any room, basement, wall, fence or sidewalk or building shall be promptly removed or discarded in such a manner as not to be scattered about by the wind or otherwise, and as soon as possible be removed by the person responsible for such work. Such person shall be held liable for any scattering of such refuse upon adjacent property.

8.02.080 Unauthorized Use of Refuse Disposal Facilities. The placement of refuse in any trash can, dumpster, or similar refuse disposal facility without obtaining the prior approval of the person having lawful control of such refuse disposal facility is hereby prohibited.

The Municipal Judge may order violators of this Section to pay restitution to the person in lawful control of a refuse disposal facility. (*Source: Ord. No. 129*)

8.02.085 Uncovered Loads on Vehicles Prohibited. (a) It shall be unlawful for any person to operate or move any vehicle carrying a load on any street unless such vehicle is specially constructed or covered to prevent spillage.

(b) In addition to the penalties specified in Section 8.02.100, the operator of any vehicle from which material is spilled shall be liable for all costs related to the removal and ultimate disposal of the spilled material.

(c) The placement of sand, salt and gravel on streets by the Town of Collbran is expressly exempted from the limitations contained in this Section. (*Source: Ord. No. 105*)

8.02.090 Burning of Garbage and Waste Material. Except as provided herein, no person shall set on fire or burn any materials, including but not limited to garbage, trash, rubbish, or waste material, hay, grass clippings or other combustible materials. In any event, any person who starts a fire, whether intentional or unintentional, and whether permitted pursuant to this Section, shall be solely responsible for damage or liability relating to such fire.

~~(a) The Mayor, Town Administrator or Town Clerk may issue an administrative permit for open burning of specified material, or types of materials by issuance of an open burning permit. Said permit shall include the following:~~

- ~~1. Date and time on which the open burning is to occur;~~

2. ~~Material to be burned;~~
3. ~~Location of the proposed burn;~~
4. ~~Acceptance by the permittee of liability for the fire and smoke, and indemnification of the Town of Collbran; and~~
5. ~~Payment of open burn permit fee in an amount determined by the Board of Trustees. (Source: Ord. No. 201; Amended Ord. No. 232)~~

8.02.100 Penalties. Any person who shall violate any provision of this Chapter shall be found liable for a non-criminal municipal offense, and upon such finding of liability, shall be punished by a penalty of not more than One Hundred Dollars (\$100.00). (Source Ord. No. 176).

CHAPTER 8.03
(Reserved)

CHAPTER 8.04
WEED CONTROL

Sections:

- 8.04.010 Removal of Weeds and Brush by Property Owners
- 8.04.020 Definitions
- 8.04.030 Penalties

8.04.010 Removal of Weeds and Brush by Property Owners. (a) It shall be the duty of each and every person, corporation or association owning any lots, tracts or parcels of land, within the Town of Collbran, Colorado, to, once each year, during the time as specified in subsection (b) hereof, cut to the ground all weeds and brush and to remove the same, together with all rubbish of all kinds, from his, its or their said lots, tracts or parcels of land, and also to cut to the ground all weeds and brush and remove the same, together with all rubbish of all kinds, from the alleys abutting behind to the middle thereof, and from the sidewalk areas, including the parking, abutting in front of all said lots, tracts or parcels of land within the said Town of Collbran.

(b) It shall be the duty of such person, corporation or association owning such lots, tracts or parcels of land to cut such weeds and brush and to remove the same, together with the rubbish herein mentioned, between the first (1st) day of July and the fifteenth (15th) day of July of each and every year; all such weeds and brush shall immediately, upon cutting by the owner or owners of such lots, be removed. ~~with the rubbish to the Town dumping ground or burned or otherwise entirely destroyed.~~ (Source: Ord. No. 34)

8.04.020 Definitions. (a) The term "weed" as used in this Section is hereby construed to be an unsightly, useless, troublesome or injurious herbaceous plant, and any such plant that is out of place at the location where growing and which includes all noxious and rank vegetable growth which exhales unpleasant or noxious odors and also high and rank vegetable growth that may conceal filthy deposits.

(b) The term "brush" used in this Section is hereby construed to be a volunteer growth of bushes, growing out of place in the location where growing and shall include all cuttings from trees and bushes, also high and rank vegetable growth which may conceal filthy deposits.

8.04.030 Penalties. Any person who shall violate any of the provisions of Section 8.04.010 of this Chapter, upon conviction thereof, shall pay a penalty of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00). (Source: Ord. No. 176).