

ORDINANCE # 44

AN ORDINANCE PROHIBITING THE THROWING OR DEPOSITING OF LITTER IN PUBLIC PLACES IN THE VILLAGE OF GLYNDON; CONTROLLING THE DEPOSITING OF LITTER ON PRIVATE PREMISES IN THE VILLAGE OF GLYNDON; PROVIDING FOR VILLAGE CLEARANCE OF LITTER AND PRESCRIBING PENALTIES FOR VIOLATION OF ITS PROVISIONS.

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BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF GLYNDON AS FOLLOWS:

Section 1 - Definitions: For the purpose of this Ordinance, the following terms phrases, words and their derivations shall have the meaning given herein:

(a) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind;

(b) "Litter" is "garbage", "refuse" and "rubbish" as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare;

(c) "Garbage" is putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food;

(d) "Refuse" is all putrescible and non-putrescible solid waste, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned or junked automobiles and solid commercial or industrial wastes.

(e) "Rubbish" is non-putrescible solid waste consisting of both combustible and non-combustible wastes, such as paper, wrappings, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Section 2 - Litter in Public Places: No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the Village of Glyndon.

Section 3 - Sweeping litter into street prohibited: No person shall sweep into or deposit in any street or other public place within the Village of Glyndon the accumulation of litter from any building or lot or any public sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

Section 4 - Litter thrown by persons in vehicles: No person while a driver or passenger in a vehicle shall throw or deposit litter upon any street or public place within the Village of Glyndon or upon private property.

Section 5 - Litter on occupied private property: No person shall throw or deposit litter on any occupied private property within the Village of Glyndon, whether owned by such person or not, except that the owner or person in control of private property may maintain private receptacles for said litter in such manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

Section 6 - Owner to maintain premises free of litter: The owner or person in control of any private property shall at all times maintain the premises free of litter. Provided, however, that this Section shall not prohibit the storage of litter in private receptacles so that the same will not be carried away by the elements.

Section 7 - Litter on vacant lots: No person shall throw or deposit litter on any open or vacant private property within the Village of Glyndon, whether owned by such person or not.

Section 8 - Clearing of litter from private property by Village of Glyndon:

(a) Notice to remove - The Village Clerk of the Village of Glyndon is hereby authorized and empowered to notify the owner of any private property within the Village of Glyndon or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by Registered mail addressed to said owner at his last known address.

(b) Action upon non-compliance - Upon the failure, neglect or refusal of any owner or agent so notified to properly dispose of litter dangerous to public health, safety or welfare within ten days after receipt of written notice provided for in subsection (a) above, or within thirty days after the date of such notice in the event the same is returned to the Village Post Office Department because of its inability to make delivery thereof, the Village Clerk is authorized and empowered to pay for the disposing of such litter or to order its disposal by the Village. When the Village has effected the removal of such litter or has paid for its removal, the cost thereof shall be immediately due and payable to the Village by the owner or occupant. If the owner or occupant neglects or refuses to pay the cost thereof, the Village may collect the same by civil action against the owner or occupant.

Section 9 - Penalty: Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding \$100.00 or by imprisonment in the County Jail for a period not exceeding ninety (90) days. Each day such violation shall be committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 10 - Separability: If any section, subsection, sentence or portion of this Ordinance shall for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 11 - Effective date: This ordinance shall be effective from and after the date of its passage and proper legal publication.

Passed at Glyndon, Minnesota, this 6 day of June, 1966.

Jay Boland
Mayor.

TEST:

Paul Larson
Village Clerk