

ORDINANCE TO REQUIRE THAT RESIDENTIAL AND COMMERCIAL TRASH DUMPSTERS BE EMPTIED ONLY DURING CERTAIN HOURS


At the regular meeting of the Town Council of the Town of Onley held on November 3, 2003, the following Ordinance was unanimously adopted.

Pursuant to the authority of Section 15.2 - 901 of the Code of Virginia, it shall be unlawful for any person, firm, or corporation to collect the trash or garbage deposited into a metal trash dumpster, whether on commercial or residential property, within the town limits of the Town of Onley, between the hours of 10:00 P.M. and 7:00 A.M.

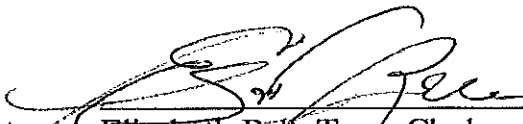
Violations of this Ordinance shall be subject to a civil penalty, not to exceed \$50.00 for the first violation, or violations arising from the same set of operative facts. The civil penalty for subsequent violations not arising from the same set of operative facts within twelve (12) months of the first violation shall not exceed \$200.00. In no event shall a series of specified violations arising from the same set of operative facts resulted in civil penalties that exceed a total of \$3,000.00 in a twelve (12) month period. In the event three (3) civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a twenty-four (24) month period, the fourth such offense shall constitute a Class 3 misdemeanor, and in the event a person is charged with a misdemeanor, such charges shall preclude the imposition of civil penalties for the same violation.

The provisions hereof, shall be effective as of December 1, 2003.

Adopted by the Town Council on November 3, 2003. Voting in favor: Council Members White, Amadeo, Custis, and Lowe. (Council Members Zember and Eller-Smith were absent.)


John Willis Kellam, Mayor

Attest


Elizabeth Bell, Town Clerk

I certify that the foregoing is a true copy of an Ordinance adopted on November 3, 2003 by the Onley Town Council.


Elizabeth Bell, Town Clerk