

*Repealed by
referendum*

~~AN ORDINANCE PROHIBITING THE BURNING OF WASTE MATTER AND ESTABLISHING A MUNICIPAL SERVICE FOR THE COLLECTION AND DISPOSAL OF RUBBISH, WASTE MATTER AND ASHES IN THE CITY OF GOLDEN, COLORADO: SETTING FORTH THE AUTHORITY OF THE CITY MANAGER: PROVIDING PENALTY: PROVIDING FOR THE IMPOSITION AND COLLECTION BY THE CITY OF FEES FOR THE COLLECTION OF RUBBISH, WASTE MATTER AND ASHES: PRESCRIBING PENALTIES FOR VIOLATIONS OF ITS PROVISIONS: AND REPEALING ALL ORDINANCES IN CONFLICT.~~

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

SECTION I DEFINITIONS

The term "waste matter" shall include and be held to mean grass clippings, tree leaves, waste paper, tin cans, paste board boxes, straw, sawdust, packing materials, shavings, ashes and other refuse other than garbage, building materials, dirt, rock, sod, furniture or appliances.

SECTION II AUTHORITY TO CONTRACT

The City by and through its duly authorized employees, its contractors or City licensed operators shall be the sole agency for the collection of rubbish, and waste matter, and no person except such duly authorized employees of the City its contractors, or City licensed operators shall collect within the City the said rubbish and waste matter belonging to another except in the instances of an owner or manager of an apartment house the manager or owner may haul said rubbish and waste matter belonging to the tenants of said apartment house. Nothing in this ordinance shall be construed to relieve any contractor of the obligation of cleaning up premises after completion of his contract. Nothing in this ordinance shall be construed as preventing an individual from hauling his own waste matter or rubbish, providing it is properly disposed of in conformity with all City and County regulations, but such individual shall still be subject to all other provisions of this ordinance.

SECTION III SCOPE OF CONTRACT

The City, its contractors, or City licensed operators shall furnish rubbish and waste matter disposal service as herein provided to all persons resident within the City.

SECTION IV CONTAINERS

(a) Rubbish and waste matter shall be placed in containers of not more than 30 gallons capacity except as hereinafter provided. The combined weight of the contents and containers shall not exceed 100 pounds. The container shall be a water tight receptacle of a solid and durable grade of metal or fire resistant plastic and shall be provided with a suitable handle or handles on the outside and with a tightly fitting metal or plastic cover equipped with a handle. The container must not have anything within the container to prevent the free discharge of the contents. No garbage shall be placed in such a container.

(b) Business establishments which have rubbish or waste matter in quantities sufficient to make impractical its storage in 30 gallon containers, shall provide other suitable means of containing such so as to prevent it from being scattered along the streets and alleys. No garbage shall be placed in such a container. Rubbish and waste matter shall be deposited in such manner as to be readily accessible to the collection crews.

(c) All containers that have deteriorated to the extent of having jagged or sharp edges capable of causing injury to the collector or others whose duty it is to handle the containers, or to such an extent that the lid shall not fit tightly or

securely, will be condemned by the City acting through the City Manager.

(d) The contents of any container which is so overloaded that the lid will not fit securely on the container or which, with the container, weighs more than 100 pounds, will be picked up by the collectors at an additional charge to be fixed by the City Manager.

SECTION V PLACING OF CONTAINERS

(a) Any person desiring to place rubbish or waste matter for collection shall place the container or containers at the rear of the premises of each residential property, unless there is no alley, then in such case at the front of the premises and not later than 8:00 A.M. on those days designated by the City Manager for collection of rubbish and waste matter in the District in which the resident is located.

(b) All containers placed at the rear of the premises must be located within ten (10) feet of the alley.

(c) When containers are required to be placed at the front of the premises, one part of such containers and receptacles shall be located within twelve (12) inches of the yard edge of the front sidewalk or curb, but in no case shall such containers block the use of the sidewalk or the use of the street for parking cars.

(d) All rubbish and waste matter will be picked up at residential property once a week during the months of November, December, January, February, March and April, and twice a week during the months of May, June, July, August, September and October, and at business establishments as frequently as the usage demands, but in no case less frequently than at residential property.

SECTION VI TREE TRIMMINGS AND HEDGE CUTTINGS

Any persons desiring to place tree trimmings or hedge cuttings for collection shall cause the same to be securely tied in bundles not heavier than 75 pounds, nor more than 5 feet in length and 18 inches in diameter. He shall place the same for collection in the same manner on times provided for the collection of waste matter. Heavy tree branches, tree trunks or stumps shall not be included.

SECTION VII MOLESTING RUBBISH AND WASTE CONTAINERS

It shall be unlawful for any person to molest the containers or contents referred to in this ordinance.

SECTION VIII CHARGES FOR SERVICE, RESIDENTIAL

(a) The owner or tenant or occupant of a residence, home, flat or apartment within the territorial limits of the City shall pay to the City for each calendar month from and after the first day of January, 1968, the sum of Two Dollars (\$2.00) for the collection and removal of rubbish and waste matter for each single family residence or for each dwelling unit of a multiple-family dwelling as defined in 18.04.080 Golden Revised Ordinance of 1965 that uses an individual disposal container for each dwelling unit. For a multiple-family dwelling using joint disposal containers, a charge of Two Dollars (\$2.00) will be charged for each of the first two dwelling units, which sum will be billed to each owner, lessee or occupant quarterly with the statement for water and sewer services by the City Treasurer provided that the owner of a residence, home, flat or apartment is primarily liable for the charge; provided further that the amount of said charge and the manner of billing may be changed at any time by resolution of the City Council.

(b) Any resident may be billed an additional charge to be fixed by the City Manager for picking up waste matter from any location other than the front of the premises or alley or for the use of any container other than that described in paragraph (a) - Section 4.

SECTION IX CHARGES FOR SERVICE, COMMERCIAL

The owner, tenant or occupant of any restaurant, hotel, store, motor court, trailer court, multiple-family dwelling of three or more units, commercial enterprise or other building with businesses except private residences, homes or flats within the City, shall pay to the City a fee based upon the average amount of waste matter and the frequency of collection. Such fee shall not be less than \$2.00 per month and shall be fixed by the City Manager. The amount of said charge and the manner of billing may be changed by resolution of the City Council.

SECTION X BURNING OF WASTE MATERIAL

(a) The burning of waste material shall be allowed in a multiple chambered incinerator meeting the construction and performance criteria as set forth in the Incinerator Standards dated May, 1966, published by the Incinerator Institute of America.

(b) After January 1, 1968, no person shall burn any combustible refuse in any incinerator within the City except in an incinerator and/or in equipment found by the Air Pollution Control Officer of Jefferson County, in advance of such use, to be equally effective for the purpose of air pollution control.

SECTION XI PENALTIES

Any corporation, firm, agent or person violating any section of this ordinance shall be deemed guilty of a misdemeanor and subject to a fine of not less than Five Dollars (\$5.00) nor more than Three Hundred Dollars (\$300.00). Each day of said violation shall constitute a separate offense.

SECTION XII CHARGE AGAINST PROPERTY

Any sums due hereunder remaining unpaid on October 1st of any year, shall be certified to the county treasurer for collection no later than December 15th of said year, said assessment, until paid, to be and remain a charge against the premises.

SECTION XIII SAVINGS CLAUSE

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or the application of same to any particular set of persons or circumstances should, for any reason be held invalid, such invalidity shall not effect the remaining portions of this ordinance, and to such end, the various provisions of this ordinance are declared to be severable.

SECTION XIV REPEALING CLAUSE

All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

SECTION XV EFFECTIVE DATE

The effective date of this ordinance shall be January 1, 1968.

Passed and adopted on first reading and ordered published this 9th day of November, 1967.

Passed on second and final reading and ordered published this 14th day of December, 1967.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney