

TITLE 6

HEALTH, PEACE, SAFETY AND SANITATION

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Chapter 6.05

DANGEROUS AND UNSANITARY DWELLINGS

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6.05.010 Definitions.

- (1) Unfit for Human Habitation. A dwelling is unfit for human habitation when it is dangerous or detrimental to life or health because of want of repair, defects in the drainage, plumbing, lighting, ventilation, or the construction, infection with a contagious disease or the existence on the premises of an unsanitary condition likely to cause sickness among occupants of the dwelling. (Ord. 1-88, S1(a), June 15, 1988) (Ord. 9, S1, Nov. 1, 1872)
- (2) Public Nuisance. A public nuisance is an unoccupied dwelling which is unfit for human habitation and further property which contains garbage, rubbish, ashes, street cleanings, food waste, or other such items which make such property dangerous or detrimental to life or health due to such unsanitary condition and which substantially interferes with material enjoyment of adjoining properties. (Ord. 1-88, S1(b), June 15, 1988)

6.05.020 Declaring nuisance. The Board of Town Trustee may declare, for good cause shown, property, or a part thereof, a public nuisance and order the condition which constitutes a public nuisance to be removed, abated, suspended, altered, improved or purified any dwelling, structure, excavation, business, or thing in or about a dwelling or its lot. (Ord. 1-88, S2, June 15, 1988)

6.05.030 Order to abate nuisance. Any such order by the Board of Town Trustees shall be served on the tenant and owner or his rental agent of such property by certified mail, return receipt requested, or personally by the Town Marshal. The order shall state one or more of the reasons for the order. (Ord. 1-88, S3, June 15, 1988)

6.05.040 Right to review. Any person aggrieved by any order of the Board of Town Trustees made under the provisions of this ordinance may within ten (10) days after service of the order file with the Clerk-Treasurer of the Town of Troy, a request requesting a review of the order. Such aggrieved person shall then appear and be heard at the next regular meeting of the Board of Town Trustees of the Town of Troy. (Ord. 1-88, S4, June 15, 1988)

6.05.050 Failure to remove public nuisance. If such public nuisance, after the aforementioned hearing and final order of the Board of Town Trustees declaring such a public nuisance, is not removed, abated, expended, altered, improved or purified, then the Board of Town Trustees may so remove, abate, suspend, alter, improve or purify such public nuisance and hold such tenant and/or owner responsible for the incurred expenses. After such expenses are incurred by reason of the tenant's and/or owner's refusal of the Board of Town Trustees' order, then the trustees shall cause the Clerk-Treasurer to forward a bill listing such expenses to the tenant and/or owner of the subject premises. The tenant and/or owner shall make full payment within thirty (30) days of receipt of the bill from the Clerk-Treasurer. (Ord. 1-88, S5, June 15, 1988) (Ord. 9, S2, Nov. 1, 1872)

6.05.060 Appeal. Any person aggrieved by any order of the Board of Town Trustees after a hearing, may appeal the same to the circuit or superior court of this county. However, the person appealing to the circuit or superior court shall file with the court a bond in an amount to be fixed by the court with sureties to be approved by the court conditioned to pay the cost chargeable to such aggrieved party by reason of the Board of Town Trustees' order. (Ord. 1-88, S6, June 15, 1988)

6.05.070 Effective when. This ordinance shall take effect June 15, 1988, upon passage by the Board and publication as required by law. (Ord. 1-88, S7, June 15, 1988)

6.05.080 Penalty for violation. It shall be unlawful for any person, firm, household or business to violate any of the terms of this ordinance and any person, firm, household or business who violates any provision of this ordinance shall be deemed upon conviction to commit an offense hereafter deemed to be an infraction and shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) for each violation plus court costs and other costs incurred by the Town of Troy in prosecuting such violation including reasonable attorney fees for the attorney representing this action on behalf of the Town of Troy. Each separate violation of this ordinance shall be deemed as a separate and distinct offense. (Ord. 1-88, S8, June 15, 1988) (Ord. 9, S3, Nov. 1, 1872)

Chapter 6.08

WEEDS AND RANK VEGETATION

Sections:

6.08.010	Administration
6.08.020	Weeds and rank vegetation defined
6.08.030	Violation height
6.08.040	Notice of violation
6.08.050	Billing to owner for costs, when Town or its contractor abates violation
6.08.060	Appeal procedure
6.08.070	Lien on property

6.08.010 Administration. The department of the Town responsible for the administration of this Ordinance is Town Council. (Ord. 1998-8-1, S1, Aug. 22, 1998)

6.08.020 Weeds and rank vegetation defined. Weeds and rank vegetation include all weeds and grasses, except agriculture crops, vegetable gardens and flower gardens. (Ord. 1998-8-1, S2, Aug. 22, 1998)

6.08.030 Violation height. The height at which weeds or rank vegetation become a violation of this Ordinance is 10 inches. (Ord. 1998-8-1, S3, Aug. 22, 1998)

6.08.040 Notice of violation. Notice of the violation of this Ordinance shall be given to the owner of the real property by certified mail return receipt requested or by personal service by the Town Marshall, which notice shall provide that the owner has 10 days from receipt of the notice to cut the weeds and rank vegetation and upon failure of the owner to do so the Town or its contractors may enter the real property and abate a violation of this Ordinance. (Ord. 1998-8-1, S4, Aug. 22, 1998)

6.08.050 Billing to owner for costs, when Town or its contractor abates violation. When the Town or its contractors abates a violation of this Ordinance, the Clerk-Treasurer shall bill the owner of the real property for the costs incurred by the Town in abating the violation including administrative costs and removal costs. (Ord. 1998-8-1, S5, Aug. 22, 1998)

6.08.060 Appeal procedure. Any property owner who receives a notice of violation of this Ordinance or a bill issued under this Ordinance may appeal the notice or the bill by filing a notice of appeal with the Clerk-Treasurer requesting a hearing at the next Town Council meeting following receipt of the notice of violation or the bill; and said matter will be heard at the next Town Council meeting. (Ord. 1998-8-1, S6, Aug. 22, 1998)

6.08.070 Lien on property. If the owner of the real property fails to pay a bill issued under this Ordinance within the time specified in this Ordinance, the Clerk-Treasurer Department shall certify to the County Auditor the amount of the bill, plus any additional administrative

costs incurred in the certification. The Auditor shall place the total amount certified on the tax duplicate for the property affected, and the total amount, including any accrued interest, shall be collected as delinquent taxes are collected and shall be disbursed to the general fund of the Town. (Ord. 1998-8-1, S7, Aug. 22, 1998)

Chapter 6.12

DISCHARGE OF FIREARMS

Sections:

- 6.12.010 **Prohibited**
- 6.12.020 **Penalty for violation**

6.12.010 Prohibited. Be it ordained by the Board of Trustees of the Town of Troy, Indiana, that hereafter it shall be unlawful for any person to discharge any kind of firearms within the Town of Troy, or to set off or to fire any kind of fireworks within the Town of Troy, Indiana. (Ord. 89, S1, Dec. 4, 1908)

6.12.020 Penalty for violation. Any person who may be found guilty of the violation of the first section of this Ordinance shall be deemed guilty of disorderly conduct, and upon conviction shall be fined in any sum not to exceed five dollars and cost of prosecution. (Ord. 89, S2, Dec. 4, 1908)

Chapter 6.15

USE OF SIRENS

Sections:

6.15.010	Prohibited when
6.15.020	Intended use
6.15.030	Penalty for violation

6.15.010 Prohibited when. It shall be unlawful for any person to install or operate a siren on a bicycle, motor-bike, motorcycle, or any other vehicle other than for the purpose of police protection, fire equipment or emergency equipment. (Ord. 2-60, S1, Oct. 3, 1960)

6.15.020 Intended use. That the intended use of a siren is for warning and/or emergency clearance of right of way, and that any person using a siren on any vehicle is liable for life, limb, and property ensuing from such other than that prescribed by state law. (Ord. 2-60, S2, Oct. 3, 1960)

6.15.030 Penalty for violation. Any person violating the provisions of this ordinance shall upon conviction, be fined in an amount prescribed by state law. (Ord. 2-60, S3, Oct. 3, 1960)

Chapter 6.30

OPEN BURNING

Sections:

6.30.010	Definitions
6.30.020	Open burning prohibited
6.30.030	Exceptions to prohibition on open burning
6.30.040	General requirements
6.30.050	Penalty for violation
6.30.060	Effective when

6.30.010 Definitions. The following terms shall have the following meaning:

- (1) "Open burning", all fires of any kind located within the Town and outside of a permanent building structure. (Ord. 4-3-95, S1A, Apr. 12, 1995)
- (2) "Wood products", material consisting of, or wholly derived from, wood or vegetation. (Ord. 4-3-95, S1B, Apr. 12, 1995)

6.30.020 Open burning prohibited. No person, firm or corporation shall openly burn any material within the Town except as allowed by this ordinance. (Ord. 4-3-95, S2, Apr. 12, 1995)

6.30.030 Exceptions to prohibition on open burning:

- (1) Open burning of wood products, except for leaves, shall be allowed for the following:
 - A. school prep rallies;
 - B. fires used for cooking purposes;
 - C. fires used in scouting activities;
 - D. fires for purposes of fire training by a fire department;
 - E. upon permit from the Town Council. (Ord. 4-3-95, S3A, Apr. 12, 1995)
- (2) Open burning of non-wood products shall only be allowed pursuant to a permit issued by the Indiana Air Pollution Control Board, the Indiana Department of Environmental Management, and a permit issued by the Town Council of the Town. The Town Council of the Town is hereby authorized to review any such applications and issue permits at public

meetings before the Town Council of the Town. (Ord. 4-3-95, S3B, Apr. 12, 1995)

- (3) Open burning of wood products may be allowed by special permit issued by the Town Council of the Town upon conditions established by such Council and the payment of a special permit fee not to exceed \$250.00 by the applicant which shall be paid to the Clerk-Treasurer. (Ord. 4-3-95, S3C, Apr. 12, 1995)

6.30.040 General requirements. All open burning shall conform to this section unless exempted by the Town Council of the Town.

- (1) Fires shall be attended at all times by appropriate personnel until completely extinguished. (Ord. 4-3-95, S4A, Apr. 12, 1995)
- (2) All fires shall be contained so as not to create a hazard to adjoining property. (Ord. 4-3-95, S4B, Apr. 12, 1995)
- (3) The fires shall be allowed to burn only under favorable weather conditions such as when there is no wind or only relatively calm winds are blowing, when smoke is not to be carried toward heavily populated areas, and when there is no thermal inversion. (Ord. 4-3-95, S4C, Apr. 12, 1995)
- (4) No fires shall be kindled or maintained on a public right-of-way. (Ord. 4-3-95, S4D, Apr. 12, 1995)
- (5) All allowable fires shall be located at least 50 feet away from any building, except that fires used for cooking purposes shall only be maintained at a safe distance from any structure. (Ord. 4-3-95, S4E, Apr. 12, 1995)

6.30.050 Penalty for violation. Any violation of this ordinance shall be punishable by a civil fine not to exceed \$150.00. Each event of noncompliance shall constitute a separate violation. (Ord. 4-3-95, S5, Apr. 12, 1995)

6.30.060 Effective when. This ordinance shall be in full force and effect as of May 1, 1995 after its passage by the Town Council, and publication in accordance with Indiana law. (Ord. 4-3-95, S6, Apr. 12, 1995)

Chapter 6.37

OPERATION OF TRAINS

Sections:

6.37.010	Speed limit
6.37.020	Blowing whistle/Ringing bell
6.37.030	Cars left standing on crossings prohibited
6.37.040	Penalty for violation

6.37.010 Speed limit. Be it ordained by the Board of Trustees of the Town of Troy, Indiana, that it shall be unlawful for any owner, agent, contractor, engineer, or other person running or managing any locomotive or locomotive with car or train of cars attached to run said locomotive or locomotive with car or train of cars attached, or suffer the same to be run into or through the corporate limits of said Town of Troy, at a greater rate of speed than four miles per hour. (Ord. 50, S1, June 2, 1888)

6.37.020 Blowing whistle/Ringing bell. It shall be unlawful for any person or persons running or managing trains, locomotives with cars attached to enter the corporation of the said Town of Troy going east or west with any locomotive, locomotive with cars attached or train of cars without first having blown two shrill blasts from the engine whistle at least three hundred feet from corporation line and it shall be the further duty of such conductor or engineer to cause the bell of the locomotive to be rung continually while passing through said Town. (Ord. 50, S2, June 2, 1888)

6.37.030 Cars left standing on crossing prohibited. It shall be unlawful for any locomotive or locomotive with cars attached, or any empty cars of any kind to be left or allowed to stand across any crossing of any street within the Town of Troy for a longer time than five minutes at any one time. (Ord. 50, S3, June 2, 1888)

6.37.040 Penalty for violation. Any person or persons violating the provisions of this ordinance or any part thereof shall be deemed guilty of disorderly conduct, and upon conviction thereof shall be fined in any sum not more than ten (\$10.00) dollars and costs of prosecution. (Ord. 50, S4, June 2, 1888)

Chapter 6.43

BATHING IN THE OHIO RIVER

Sections:

- 6.43.010 Bathing in the Ohio River prohibited
- 6.43.020 Penalty for violation

6.43.010 Bathing in the Ohio River prohibited. It is a finable offense for any person or persons to bathe in the Ohio River in or opposite the corporation limits during day light hours with their clothes off so as to expose their nakedness to view. (Ord. 6, July 7, 1871)

6.43.020 Penalty for violation. Any person or persons violating this or any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined one dollar and costs of prosecution for every offense with an additional fine of one dollar and costs for each repetition of said offense and the Marshal is hereby authorized to prosecute and collect such fines at once. (Ord. 6, July 7, 1871)

Chapter 6.51

TRASH, RUBBISH AND JUNK

Sections:

6.51.010	Unlawful to have trash visible from street
6.51.020	Penalty for violation
6.51.030	Abatement
6.51.040	In addition to other remedies provided by law

6.51.010 Unlawful to have trash visible from street. It shall be unlawful for a landowner to have trash, rubbish and junk, that is visible from a public street on his property. (Ord. 1999-2, S1, Apr. 14, 1999)

6.51.020 Penalty for violation. Any person or corporation, whether a principal, agent, employee or otherwise, who violates any of the provisions of this Ordinance shall be guilty of an infraction and upon conviction, shall be fined not less than Fifty Dollars (\$50.00) and not more than Three Hundred Dollars (\$300.00), for each offense, such fine to inure to the Town (I.C. 34-28-5-1). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 1999-2, S2, Apr. 14, 1999)

6.51.030 Abatement. The Town Attorney shall, immediately upon any violation of this Ordinance having been called to his attention, institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate or remove such violation (I.C. 36-1-6-4). Such action may also be instituted by any property owner who may be especially damaged by any violation of this Ordinance. (Ord. 1999-2, S3, Apr. 14, 1999)

6.51.040 In addition to other remedies provided by law. The remedies provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law. (Ord. 1999-2, S4, Apr. 14, 1999)

Chapter 6.55

ABANDONED OR JUNK VEHICLES

Sections:

6.55.010	Purpose of chapter is the disposal of abandoned vehicles
6.55.020	Abandoned vehicles declared a public nuisance
6.55.030	Meaning of terms
6.55.040	Visibility of abandoned vehicle from public premises
6.55.050	Owner presumed responsible for abandonment and liable for costs
6.55.060	Notice tag/Removal/Costs
6.55.070	Not responsible for loss or damage during removal
6.55.080	Penalty for violation

6.55.010 Purpose of chapter is the disposal of abandoned vehicles. It is the purpose of this chapter to provide for the disposal of abandoned or junk vehicles which are discarded or otherwise permitted to remain in any place where they are visible from a public place or right-of-way in any municipality as defined herein. (Ord. 2-81, S1, Mar. 11, 1981)

6.55.020 Abandoned vehicles declared a public nuisance. The Board of Trustees finds that abandoned or junk vehicles which are located in any place where they are visible from a public place or public right-of-way are detrimental to the safety, morals and welfare of the general public and a detriment to the economic welfare of the municipality, by producing a scenic blight which is adverse to the maintenance and continuing development of the municipality, and such vehicles are declared to be a public nuisance. (Ord. 2-81, S2, Mar. 11, 1981)

6.55.030 Meaning of terms. For purposes of this ordinance, the following terms shall have the following meaning:

- (1) Vehicle. Any motor vehicle, automobile, motorcycle, truck, trailer, semitrailer, truck-trailer, bus, school bus, recreational vehicle, or motor bicycle.
- (2) Abandoned.
 - A. Any vehicle located on public premises which does not have lawfully affixed thereto or displayed thereon a valid unexpired license plate permitting its operation upon the highways of the State of Indiana; or
 - B. Any vehicle which is parked or located on public premises continuously without being moved for a period of seven (7) days, except before legal or temporary residence of the owner; or

- C. Any vehicle parked or located on public premises illegally or in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or other vehicle traffic on a public right-of-way, street or highway; or
 - D. Any vehicle that is over five (5) years old and mechanically inoperable, and is left unattended on private premises in a location which is visible from public premises for more than thirty (30) days, upon which noticeable repairs have not been made within the last 30 days; or
 - E. Any vehicle that has remained on private premises without the consent of the owner or person in control of such premises, for more than forty-eight (48) hours.
- (3) Public Premises. Any public right-of-way, street, highway, alley, park, or other state, county, or municipally owned property.
 - (4) Private Premises. All privately owned property which is not classified within the definition of public premises.
 - (5) Persons. All natural persons, firms, partnerships and corporations. (Ord. 2-81, S3, Mar. 11, 1981)

6.55.040 Visibility of abandoned vehicle from public premises. No person shall abandon a vehicle on any public premises or private premises in a location which is visible from a public premises within the limits of the Town of Troy, Indiana. (Ord. 2-81, S4, Mar. 11, 1981)

6.55.050 Owner presumed responsible for abandonment and liable for costs. There is hereby created a prima facie presumption that the owner of an abandoned vehicle is responsible for the abandonment and is thereby liable for all of the costs incidental to the removal, storage, and disposal of such vehicle. (Ord. 2-81, S5, Mar. 11, 1981)

6.55.060 Notice tag/Removal/Costs. Any officer, who is authorized to make arrests pursuant to the statutes of the State of Indiana, who shall find a vehicle or parts abandoned, by the terms of this ordinance, and therefor in violation hereof, shall have such vehicle or parts removed from any public premises or private premises to a storage area. Any officer who shall find a vehicle or parts which he has reason to believe have been abandoned, by the terms of this ordinance, shall attach thereto in a prominent place a notice tag which shall contain the following information:

- (1) That the vehicle or parts are considered abandoned;
- (2) That the vehicle or parts will be removed seven (7) days thereafter, impounded and subsequently disposed of;

- (3) That the owner will be held responsible for all costs incidental to the removal, storage and disposal, and if not paid, the owners registration privileges will be suspended;
- (4) That the owner may avoid costs, or suspension of registration privileges by removal of the vehicle or parts within seven (7) days;
- (5) The date, officer's name and the address and telephone number of the public agency to contact for information. (Ord. 2-81, S6, Mar. 11, 1981)

6.55.070 Not responsible for loss or damage during removal. Neither the owner, lessee, or occupants of the premises from which any abandoned vehicle shall be removed or the municipality and any of its employees shall be liable for any loss or damage to said vehicle which occurred during its removal or while in the possession of said municipality or as a result of any subsequent disposition. (Ord. 2-81, S7, Mar. 11, 1981)

6.55.080 Penalty for violation. Any person who shall violate any of the provisions of this ordinance shall be guilty of an infraction and, upon conviction, shall be fined not less than \$100.00 and not more than \$500.00. (Ord. 2-81, S8, Mar. 11, 1981)

Chapter 6.57

USE OF TOWN DUMP

Sections:

6.57.010	Designation
6.57.020	Fee for non-residents
6.57.030	Hours of use
6.57.040	Separation of waste
6.57.050	Supervision
6.57.060	Fine for violation of regulations
6.57.070	Separability

6.57.010 Designation. That the area owned and designated by the Town of Troy, Perry County, Indiana, for use in deposits of wastes, refuse, other discarded materials and substances is hereby established and designated as the “Town Dump of Troy, Indiana” and use thereof shall be subject to the regulations herein; provided, use shall include depositing of aforesaid items and entering on the premises of said area for any purpose. (Ord. 4-64, S1, Sept. 24, 1964)

6.57.020 Fee for non-residents. Free use of said dump shall be and is hereby restricted to residents of the Town of Troy, Indiana; provided, non-residents may be granted a permit to use said dump for an annual fee of \$6.00 same to be paid in advance to the Clerk-Treasurer of the Troy Town Board and payable on a calendar year basis; provided further, no commercial hauling firms shall use said dump. (Ord. 4-64, S2, Sept. 24, 1964)

6.57.030 Hours of use. Hours of use of said dump shall be at times and between the hours designated and set by resolution of the Town Board of Trustees, as adopted by a majority assembled at any meeting of said board, which times shall be posted at said dump and for public view at the office of the town board. (Ord. 4-64, S3, Sept. 24, 1964)

6.57.040 Separation of waste. Items for disposal and deposit at said dump shall be separated into burnable, unburnable, garbage and such other classes as may from time to time be designated by posting at said dump and at the office of the town board. (Ord. 4-64, S4, Sept. 24, 1964)

6.57.050 Supervision. Supervision of said dump is hereby vested in the Town Marshal, subject to orders of the Town Board of Trustees, as may be made from time to time by resolution adopted by a majority at a meeting of said board. (Ord. 4-64, S5, Sept. 24, 1964)

6.57.060 Fine for violation of regulations. Each violation of the regulations hereof or the directions for use of said dump, as directed by proper authority, shall be punishable by a fine of Ten Dollars (\$10.00) and each separate visit to or use of said dump shall be a separate offense. (Ord. 4-64, S6, Sept. 24, 1964)

6.57.070 Separability. Should any part of this ordinance be held invalid by a court of competent jurisdiction, the remaining parts shall be severable and shall continue to be in full force and effect. (Ord. 4-64, S7, Sept. 24, 1964)

Chapter 6.59

REFUSE COLLECTION FEES

Sections:

6.59.010	Definitions
6.59.020	Refuse collection fee
6.59.030	Fee to be included upon utility bill
6.59.040	Revenue to be placed in "Refuse Collection Fund"
6.59.050	Effective when
6.59.060	Out of town refuse not collected
6.59.070	Penalty for violation

6.59.010 Definitions.

- (1) "Refuse" within the meaning of this Ordinance shall be interpreted to mean garbage, rubbish, ashes, street cleanings, and other food wastes attending the preparation, use, cooking or storing of meat, fish, fowl, food or vegetable and shall include and refer to the accumulation thereof at any dwelling unit, household, business, tavern or public or private place within the corporate limits of the Town of Troy. (Ord. 3-86, S1A, Nov. 12, 1986)
- (2) "Household" within the meaning of this Ordinance shall be interpreted to mean a building or portion thereof used primarily as a place of abode for one or more human beings intended to be occupied by one family only, but not including hotels, motels or some type of lodging house. (Ord. 3-86, S1B, Nov. 12, 1986)
- (3) "Business" within the meaning of this Ordinance shall be interpreted to mean an entity operating as a proprietorship, partnership or corporation or other similar form not falling within the definition of household. (Ord. 3-86, S1C, Nov. 12, 1986)

6.59.020 Refuse collection fee. The Town of Troy hereby assesses a refuse collection fee of \$1.00 per week per household or business for the collection by the Town of Troy of all refuse from each household or business within the corporate limits of the Town of Troy. The refuse must be properly and securely contained in a trash bag(s) or properly boxed in appropriate cardboard boxes. Neither bag nor box shall exceed twenty-five (25) pounds in weight, with a limit of five (5) bags per household per week. A charge of twenty (20) cents per bag over the five (5) bag limit per week will be charged over and above the monthly billing. No limit on bags per week for the Christmas Holiday. (Ord. 1-90, Feb. 14, 1990) (Ord. 3-86, S2, Nov. 12, 1986)

6.59.030 Fee to be included upon utility bill. The refuse collection fee shall be assessed by the Town of Troy on a weekly basis for services rendered with payment on a monthly basis and the Town of Troy shall bill this fee on the Troy utility bill for each household or business and such fee shall be payable on the due date of the utility bill which is the 10th day of the month immediately following the month of provision of such refuse collection services by the Town of Troy. A failure to pay this fee when due shall be deemed a violation of this Ordinance. The deed owner of the real estate on which each household or business is located shall be the party to whom or to which the Town of Troy shall bill this service and who shall be legally liable for payment of this fee. Of course, the owner of such property can make agreements with any business or household located on its real estate as to reimbursement for the fee. (Ord. 3-86, S3, Nov. 12, 1986)

6.59.040 Revenue to be placed in "Refuse Collection Fund". The revenue obtained from the assessment of the refuse collection fee shall be placed in a fund designated as the "Refuse Collection Fund" and shall be expended therefrom for refuse collection expenses and landfill costs incurred by the Town of Troy. (Ord. 3-86, S4, Nov. 12, 1986)

6.59.050 Effective when. This Ordinance shall take effect December 1, 1986 upon passage by the board and publication as required by law. (Ord. 3-86, S5, Nov. 12, 1986)

6.59.060 Out of town refuse not collected. The Town of Troy does not intend for a household or business located outside its corporate limits to avail itself of this refuse collection service. However, if the Town of Troy discovers that either a household or business outside the corporate limits of the Town of Troy has delivered certain refuse within the corporate limits of the Town of Troy and the Town of Troy collects such refuse, such household or business shall be billed in the same manner as the households or businesses within the corporate limits of the Town of Troy for this service. Upon its learning of the same, the Town of Troy shall discontinue the collection of such refuse for out of town households or businesses. (Ord. 3-86, S6, Nov. 12, 1986)

6.59.070 Penalty for violation. It shall be unlawful for any person, firm, household or business to violate any of the terms of this Ordinance and any person, firm, household or business who violates any provisions of this Ordinance shall be deemed upon conviction to commit an offense hereafter deemed to be an infraction and shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) for each violation plus court costs and other costs incurred by the Town of Troy in prosecuting such violation including a reasonable attorney's fee for the attorney prosecuting this action on behalf of the Town of Troy. Each separate violation of this Ordinance shall be deemed as a separate and distinct offense. (Ord. 3-86, S7, Nov. 12, 1986)