



b. A permit has been issued by the town zoning official for the excavation, cut or fill itself or for the structure being constructed in conjunction therewith. If the activity involves dredging or filling of marine or freshwater wetlands, the town shall not issue a permit until the applicant demonstrates that necessary permits have been obtained from SWFWMD, FDEP and the USACOE. Activities which are proposed below the mean high water line of the Withlacoochee River or coastal wetlands shall demonstrate proof of permitting from the department of natural resources.

(Code 2015, ch. 11, art. I, § 11-2)

Sec. 14-23. - Restoration.

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In the event the building operation is discontinued prior to completion, the excavated materials or similar materials shall be returned to the place from which they were removed and fill materials above street level shall be removed from the area so filled so as to restore the lot to street level.

(Code 2015, ch. 11, art. I, § 11-3)

Sec. 14-24. - Setbacks.

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No excavation of any character shall be allowed in any zone within 25 feet of any right-of-way line of any property line unless said excavation is to be immediately refilled with material of a suitable character.

(Code 2015, ch. 11, art. I, § 11-4)

Secs. 14-25—14-51. - Reserved.

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ARTICLE III. - GARBAGE COLLECTION AND DISPOSAL

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Sec. 14-52. - Definitions.

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The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bulk waste means stoves, ovens, refrigerators, water tanks, washing machines, ovens, TVs, couches, recliners, tables, bathtubs, toilets, sinks, other than construction debris, hazardous waste, solid waste, garbage, yard waste, refuse or rubbish.

Construction debris means solid waste consisting of building materials resulting from construction, remodeling, repair or demolition operations including rugs and any clean recyclable materials.

Garbage means all refuse accumulation or animal, fruit or vegetable matter that attends the preparation, use, cooking, dealing in, or storage of, meats, fish, fowl, fruit, or vegetables. Any matter which may serve as breeding or feeding material for flies or other germ-carrying insects.

Garbage *can* means a metal or plastic can of the type commonly sold as a garbage can. Such cans shall have a tight-fitting cover.

Hazardous waste means any waste as defined or characterized as hazardous by the United States Environmental Protection Agency or appropriate state agency pursuant to state or federal law. Hazardous waste which may include, but is not limited to, motor oil, gasoline, paint, paint cans, items containing freon and items containing chlorofluorocarbons.

Recyclable materials means glass, plastics, bottles, cans, old newspapers, paper and cardboard.

Refuse means both rubbish and garbage or a combination or mixture of rubbish and garbage, including paper, glass, metal, textile materials, and other discarded matter.

Resident means anyone who is either an owner or renter of any improved property within the town.

Rubbish means waste material other than garbage, usually attendant to domestic households or housekeeping, and attendant to the operation of stores, offices and other business places. The term "rubbish" includes, but is not limited to, paper, magazines, packaging, receptacles, textile materials, excelsior, bottles, cans, and ceramic material.

Solid waste means sludge unregulated under the Federal Clean Water Act or Clean Air Act, sludge from a waste treatment works, water supply treatment plant, or air pollution control facility, or garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agriculture, or governmental operations.

Yard waste means all accumulations of grass, shrubbery, vines, cuttings and other refuse attending the care of lawns and/or gardens.

(Code 2015, ch. 11, art. III, § 11-5; Ord. No. 09-03, § 1, 10-28-2009)

Sec. 14-53. - Fees. ⋮

(a) *Service area.*

- (1) It is mandatory for all properties, with a certificate of occupancy within the town limits, to have garbage collection and disposal service and pay the prescribed fees and charges except for the exemptions below:
 - a. Those properties not served by a road suitable for a garbage truck to access.
 - b. Those properties with commercial dumpsters onsite or adjacent to their residence.

c. Town residents who own and operate a business in town may be granted an exemption by the town council. All requests must be sent to the town council in writing.

(2) The town council, by resolution, may specifically add or delete exemptions based on access or service delivery issues.

(b) *Fees and deposits.*

(1) The town council, by resolution, shall set such prescribed administrative fees and deposits.

(2) The town council, by resolution, may change such prescribed fees and deposits.

(3) Fees prescribed by the town council may be billed on the same bill and at the same time as the bill for water service.

(4) Each new customer, before establishing garbage collection and disposal service, shall be required to establish credit for service and pay a deposit.

(5) The town council, by resolution, shall establish a policy for refunding deposits.

(6) Deposits described herein may be applied to unpaid bills for garbage collection and disposal service when such service has been disconnected.

(7) The amount of the collection fees imposed by this article is hereby declared a debt due to the town.

(c) *Discontinuation or suspension of service.*

(1) Only customers who sell their property or otherwise have a transfer of title may have their garbage collection and disposal service discontinued. All requests must be sent to the town, in writing, reasonably well in advance of the desired date of discontinuance. The customer will be required to pay all garbage collection and disposal charges until the date of such discontinuance.

(2) Unoccupied residences that are for sale or rent are eligible for suspension of service.

(3) In case of absence of customers for periods of over three months (standby service), when such absence is previously reported in writing to the town council, a discontinuation of garbage and disposal services may be authorized.

(4) The town council, by resolution, may set a fee for the cancellation, suspension, or reestablishment of service.

(d) *Lien for nonpayment.* All property within the town is subject to lien for nonpayment of fees imposed by this article.

(Code 2015, ch. 11, art. III, § 11-6; Ord. No. 09-03, § 2, 10-28-2009)

(a) The town will provide garbage service through a vendor who will collect and dispose of garbage from all improved properties within the town.

(b) Except as otherwise provided, all improved properties within the town shall be required to have accumulations of garbage removed.

(c) It shall be unlawful for any person to dump or place any bulk waste, construction debris, garbage, yard waste, hazardous waste, refuse or other debris on or adjacent to any street, alley, parkway, park or upon the property of another person or adjacent to the river within the town.

(d) Collectors will not handle or remove garbage unless contained in garbage cans of an approved type subject to change by resolution.

(e) The number of cans authorized, per collection, for each improved property shall be prescribed by the town council and shall be subject to change by resolution.

(f) The town encourages all residents to recycle.

(Code 2015, ch. 11, art. III, § 11-7; Ord. No. 09-03, § 3, 10-28-2009)

Secs. 14-55—14-81. - Reserved.

(g) Residential & commercial refuse containers shall not be moved to the street more than 24 hours prior to scheduled collection nor remain there more that 24 hours after scheduled collection.

ARTICLE IV. - JUNK

Sec. 14-82. - General provisions.

It shall be unlawful for any person to cause or permit junk, scrap metal, scrap lumber, wastepaper products, discarded building materials or any unused abandoned vehicle abandoned parts, machinery or machinery parts or other waste materials, to be in or upon any yard, garden, lawn, out-building or premises in the town unless in connection with a business enterprise lawfully situated and licensed for the same.

(Code 2015, ch. 11, art. V, § 11-8; Ordinance Reference 119)

Sec. 14-83. - Hazard exception.

It shall be unlawful to permit any accumulation of any such waste materials to be in or upon any yard, lawn, garden, out-building or premises in the town, if the same constitutes a fire hazard, a hazard to the safety of persons or property or any unsanitary condition.

(Code 2015, ch. 11, art. V, § 11-9; Ordinance Reference 119)

Sec. 14-84. - Ownership and permission.

It shall be unlawful for any person to discard or abandon any of the waste materials mentioned in [section 14-83](#) upon premises not owned or occupied by such person without the consent of the owner thereof or the person occupying the same.

(Code 2015, ch. 11, art. V, § 11-10; Ordinance Reference 119)

Secs. 14-85—14-111. - Reserved. :

ARTICLE V. - APPEALS :

Sec. 14-112. - Appeal of final decision. :

Any final decision of the town zoning official relating to this chapter may be appealed in accordance with article VI of [chapter 18](#).

(Code 2015, ch. 11, art. XXI, § 11-31)