AN ORDINANCE RELATING TO SANITATION
AND THE COLLECTION AND DISPOSAL OF REFUSE NO. 78

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WASHBURN, NORTH DAKOTA.

Section 1. Utility Established. There is herewith created a Public Utility of the City of Washburn to be known as Refuse Collection and Disposal Utility. Such utility shall be responsible to carry out the provisions of this ordinance and shall supervise and arrange for a refuse collection system, disposal grounds, and sanitary landfill disposal system. The utility shall have the power and authority to purchase or lease in the name of the City of Washburn such lands as are necessary for disposal of refuse; to purchase or lease such equipment as may be necessary.

Section 2. Definitions. For the purpose of this article the following words shall have the meanings given herein:

A. Refuse: The term "refuse", as used in this ordinance, is defined to be all manner of kitchen and household garbage, all offal including both animal and vegetable matter, metal and glass food containers from which food has been removed, waste paper and paper containers, and all other waste material and things produced or accumulated in the operation of kitchens or places where food is served or sold, produced, or consumed, including all waste matter from homes, stores or places of business of any nature, and including rubbish, leaves, branches of trees, and waste paper, including ashes, which may constitute a menace to public health or create a fire hazard or an unsightly condition.

B. Garbage: Garbage is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

C. Rubbish: Rubbish is nonputrescible solid wastes (excluding ashes) consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

D. Ashes: Ashes is the residue from burning wood, coal, coke or other combustible materials.

Section 3. Garbage Cans. Garbage containers shall be made of metal, be galvanized, watertight, have close-fitting covers, and adequate handles to facilitate collection. Such containers shall be not less than 15 gallons nor more than 30 gallons in capacity, and shall be kept clean and be protected against the access of flies and rodents. Garbage in cans to be in closed plastic bags or wrapped and tied in bundles.

Section 4. Storage of Garbage. Each property owner or occupant of any building or premises located within the City of Washburn, used for business purposes, shall store all garbage in covered metal containers on a platform elevated at least 18 inches above ground level. In the case of residential property, garbage cans shall be kept at or near the rear door of the building using the same or at the rear of the property if there is an alley, and shall be placed on racks or stands not less than 12 inches above ground level and

hall be so enclosed to prevent access thereto by dogs, rats, flies, and vermin. In either event, such cans shall be readily accessible to the garbage collectors at all times.

Section 5. Accumulation of Refuse Prohibited. No person shall permit or suffer to accumulate in or about any yard, lot, place or premises; or upon any street or sidewalk, adjacent to or abutting upon any lot, block, or place, or premises owned and occupied by him, or for which he may be agent, within the city limits, any and all refuse, nor suffer such yard, lot, place or premises to be or remain in such condition. It shall be unlawful to throw, place, or deposit, or permit to be thrown, placed or deposited, any refuse as defined in Section 2 hereof, upon any street, alley, public way, or public place, or on any private lot, piece or parcel of ground within the corporate limits of the City of Washburn except in the place hereinafter provided.

Section 6. Hauling and Disposal of Refuse. No garbage shall be hauled on the streets of the City of Washburn unless the same is contained in such metal receptacles as hereinbefore described, with covers tightly fitted thereon, or unless hauled in trucks, trailers, or vehicles which are covered in such manner as to prevent the scattering of such garbage upon the streets. Rubbish must also be hauled in vehicles which prevent the scattering of same on the streets. All refuse shall be disposed of in the place provided by the City of Washburn for such purpose and no such garbage as herein defined shall be disposed of at any other place.

Section 7. Burning of Refuse Prohibited. It shall be unlawful to burn refuse as defined in Section 2 herein, within the City limits.

Section 8. Private Disposal of Refuse. Any person other than a licensed Refuse collector who shall wish to dispose of refuse at the City Disposal Grounds shall make such deposit at times to be established by the City or operator of the grounds.

Section 9. License Required. No person shall collect and haul any refuse for hire without having first secured a license from the City to do so.

Section 10. Procedure in Obtaining License. Issuance of license shall be based upon successful bids in accordance with advertisements for bids and instructions issued to bidders from time to time by the City. The license fee shall be Ten Dollars ($10.00) per annum.

Section 11. Collection of Refuse Disposal Charges. The Water Works Department of the City of Washburn is hereby authorized to add the Refuse disposal charges provided herein to its charge for water service and submit the same on a bill in connection with said water service bills and said Water Works Department shall be authorized to discontinue services if the entire bill shall not be paid. In all places where water service is provided, the monthly charges set forth shall be added to and collected as a part of the

water bill. In all places where water service is not provided, the charge above set forth shall be paid to the Water Works Department upon monthly bills from the said department.

No person within the City of Washburn shall be permitted to refuse to accept such refuse collection service and the failure to receive such service shall not exempt him from payment of charges herein before set forth save and except only those persons residing in areas in which no refuse collection service is provided, and in such areas no charges shall be made.

Charges shall be determined from time to time by the City, based on acceptance of collection and disposal bids and costs incurred in the conduction of the service.

Section 12. Penalties. Any person, firm, or corporation violating any of the terms or provisions of this ordinance shall be punished upon conviction thereof, by a fine of not more than $100.00, imprisonment for not more than 30 days or both such fine and imprisonment.

Section 13. Effective Date. This ordinance shall be in full force and take effect immediately upon its final passage and the publication of its title and penalty clause.

First Reading December 6, 1971

Second Reading
and Final Passage December 13, 1971

Approved: E. W. Chase
E. W. CHASE
President of the
City Commission

Attest: John Romanick
JOHN ROMANICK,
Auditor