

ORDINANCE NO. 1058

AN ORDINANCE AMENDING TITLE 5, REPEALING
CHAPTER 5.08 AND RE-ENACTING CHAPTER
5.08, HEALTH AND SANITATION, OF THE
GOLDEN REVISED ORDINANCES OF 1965

WHEREAS, it has been determined that proper containment of trash, and the proper location and enclosure of trash containers contributes to the health, safety and welfare of the citizens of Golden; and

WHEREAS, it has been determined that the current regulations which govern both containment and enclosure are inadequate to meet the expectations of a modern urban society.

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

Section 1. Chapter 5.08 of the Golden Revised Ordinances of 1965 is hereby repealed.

Section 2. Chapter 5.08 of the Golden Revised Ordinances of 1965 is hereby re-enacted as follows:

CHAPTER 5.08

Sections:

- 5.08.010 Trash defined.
- 5.08.020 Containment required.
- 5.08.030 Enclosure required.
- 5.08.040 Removal required.
- 5.08.050 Conformance with other laws.
- 5.08.060 Violations - Penalties

5.08.010 Trash defined. The word "trash" as used in this chapter means and includes any organic or inorganic material either solid or liquid which would customarily be considered as waste.

5.08.020 Containment required. Property owners shall be responsible for containing all trash produced on that property in adequate, suitable, environmentally stable, covered containers. The containers shall be located as near to the rear of the property as practicable and shall be located away from adjacent properties or structures so as not to constitute a nuisance or a fire hazard to those adjacent properties or structures. Trash containers shall not be located within the public right-of-way or within the required building front yard or front setback. Temporary trash containers may be located within the right-of-way or within the required building front yard or front setback only when used in conjunction with construction activity which is operating under a valid building permit.

5.08.030 Enclosure required. All trash containers, except temporary trash containers, which exceed thirty-five gallons in size shall be enclosed. The enclosure shall be constructed and maintained in such a manner so as to conceal completely the trash containers from the ordinary, customary view from all adjacent street rights-of-way and adjacent properties. Any trash container in existence on April 13, 1989 and not enclosed in conformance with the provisions of this chapter may continue to be not enclosed until April 13, 1990. Beginning April 13, 1990, all trash containers in the City of Golden shall be enclosed in conformance with the provisions of this chapter, whether or not those containers were in existence on April 13, 1989. Trash containers installed after April 13, 1989 shall conform fully and immediately to the provisions of this chapter.


5.08.040 Removal required. It shall be the responsibility of property owners to remove all trash from that property in a timely manner and to be responsible for that removed trash to be deposited elsewhere in a manner in accordance with all applicable laws.

5.08.050 Conformance with other laws. Nothing in this chapter shall absolve or negate responsibility for compliance with any and all applicable laws which pertain to the proper legal disposal of hazardous, flammable, radioactive or other special categories of waste products.

5.08.060 Violations - Penalties. Enforcement of this code shall be subject to the Violations - Penalties provisions of Section 1.01.110 of the Golden Revised Ordinances of 1965.

Introduced, read and ordered published this 23rd day of March, 1989.

Adopted, approved and ordered published this 13th day of April, 1989.



Marvin L. Kay
Mayor

ATTEST:

Susan M. Brooks
Susan M. Brooks
City Clerk

Approved as to form:

BRADLEY, CAMPBELL & CARNEY

James J. Nolan
James J. Nolan
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read at a regular meeting of the City Council of said city, held on the 23rd day of March, 1989, and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held and on the 13th day of April, 1989, the said proposed ordinance was read on second reading and passed by the City Council and ordered published in the aforesaid newspaper as the law directs.

Witness my hand and official seal of the City of Golden, Colorado, this 14th day of April, 1989.

(SEAL)

Attest: Susan M. Brooks
Susan M. Brooks, City Clerk
of the City of Golden, Colorado