

ORDINANCE NO. 1138

AN ORDINANCE AMENDING SECTIONS 5, 6, AND 7 OF CHAPTER 26, 1953 COMPILED ORDINANCES OF THE CITY OF GRAND JUNCTION, COLORADO; THE SAME BEING THE MUNICIPAL REFUSE COLLECTION SERVICE ORDINANCE OF THE CITY; SUCH AMENDMENTS RELATING TO THE PRECOLLECTION AND COLLECTION PRACTICES AND THE FEES TO BE CHARGED THEREFOR.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

1. That Section 5 of Chapter 26 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado be amended to read:

Section 5. Precollection Practices

a. Preparation of Refuse

(1) Garbage. All garbage before being placed in garbage cans for collections shall have drained from it all free liquids and shall be wrapped in paper or other similar material.

(2) Rubbish. All rubbish shall be drained of liquid before being deposited for collection.

(a) Cans and Bottles. All cans and bottles which have contained food shall be thoroughly rinsed and drained before being deposited for collection.

(b) Trimmings and Clippings. Tree trimmings, hedge clippings, and similar material shall be cut to lengths not to exceed four feet and securely tied in bundles not more than two feet thick before being deposited for collection.

b. Refuse Containers.

(1) Duty to Provide and Maintain in Sanitary Condition. Refuse containers shall be maintained in good condition. Any container that does not conform to the provisions of this Ordinance or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice. The superintendent shall have the authority to refuse collection services for failure to comply herewith.

(2) Ashes. Ash containers shall be made of metal and have a capacity of not more than ten (10) gallons.

(3) Rubbish. Rubbish containers shall be of a kind suitable for collection purposes, and shall be of such weight that they can be handled by one man.

c. Storing of Refuse.

(1) Public Places. No person shall place any refuse in any street, alley or other public place, or upon any private property whether owned by such person or not, within the City except it be in proper containers for collection or under express approval granted by the Superintendent. Nor shall any person throw or deposit any refuse in any stream or other body of water.

(a) Unauthorized Accumulation. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of refuse within thirty days after the effective date of this Ordinance shall be deemed a violation of this Ordinance.

(b) Scattering of Refuse. No person shall cast, place, sweep or deposit anywhere within the City any refuse in such a manner that it may be carried or deposited by the elements upon any street, sidewalk, alley, sewer, parkway, or other public place, or into any occupied premises within the City.

(2) Points of Collection. Refuse containers shall be placed for collection at ground level on the property, and accessible to and not more than ten (10) feet from the curb of the street or side of the alley from which collection is made, provided that containers may be placed for collection at other than ground level and at a distance or more than ten (10) feet when approved by the Superintendent and an additional payment for extra service is agreed upon by both parties.

2. That Section 6 of Chapter 26 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, be amended to read:

Section 6. Collection Practices.

a. Limitation on Quantity.

(1) Residential. The superintendent shall collect a reasonable accumulation of refuse of each family during the collection period for the standard charge.

(2) Commercial. The Superintendent shall collect a reasonable accumulation of refuse of hotels, restaurants and other businesses and institutions during the collection period at a fair charge based upon the average weight, volume, and frequency of collection. The Superintendent shall have the authority to refuse

to collect unreasonable amounts or to make an additional charge for such amounts.

b. Special Refuse Problems.

(1) Contagious Disease Refuse. The removal of wearing, bedding or other refuse from homes or other places where highly infectious or contagious diseases have prevailed should be performed under the supervision and direction of the City Health Officer. Such refuse shall not be placed in containers for regular collections.

(2) Inflammable or Explosive Refuse. Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the Superintendent at the expense of the owner or possessor thereof.

c. Collection By Actual Producers and Outside Collectors.

(1) Requirements for Vehicles. Persons who desire to dispose of waste material not included in the definition of refuse and collectors of refuse from outside the City who desire to haul over the streets of the City, shall use a water-tight vehicle provided with a tight cover and so operated as to prevent offensive odors escaping therefrom and refuse from being blown, dropped, or spilled.

(2) Disposal. Disposal of refuse by persons so permitted under subsection (1) above shall be made outside the City Limits, unless otherwise specifically authorized by the Superintendent. The Superintendent shall have the authority to permit the disposal of such material in the City Sanitary Landfill provided the charge as provided in Section 7 is paid.

(3) Rules and Regulations. The Superintendent shall have the authority to make such other reasonable regulations concerning individual collection and disposal and relating to the hauling of refuse over the City streets by outside collectors as he shall find necessary, subject to the right of appeal as set forth in Section 4 hereof.

d. Refuse. Property of City. Ownership of refuse material set out for collection or deposited on the City landfill shall be vested in the City.

3. That Section 7 of Chapter 26 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado be amended to read:

Section 7. Fees.

a. Collection at Ground Level and Within 10 Feet. The fees for collection and disposal of refuse placed for collection at ground level and not more than ten (10) feet distant from the curb of the street or side of the alley from which collection is made shall be at the following monthly rates, collected monthly with the water bill as follows:

(1) Residential Rate. (Includes all residential uses and "Community Facilities, non-commercial" as defined in the Current City zoning ordinance.)

(a.) Single Family Dwellings:

\$1.25 per month for weekly collection of all refuse.

(b.) Double or Multi-Family Dwellings:

The following monthly rates shall apply for weekly collection of all refuse:

2 units - \$2.00

3 units - 2.75

4 units - 3.50

5 units - 4.25

6 units - 5.00

7 units - 5.75

8 units - 6.50

In instances where multi-family residential uses have five (5) or more units, owners may elect to be charged according to the commercial rate as set forth in Section (2) (a.) below.

(2) Commercial Rate. (Includes all assembly, institutional, business and commercial uses, except "Community Facilities, non-commercial," as defined in the current City zoning ordinance.)

(a.) The minimum charge shall be \$1.90 per month which shall provide weekly collection of up to 100 gallons of refuse.

Rates for increased frequency of collection based on 100 gallons per pick-up shall be:

Once a week service - \$1.90

Twice a week service - 3.00

Three times a week - 3.75

Five times a week - 4.75

Six times a week - 5.00

For each additional 50 gallons per pickup an additional charge of \$.25 shall be added to the monthly rate.

(b.) Up to 50 gallons of refuse may be collected six (6) times a week for a monthly charge of \$4.00.

(c.) Service for Super-Markets requiring use of special trailers because of volume of refuse shall be provided at a monthly rate of \$9.00 per time that the trailers are pulled each week plus a flat monthly amount of \$.50 for each 1/10th of a mile of distance from the super market to the disposal site for the trailers.

(d.) Service for restaurants, cafes, cocktail lounges, etc. (all "restaurant business, limited" uses as defined in the current zoning ordinance) shall be provided at a monthly rate based on \$1.50 for a kitchen and \$.05 for each customer seating capacity. Establishments under this rate shall be entitled to collection service 5 times per week.

(3) Industrial Rate. (Includes all industry uses as defined in the current City zoning ordinance.)

(a.) The minimum charge shall be \$2.25 per month which shall provide weekly collection of up to 120 gallons of refuse, not to exceed 200 lbs. in weight.

(b.) Additional service by frequency or volume may be provided individual industrial users on a cost basis determined upon consideration of the frequency, volume, weight, loading out difficulty, and nature of material to be disposed of.

b. Collection at Other Than Ground Level or More Than 10 Feet. Where the collection of refuse from other than ground level or from more than ten (10) feet from the curb of the street or side of the alley is accepted by the Superintendent, the fee shall be that of Subsection (a.) above, plus a fee set out by the Superintendent subject to appeal to the City Manager which shall be deemed by him to cover the cost of the extra service rendered.

c. Delinquent Accounts. All accounts shall be considered delinquent if not paid within ten days after the date of billing and if not paid within that time shall become delinquent, and the

service shall be shut off without notice unless otherwise resumed thereafter only on payment of the accumulated fees for the period of collection and the period of non-collection plus \$2.00 unless the City Manager specifically directs otherwise.

(1.) Legal Remedy. The stoppage of services hereinbefore authorized for non-payment of collection charges shall be in addition to the right of the City to proceed for collection of such unpaid charges in the manner provided by law for the collection of a municipal claim.

d. Use of Landfill. Any person having the permission of the Superintendent to use the City Landfill for the disposal of refuse shall pay a fee fixed by the Superintendent subject to the right of appeal to the City Manager, such fee shall be based on the cost of disposal.

PASSED AND ADOPTED this 6th day of September, 1961.

Charles E. McCormick

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President of the City Council

ATTEST:

Helen C. Tomlinson

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City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1138, was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 16th day of August, 1961, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City, this 7th day of September, 1961.

Helen C. Tomlinson

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City Clerk

1st Publication 8-19-61

Final Publication 9-9-61