

**MAYOR AND COUNCIL SPECIAL MEETING
THURSDAY, APRIL 21, 2016, 5:30PM**

AGENDA

- 1. CALL TO ORDER, PLEDGE, AND ROLL CALL**
- 2. MAYOR'S REMARKS**
- 3. CITIZENS' FORUM (PETITIONS, REMONSTRANCES, AND COMMUNICATIONS)**
- 4. UNFINISHED BUSINESS**
 - a. Code of Ordinance Review – Chapter 3
- 5. ADJOURNMENT**

4/21/2016 10:18 AM

covered by this title; provided that no such ordinance shall permit the doing of any act which would be a discriminatory or unlawful housing practice under this Article.

CHAPTER 3

PROPERTY REGULATIONS

Article 1. Private Responsibilities

Title 1. Property Maintenance

Section 3-1101. Definitions

In this title, the following words, terms, phrases, and their derivations shall have the meanings indicated.

~~Disabled or Inoperative Vehicle. Any motor vehicle remaining in one place for ten (10) days or more and subject to any one or more of the following conditions:~~

~~(A) It has no engine or transmission;~~

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~~(B) It has two or more flat tires;~~

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~~(C) One or more windows are missing or broken;~~

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~~(D) It has become a breeding place for insects, snakes, rats, or other vermin. Disabled or Inoperative Motor Vehicle. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, unregistered, without valid license plates, untitled, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.~~

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~~Garbage. All organic waste, consisting of the residue of animal, fruit, or vegetable matter, resulting from the preparation, cooking, handling, or storage of food, exclusive of human or animal feces. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.~~

~~Hazardous Material. Any substance or material in a quantity or form that may pose an unreasonable risk to health and safety of property, including any material designated by the U.S. Department of Transportation, U.S. Environmental Protection Agency, Maryland Department of the Environment, or any other Federal or State agency as belonging to a hazard class, and including any explosive, flammable substance, corrosive substance, or radioactive substance.~~

~~Historic Vehicle. Any vehicle that meets the definition of historic vehicle under State Law, including any vehicle that: (i) is 25 years or older and has not been substantially altered from the manufacturer's original design, or (ii) has a unique interest or historic value including makes of motor vehicles no longer manufactured and models of motor vehicles produced in limited or token quantities and no longer manufactured.~~

~~Junk Vehicle. Any automobile, truck, van or other motor vehicle which:~~

(A) Is unregistered or unlicensed;

~~(B) Displays tags assigned to another vehicle; or~~

(B) Is disabled or inoperable.

Comment [b33]: Deletion removes an option for addressing specific situation

Litter. All rubbish, waste matter, ashes, refuse, garbage, trash, debris, dead animals, or other discarded, hazardous or toxic materials of every kind and description disposed of in an inappropriate place.

Comment [b34]: Does this term need to be defined?

Refuse/Rubbish. All refuse/rubbish, whether combustible or noncombustible, including but not limited to the following: rubbish from building construction or reconstruction, dead trees, uprooted tree stumps, yard waste rubble, street refuse, abandoned automobiles, machinery, bottles, cans, waste paper, cardboard, sawdust piles, slash from sawmill operations, dead animals, and all other waste material. ~~Garbage, rubbish, junk, industrial waste, dead animals, and all other solid waste materials, including salvageable waste.~~

~~**Rubbish.** All refuse other than garbage, whether combustible or noncombustible, including but not limited to the following: rubbish from building construction or reconstruction, dead trees, uprooted tree stumps, slash, rubble, street refuse, abandoned automobiles, machinery, bottles, cans, waste paper, cardboard, sawdust piles, slash from sawmill operations, and all other waste material.~~

Comment [b35]: If terms are now made synonymous under the Code, should subsequent redundancies be eliminated?

Structure. That which is built or constructed, including without limitation buildings for any occupancy or use whatsoever, fences, signs, billboards, fire escapes, stairways, chute escapes, railings, water tanks, towers, open grade steps, sidewalk tents or anything erected and framed of component parts which is fastened, anchored or rests on a permanent foundation or on the ground.

Toxic Material. Any substance that can be poisonous if inhaled, swallowed, or absorbed into the body through cuts, breaks in the skin, ingestion, or bodily contact.

Weeds or Grass. All bushes, hedges, shrubs, grasses, poison oak, poison ivy or any other non-cultivated vegetation which attains a noxious or dangerous condition upon growth or accumulation so as to constitute a menace to public health or a fire hazard. A generalized growth of grasses, poison oak, poison ivy or other non-cultivated vegetation exceeding a height of twelve (12) inches is presumptively a noxious and dangerous condition. A generalized growth of bushes, hedges and shrubs extending into the vertical plane of any public way or abutting premises is presumptively a noxious and dangerous condition. Not included within this definition are trees, flowers, garden vegetables, compost piles or any plant necessary for soil stabilization purposes.

Comment [b36]: Is the intent to make these subject to the regulation?

Yard. An open unoccupied space on the same lot with a building.

Section 3-1102. Dwelling Units

~~It shall be unlawful for the owner of a dwelling unit or his designated agent or lessee to fail to maintain the structure and its exit ways in a safe and sanitary condition at all times. Every dwelling shall be kept sanitary, clean and free from any accumulation of rubbish, garbage or~~

~~similar matter, and shall be kept free from vermin or rodent infestation. It shall be the duty of each occupant of the dwelling unit to keep in a clean condition that portion of the property which he occupies or over which he has exclusive control. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.~~

Comment [b37]: This definition could be included in 3-1101. This deleted regulation in 301102 assigns separate responsibilities to owners (structure) and occupants (with exclusive control - for cleanliness)

Section 3-1103. Yards

It shall be unlawful for the owner of a yard or his designated agent or lessee to fail to maintain the yard free from all unsafe, hazardous or unsanitary conditions. Every yard shall be kept sanitary, clean and free from any accumulation of rubbish, garbage, refuse, and hazardous or toxic material.

Section 3-1104. Vacant Structures and Land

All vacant structures and premises thereof or vacant land shall be maintained by the owners free from an overgrowth of weeds and grass and in a clean, safe, secure, and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

Section 3-1105. Overgrowth

It shall be unlawful for any occupant or lessee of property, or the owner of property in the event that such property is unoccupied, to fail to cut down and remove any weeds or grass exceeding a height of twelve (12) inches within one hundred (100) feet of any residential or commercial lot within the City of Brunswick.

Section 3-1106. Littering

(A) It shall be unlawful for any person or persons to dump, deposit, throw, or leave, or to cause or permit the dumping, depositing, placing, throwing, or leaving of litter on any public or private property in this City, unless:

- (1) Such property is designated by the Mayor and Council for the disposal of such litter, and such person is authorized by the Mayor and Council to use such property;
- (2) Such litter is placed into a litter receptacle or container installed on such property;
- (3) Such person is the owner or tenant in lawful possession of such property, or has first obtained written consent or is under the personal direction of the owner or tenant in lawful possession, and the act is done in a manner consistent with the provisions of this Article.

(B) Leaves deposited upon the sidewalk or street pending their removal as prescribed by the Council are exceptions to this Section.

Revisor's Note: For State Law governing littering, see Criminal Law Article, Section 10-10, Annotated Code of Maryland.

Section 3-1107. Junk Vehicles

~~(A) Except as provided in Subsection (B), it shall be unlawful for anyone to have, possess, store, or maintain a junk vehicle upon any property, whether public or private, within the corporate limits of the City of Brunswick, unless such vehicle or vehicles are housed or stored in a completely enclosed building.~~

Comment [b38]: This removal eliminates the prohibition on junk vehicles in the City.

~~(AB) One junk vehicle may be housed or stored on a lot of record if the vehicle is completely covered by a waterproof, opaque cover which is in good condition and which is specifically designed for such purposes; provided, however, that if one or more individuals, firms or entities, own, lease, occupy or possess, in whole or in part, two or more adjacent and adjoining lots of record, then only one junk vehicle may be housed or stored on all those lots of record so owned, leased, occupied or possessed.~~

~~(BC) The provisions of this section are not applicable in the I-1 (Heavy Commercial-Light Industrial), B-2 (Central Business), and HS (Highway Service) Zoning Districts in conjunction with automobile assembly, major repair, new and used auto sales, service station or repair shop uses.~~

Revisor's Note: For county law related to inoperative motor vehicles, see Section 1-11-5, Code of the Frederick County Code, 2004. Section 1-11-5 provides that:

"On any parcel of property in Frederick County, Maryland, it is hereby declared to be a nuisance and a danger to the public health, safety and welfare for any contaminated water, filth, garbage, rubbish, including but not limited to, more than 2 dismantled, inoperative or unlicensed motor vehicles, unless within a completely enclosed building or within a permitted commercial or industrial Zoning District, and any abandoned or discarded appliances, including but not limited to, stoves, refrigerators, freezers and the like, or any offensive or deleterious matter to be and remain on any premises which is subject to this section in the county."

Section 3-1108. ~~Historic Vehicles~~

~~—A junk vehicle that also meets the definition of an historic vehicle may be housed, stored, parked or maintained upon any property, whether public or private, without being housed or stored in a completely enclosed building; provided, however, that any vehicle so housed, stored, parked or maintained shall be behind the front building line of the property where the vehicle is stored and shall be protected by a waterproof, opaque cover which is in good condition and which is specifically designed for such purpose. For purposes of this section, a carport does not constitute the required covering. If one or more individuals, firms or entities, own, lease, occupy or possess, in whole or in part, two or more adjacent and adjoining lots of record, then only one historic vehicle may be housed or stored on all those lots of record so owned, leased, occupied or possessed.~~

Section 3-1109. Vehicle Repairs

The repairing, servicing, replacement of parts, or the performance of maintenance work on a vehicle on a public street is prohibited unless completed within one (1) day after their commencement, or within ten (10) days if outside of an enclosed building on any private premises, and thereafter the vehicle upon which the repairs are made is legally operable upon any public street or highway.

Section 3-1110. Building Numbers

The assigned number of each and every property in the City of Brunswick shall be displayed on the assigned house by numbers which are at least three inches (3") in height and which contrast in color to the property. Property numbers shall be clearly visible from the adjacent street and shall not be obstructed by trees, shrubs, or any other objects.

A law enforcement officer observing a violation of the above shall issue a citation to the owner of the property, clearly noting thereon that the initial citation is a warning and providing ten (10) days to the property owner within which to correct the violation.

Any person who shall not have posted a property number as provided above within ten (10) days of receiving a warning as noted above shall be guilty of a municipal infraction, the fine for which shall be five dollars (\$5.00). Each day during which the violation continues shall be considered a separate municipal infraction, for which a fine of five dollars (\$5.00) shall be imposed.

Section 3-1111. Enforcement by Mayor

The Mayor or the Mayor's designee may enforce all prohibitions and standards set forth in this article including, but not limited to, any action to remove or cause the removal, at the expense of the owner, of any junk vehicle upon failure to remove within ten (10) days of a written notice of violation delivered to and posted at the address of the violation; such expense shall be billed to the owner, and if unpaid within thirty (30) days, such expense shall be recorded and indexed on the tax rolls and thereupon shall be a charge, until paid, levied upon the real property against which the removal charges have been made, and shall be collectible by a suit at law or by the same manner as delinquent municipal corporation taxes or charges levied against the property.

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Section 3-1112. Penalty for Violation

Any violation of the provisions of this Article 1 shall be a municipal infraction as enumerated at Section 10-2202.

Title 2. Animal Control

Section 3-1201. Prohibited Animals

It shall be unlawful for any person to have in his possession within the City limits any animal which, by barking, howling, or in any other manner, disturbs the peace, order and quiet of the City, or which has bitten or attempted to bite any person.

Section 3-1202. Livestock

It shall be unlawful for any person to maintain ~~and house~~ any livestock ~~any pen, sty, or any other enclosure for the maintenance of livestock~~, including hogs, pigs, chickens, sheep, cattle, horses, goats, or more than two (2) rabbits.

Comment [b39]: Consider "have". Consider exception "other than for festivals or other City approved special events".

Section 3-1203. Horses

~~—All horses shall be kept under the immediate custody and control of the owner or person in possession at all times, and no horse shall be allowed to stand upon any street, highway, alley or public place without being under such control.~~

Section 3-1204. Adoption of County Animal Regulations

There is hereby adopted by the City of Brunswick, for the purpose of establishing rules and regulations for control of animals, including County license requirements and penalties, the provision of Chapter 1-5 (Animals and Fowl), Frederick County Code, 2004, as amended, save and except such portions as are deleted, modified, or amended by this Title, of which one copy shall remain on file in the City Hall, and the same is incorporated as fully as if set out at length herein.

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Section 3-1205. Animal Waste

~~No owner or other person who has possession or control of a dog, domestic pet or other animal shall permit its feces to remain upon or adjacent to any of the streets, sidewalks or parks or in any public place within the boundaries of the City of Brunswick. The owner or other person who has possession or control of a dog, domestic pet or other animal which deposits its feces upon or adjacent to any of the streets, sidewalks or parks or in any public place within the boundaries of the City of Brunswick shall immediately remove the feces therefrom or shall immediately cause the feces to be removed therefrom.~~ No owner or any other person who has control of a dog, domestic pet or other animal shall permit its feces to remain upon or adjacent to any of the streets, sidewalks, parks or other public places or upon private property without the explicit consent of the owner.

Section 3-1206. Penalty for Violation

Any violation of the provisions of Sections 3-1201, 3-1202, 3-1203, and 3-1205 shall be a municipal infraction as enumerated at Section 10-2202.

Article 2. Public Responsibilities

Title 1. Collection and Removal of Solid Waste

Section 3-2101. Definitions

In this Title, the following words, terms, phrases, and their derivations shall have the meanings indicated.

Bulk Trash. Large items of solid waste, including but not limited to appliances, furniture, mattresses, similar items which cannot be handled by normal municipal waste processing, collection or disposal methods.

Commercial. Any non-residential building or establishment, including but not limited to, those used for manufacturing, retail, wholesale, dining, offices, professional services, shipping and receiving areas and cafeterias. Home businesses which generate solid waste from locations other than the owner's residence or which generate more than 64 gallons of solid waste per week and multi-family dwellings containing more than four units are considered commercial properties for the purposes of this Chapter.

Hazardous Material. Any substance regulated as a hazardous material under Title 49 of the Code of Federal Regulations.

Recyclable Materials. Those materials that are:

- (1) Separated from waste stream for the purpose of recycling; and
- (2) As defined by Frederick County Division of Utilities and Solid Waste Management Recycling, Office of Recycling.

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Recycling. The collection, separation, recovery, or reuse of materials as defined by Frederick County Division of Utilities and Solid Waste Management Recycling, Office of Recycling, which would otherwise be disposed of or processed as municipal waste.

Solid Waste. All putrescible and non-putrescible solid and semisolid wastes, generated in or upon, related to the occupancy of, remaining in or emanating from residential or non-residential premises or commercial/industrial premises, including but not limited to, garbage, trash, discarded small home appliances, vegetable solid or semisolid wastes, and other solid and semisolid wastes excluding liquid wastes; provided, however, that Solid Waste shall not include hazardous material.

White Goods. Includes, but is not limited to, refrigerators, freezers, stoves, washers, dryers, dishwashers, trash compactors, air conditioners, ovens, hot-water heaters, furnaces, wood stoves, sinks and bathtubs.

Yard Waste. Any materials normally generated in the maintenance of gardens, yards, lawns, or landscaped areas, whether residential, commercial or public, including leaves, grass clippings, plants, shrubs, prunings and trimmings no greater than eight feet in length and no greater than six inches in diameter. Yard Waste does not include other tree waste, land clearing debris, waste pavement, soil or any edible product from any garden, yard, lawn or landscaped area. (Ord. 481, passed 6-9-2009)

Section 3-2102. Authority of Mayor and Council

(A) The Mayor and Council shall regulate and control the collection, removal and disposal of all solid waste, including, but not limited to, items as described in Section 3-2101 from dwellings and other places within the City of Brunswick.

(B) The Mayor and Council may enter into such agreements or contracts, including agreements or contracts with any corporation, partnership, person, political subdivision or public authority, to cause or provide for the collection, removal and/or disposal of all solid waste.

(C) The Mayor and Council may employ personnel and trash collection vehicles for the collection, removal and/or disposal of all solid waste.

(D) The Mayor may extend or change the days and/or hours of scheduled solid waste collection.

(E) The Mayor and Council may establish and levy such fees as may be necessary to achieve the purposes of this Title, including, but not limited to, fees for the collection, removal and disposal of any solid waste generated by residential or non-residential properties located within the City.

(F) The Mayor and Council may require that refuse of an animal or vegetable matter be separated from and deposited, collected, removed and disposed separately.

(G) The Mayor or the Mayor's designee may enforce all prohibitions and standards set forth

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upon failure to remove within ten days of a written notice of violation delivered to and posted at the address of the violation; such expense shall be billed to the owner, and if unpaid within 30 days, such expense shall be recorded and indexed on the tax rolls and thereupon shall be a charge, until paid, levied upon the real property against which the removal charges have been made, and shall be collectible by a suit at law or by the same manner as delinquent municipal corporation taxes or charges levied against the property.

(H) The Mayor and Council of the City of Brunswick shall be authorized to establish and impose procedures regarding the placement of temporary dumpsters within City streets and alley ways, as demonstrated in Appendix A.

(Ord. 481, passed 6-9-2009)

Revisor's Note: See Section 14-809 et seq. of the Tax-Property Article, Annotated Code of Maryland. If the County Tax Collector fails to institute tax sale procedures within 30 days of notice from the municipal tax collector, a municipality may use the provisions and procedures of Subtitle 8, Title 14 of the Tax-Property Article to sell a property for unpaid municipal incorporation taxes or charges. Also see Section 2(b)(33)(ii) and Section 2(b)(17) of Article 23A, Annotated Code of Maryland for municipal authority to establish reasonable charges against real property in the exercise of a governmental function authorized by law. Such charges may be recorded as a lien and collected as a municipal tax, subject to the limitations imposed by the Tax-Property Article of the Annotated Code of Maryland.

Section 3-2103. Prohibitions-Occupant

(A) It shall be unlawful to deposit solid waste for curbside collection in containers exceeding 32 gallons each or a maximum accumulative exceeding 96 gallons.

Comment [b40]: Consider alternate: "aggregate total"

(B) All solid waste must be in containers, which provides ease of pickup and adequate when placed at the curb for collection. The owners of a property are responsible for cleaning up any litter that has escaped from solid waste containers.

(C) When put out for collection, solid waste containers, recycling containers, or bundles shall not be placed on a public road or blocking an alley or sidewalk and shall be no more than six feet from the edge of the roadway.

(D) All solid waste shall be placed at the curb for collection not earlier than 6:00 p.m. on the day preceding those days designated for collection and solid waste containers shall be removed by 7:00 p.m. on the day of a.m. of the day following collection.

Comment [b41]: Should City also state by what time solid waste shall be curbside ready for pickup? Per 3-2105 it would be prior to 7:00 a.m.

(E) All solid waste including solid waste containers must be located behind the front building line of the residence or non-residential entity when not placed at the street for collection.

(F) All multifamily dwellings with more than four units and all non-residential properties where the solid waste or solid waste containers are visible from the street or adjacent residential

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properties must provide an enclosed, ventilated structure with self-closing door for the purpose of storing solid waste and solid waste containers. Enclosures shall be approved by the Superintendent of Public Works.

(G) It shall be unlawful for any person to place curbside for collection, any solid waste not generated ~~within a residential or non-residential property~~ within the City limits.

(H) It shall be unlawful for any person, firm or corporation to place solid waste on the property of another.

(I) It shall be unlawful for a person who is not a City resident to place their solid waste for collection in the City incorporated limits.

Comment [c42]: Mayor & Council
DISCUSSION

(J) It shall be unlawful for any refrigerators, or any other container, equipment or appliance having self-locking doors to be abandoned or placed for collection or drop-off without first removing and detaching the doors or covers from same.

Comment [c43]: Mayor & Council
DISCUSSION

(K) The following items will not be accepted for residential collection: hazardous materials; chemical wastes; explosives, medical wastes, tanks, cylinders, excavated materials; automobile bodies or parts thereof; sealed drums or containers of any description; tires, liquid paint, stumps and trunk wood; tree limbs, brush and shrubs; debris from building and remodeling; wastes generated by contractors engaged in building, remodeling, or demolition; broken concrete, asphalt, or masonry, yard waste, as well as any materials that could cause injury or be detrimental to the health of collection workers.

(L) Such wastes defined above must be removed by the owner, occupant, operator or contractor performing such work or other persons creating or causing the accumulation of such materials as the case may be.

(Ord. 481, passed 6-9-2009)

Section 3-2104. Prohibitions-Solid Waste Collectors

(A) Collect and remove solid waste in a manner prejudicial to health.

(B) Park or otherwise leave unattended within the City any vehicle containing solid waste and regularly used for hauling or transporting solid waste for any period of time in excess of what is necessary for the loading or unloading of such vehicle.

(C) Fail to immediately remove and clean up spillage onto the streets or sidewalks.

(D) Overload within the City any vehicle used for hauling or transporting solid waste.

(E) Fail to maintain any vehicle in a sanitary and non-offensive condition while parked within or while hauling or transporting solid waste within the City.

(Ord. 481, passed 6-9-2009)

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Section 3-2105. Collection Schedule

All solid waste shall be collected and removed between the hours of 7:00 a.m. and 4:00 p.m. A full schedule and route description shall be maintained and posted at the City Hall by the City ~~Clerk/Treasurer~~ Administrator.
(Ord. 481, passed 6-9-2009)

Section 3-2106. Special Pick-Ups

Oversized articles including, but not limited to, furniture, mattresses, appliances and bicycles, may be collected for disposal only upon arrangement for a special pick-up; residents must make special pick-up arrangements with the trash collector. A regular bulk pick-up or drop-off may be scheduled and advertised.
(Ord. 481, passed 6-9-2009)

Section 3-2107. Recycling

Comment [c44]: Mayor & Council
DISCUSSION

(A) In order to protect the environment by conserving natural resources and preserving rapidly dwindling landfill space as well as minimizing waste disposal costs, it is the policy of the Mayor and Council to require mandatory recycling for all residential properties and to encourage non-residential properties within the City limits to recycle all recyclable solid waste materials and implement source reduction activities.

(B) Recycling services for residential properties within the city are provided as follows, subject to all the restrictions and conditions:

(1) Curbside recycling is provided in residential areas by the Frederick County, Department of Solid waste Management, Department of Recycling, subject to the schedule set by the County.

(2) All recyclable materials shall be selected, prepared, and contained in conformance with the requirements of the Frederick County Department of Solid waste Management, Department of Recycling.

(3) Drop-off sites for recyclable materials listed in (1) above are provided by the County at various locations including a site within the City as designated.

(4) Used motor oil drop-off sites are provided at various locations throughout the County including a site within the City limits as designated.

(5) Yard waste drop-off sites are provided by the County at several locations throughout the county and a site within the City limits as designated.

Comment [c45]: Drop off is accepted at the
DPW yard.

(6) Used antifreeze, mattresses, scrap metal, appliances, batteries, electronics, and tires may be dropped off at the Frederick County Reich's Ford Recycling Center.

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(7) Household hazardous waste can be dropped off periodically as announced by the Frederick County, Reich's Ford Recycling Center.

(8) Drop-off or collection of grass clippings, landscaping brush, tree limbs, and leaves may be provided by the City.

(Ord. 481, passed 6-9-2009)

Section 3-2108. Mandatory Recycling

Comment [c46]: Mayor & Council
DISCUSSION - ordinance change?

(A) Effective ten days after the adoption of this Title, it shall be mandatory for all residential properties within the City of Brunswick to recycle either by curbside recycling or approved Frederick County Recycling Centers.

(B) Recycling of these materials must meet the restrictions and conditions set by the Frederick County Department of Solid waste Management, Department of Recycling and the City of Brunswick.

(C) It shall be unlawful to combine the recyclables described in Section 3-2101 with other solid waste.

(D) It shall be unlawful for solid waste collectors to collect solid waste with visible signs of recyclable materials as defined in Section 3-2101, or yard waste.

(E) It shall be the responsibility of the property resident to segregate the uncollected waste for recycling. Failure to do so will be a violation of this Title.

(Ord. 481, passed 6-9-2009)

Section 3-2109. Agreements and Contracts

All agreements and contracts to collect, remove and/or dispose of solid waste from the City shall require the vendor to:

(A) Comply with the City Code of Ordinances, all other applicable ordinances and resolutions enacted by the Mayor and Council, applicable County, State and Federal statutes and regulations, and any lawfully issued City, State or Federal order.

(B) Assign to the Mayor and Council an acceptable performance surety bond, or some other form of performance security acceptable to the Mayor and Council.

(C) Carry liability, property damage and workers compensation insurance policies covering its agents, employees, vehicles and equipment, and issued by insurance carriers and in amounts acceptable to the Mayor and Council.

(D) Hold the Mayor and Council and City employees harmless from claims, and the defense of such claims, consequent or incident to the acts or omissions of any of the vendor's agents, employees, vehicles or equipment.

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(E) Utilize vehicles equipped and operated in a manner acceptable to the Mayor and Council.

(F) Collect, remove and dispose of solid waste in accordance with a written statement of service, approved by the Mayor and Council, failure of which to perform would entitle the Mayor and Council to remove or cause to be removed such solid waste, with the cost of such removal to be deducted from any money due the vendor by the Mayor and Council, to declare the contract at an end, to discharge the vendor, to retain any sums due the contractor for any loss the Mayor and Council may sustain, to employ another vendor or vendors for the remainder of the term, or to do the work by employees of the Mayor and Council, and to enter suit upon the surety bond or other accepted performance security of the vendor for any loss or damage which the Mayor and Council may have.

(G) Provide in writing prior notice of not less than 30 days of any intent to discontinue service for any cause, except for nonpayment of service charges; a copy of such notice shall be sent to the Mayor and Council.

(H) Provide alternate service within 24 hours in the event of mishap or breakdown of regular equipment, or if collection service is missed for any reason.
(Ord. 481, passed 6-9-2009)

Section 3-2109. Penalty for Violation

Any violation of the provisions of this Title shall be a municipal infraction as enumerated at Section 10-2202.
(Ord. 481, passed 6-9-2009)