

MANDATORY RECYCLING AND CURBSIDE TRASH ENFORCEMENT REGULATION:

A. Requirements for Compliance

1. Trash bags shall contain only garbage, trash and solid waste as such terms are defined in Section 102-3 of the Townsend Code and may NOT contain contamination, sewage, manure, building rubbish, industrial waste, recyclables and yard waste.
2. Trash bags left for collection at any one time shall not exceed a total of ninety-nine gallons in capacity.

B. Violations

Trash bags must be in compliance with Section 102-3 of the Townsend Code and these Regulations. Trash bags determined to be in violation of Section 102-3 of the Townsend Code and/or these Regulations shall be subject to enforcement action.

C. Enforcement

1. The first time a user is found in violation of Section 102.3 of the Townsend Code and/or these Regulations through direct observation by the MREC (“Municipal Recycling Enforcement Coordinator”), a written warning will be mailed via first class mail to the non-compliant user. If the property is not owner-occupied, a copy of the letter will also be mailed to the property owner. This address will be recorded with a picture of the non-compliance.
2. The second time a user is found not recycling in compliance with Section 102.3 through direct observation by the MREC; the MREC will leave a written notice taped to the mailbox or door of the non-recycling compliant user. This notice shall include the mandatory recycling information and a warning the next offense will result in a fine. The notice may include pictures to be included to show the previous and current offenses.

3. The third time and any subsequent time a user is found to be non-compliant; the MREC may impose a \$100 fine for each non-compliant bag.

D. Severability

The provisions of this chapter are severable and the invalidity of any section or provision of these Regulations, as determined by a Court of competent jurisdiction, shall not invalidate any other section or provision thereof.