

ORDINANCE NO. 1409

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION TO CHANGE THE GARBAGE AND TRASH REMOVAL RATES; TO PROVIDE FOR A DIFFERENT CONTROLLING AGENCY; TO REPEAL THE REGULATIONS CONCERNING BURNING OF RUBBISH; AND DECLARING AN EMERGENCY.

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

1. That Sections 14-3, 14-4, 14-5, 14-9, 14-10 (B) (2), 14-10 (C) (1), 14-11(A) (B) and (C) and 14-12 of Chapter 14 of the Code of Ordinances of the City of Grand Junction be amended to read as follows:

Sec. 14-3. WHO MAY COLLECT, DISPOSE OF RUBBISH.

All refuse accumulated in the City shall be collected, conveyed and disposed of by the city, its contractor,, or city licensed operators. No other person shall collect, convey over any of the streets or alleys of the city, or dispose of, any. refuse accumulated in the city. Provided, however, this chapter shall not prohibit the actual producer of refuse, or the owner of premises upon which refuse has accumulated, from personally collecting, conveying and disposing of such refuse, provided such refuse is of a nature not normally collectible by the city or is additional to the amount normally collected from the producer under the rates and schedules established by the utilities department for the particular producer and the city utilities department has authorized the disposal of such excess, and provided further that such producer or owner shall comply with the provisions of this chapter and with any other governing law or ordinance. Such hauling shall not affect the obligation of such producer or owner to pay the charges set forth in accordance with Section 14-12.

Sec. 14-4. SUPERVISION OF COLLECTION; REGULATIONS AUTHORIZED.

All refuse accumulated in the city shall be collected, conveyed and disposed of by the city under the supervision of the utilities department. The utilities department shall have the authority to make regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection, conveyance and disposal as he shall find necessary, and to change and modify the same after notice as required by law, provided that such regulations are not contrary to the provisions hereof.

Sec. 14-5. LICENSING PROCEDURE; FEE.

Licenses referred to hereunder shall be granted in accordance with Chapter 17, Article I of this Code and under regulations established by the utilities department. Such license shall be issued upon payment of a license fee of twenty-five dollars

(\$25.00), which fee shall be for the calendar year, or portion thereof, and shall be revocable upon violation of any regulation established by the utilities department.

Sec. 14-9. APPEALS FROM UTILITIES DEPARTMENT.

Any person aggrieved by a regulation of, or fee charged by, the utilities department shall have the right of appeal to the city manager who shall have the authority to confirm, modify or revoke any such regulation or fee.

Sec. 14-10. PRECOLLECTION PRACTICES.

(B) REFUSE CONTAINERS:

(2) 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 chapter 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 utilities department shall have the authority to refuse collection services for failure to comply herewith.

Sec. 14-10. PRECOLLECTION PRACTICES

(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 in proper containers for collection or under express approval granted by the utilities department. No person shall throw or deposit any refuse in any stream or other body of water,

Sec. 14-11. COLLECTION PRACTICES.

(A) LIMITATION ON QUANTITY:

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

(2) Commercial. The utilities department 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 utilities department 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 county health officer. Such refuse shall not be placed in containers for regular collections.

(2) Inflammable or Explosive Refuses. Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the utilities department 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 watertight 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 paragraph (C) (1) above shall be made outside the city limits, unless otherwise specifically authorized by the utilities department. The utilities department shall have the authority to permit the disposal of such material in the city sanitary landfill provided the charge as provided in section 14-12 is paid.

Sec. 14-12. 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 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: \$1.95 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 at a single pickup point for each building;

2 units	.....	\$3.15
3 units	.....	4.35
4 units	.....	5.55
5 units	.....	6.75
6 units	.....	7.95

7 units . . . . .	9.15
8 units . . . . .	10.35

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

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

(a) The minimum charge shall be \$2.70 per month which shall provide weekly collection of up to 155 gallons of refuse. Rates for increased frequency of collection based on the equivalent of five (5) thirty one (31) gallon containers(155 gallons) per pickup shall be:

Once a week service . . . . .	\$ 2.70
Twice a week service . . . . .	4.70
Three times a week service . . . . .	6.70
Four times a week service . . . . .	8.70
Five times a week service . . . . .	10.70
Six times a week service . . . . .	12.70

For each additional thirty one (31) gallons per pickup, a part thereof, an additional charge of fifty cents (\$0.50) shall be added to the monthly rate.

(b) Service for supermarkets and other large volume producers, in trailers and chutes shall be at the rate of sixty cents (60) per cubic yard per pickup.

(c) Service for restaurants, cafes, cocktail lounges, etc. (all "restaurant business limited" uses as defined in the current zoning ordinance) shall be provided at the standard commercial rate as set forth in Section 14-12, (2).

(d) The monthly service charge for collection from two cubic yard sanitation tanks shall be as follows:

1st tank once a week service . . . . .	\$6.60
Twice to six times . . . . .	6.00 ea.
Each additional tank once a week pickup. . .	4.95
Twice to six times . . . . .	4.50 ea.
Rental for city-owned tanks (monthly) . . .	5.00 ea.

Service and rental charges for larger tanks shall be set by the Utilities Department when available, subject to appeal to the City Manager, which shall be deemed to cover the cost of extra services rendered.

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

(a) The minimum charge shall be \$4.00 per month which shall provide weekly collection of up to 155 gallons of refuse not to exceed 250 pounds 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 feet from the curb of the street or side of the alley is accepted by the utilities department, the fee shall be that of paragraph (A) (2) (a) above, plus a fee set out by the utilities department 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 forty five 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 noncollection plus two dollars (\$2.00) unless the city manager specifically directs otherwise; provided further that the water service may be discontinued to enforce collection of delinquent accounts hereunder in addition to any other remedy provided. The stoppage of services hereinbefore authorized for nonpayment 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 utilities department to use the city landfill for the disposal of refuse shall pay a fee fixed by the utilities department subject to the right of appeal to the city manager. Such fee shall be based on the cost of disposal.

2. That Section 14-13 of Chapter 14 of the Code of Ordinances of the City of Grand Junction be, and the same hereby is repealed.

3. That the fees set forth herein shall become effective with billings made on or after December 1, 1971.

4. Because established utility rates have failed to provide adequate revenues for operation of the utility systems together with debt service, a special emergency exists making this ordinance necessary for the preservation of the public peace, health and safety and it shall become effective upon its passage for the purposes stated.

PASSED and ADOPTED this 3rd day of November, 1971.

/s/ Stanley R. Anderson  
President of the Council

ATTEST:

/s/ Neva B. Lockhart  
City Clerk

I HEREBY CERTIFY that the foregoing emergency ordinance, entitled AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF GRAND JUNCTION TO CHANGE THE GARBAGE AND TRASH REMOVAL RATES; TO PROVIDE FOR A DIFFERENT CONTROLLING AGENCY; TO REPEAL THE REGULATIONS CONCERNING BURNING OF RUBBISH; AND DECLARING AN EMERGENCY was introduced, read, passed and adopted as an emergency ordinance. numbered 1409 and ordered published by the unanimous vote of the members of the City Council of the City of Grand Junction at a regular meeting of said Council held on the 3rd day of November, 1971.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of said City this 4th day of November, 1971.

/s/ Neva B. Lockhart  
City Clerk

Published: November 6, 1971