

## CHAPTER 3

**LITTERING; GARBAGE DISPOSAL**

## SECTION:

- 4-3-1: Unauthorized Use Of Containers
- 4-3-2: Blocking Access To Containers Prohibited
- 4-3-3: Placing Burning Material Into Container Prohibited
- 4-3-4: Prohibited Deposit Of Solid Waste
- 4-3-5: Penalty

4-3-1: **UNAUTHORIZED USE OF CONTAINERS:**

- A. No person shall deposit any litter, refuse or garbage, or cause or permit such to be deposited, on or around the garbage containers of another without the consent of the owner of the container.
- B. No household garbage shall be deposited in city containers.
- C. The identification of mail or other material bearing the name(s) of a person, identifying such person or entity, deposited in, on, or around a container shall constitute prima facie evidence of ownership. (1985 Code § 9.40.010)
- D. Any person convicted of a violation of this section shall be punished by a civil penalty of not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00), plus court costs. Any civil penalty assessed and collected by the court shall be distributed as follows: one-third ( $\frac{1}{3}$ ) to the person apprehending or reporting the offender other than city employees in the course of their employment; one-third ( $\frac{1}{3}$ ) to the owner of the receptacle; and one-third ( $\frac{1}{3}$ ) to the city. (1985 Code § 9.40.020)

4-3-2: **BLOCKING ACCESS TO CONTAINERS PROHIBITED:** No vehicle or other obstruction, including snow, shall block access to a container that is to be dumped. If access is blocked, to the

extent the container cannot be dumped and an additional fee is to be charged for a return call to empty a container, the party responsible for blocking the container shall be liable to the owner for the fee. (1985 Code § 9.40.030)

4-3-3:           **PLACING BURNING MATERIAL INTO CONTAINER PROHIBITED:** It is unlawful for any person to deposit in any solid waste container any burning materials or materials sufficiently hot to create combustion when the same comes in contact with other solid waste. (1985 Code § 9.40.050)

4-3-4:           **PROHIBITED DEPOSIT OF SOLID WASTE:** It is unlawful for any person to dump or in any manner dispose of solid waste upon any street, alley, public place or private property owned by another person within the city. (1985 Code § 9.40.040)

4-3-5:           **PENALTY:** Any person, firm, or corporation violating section 4-3-2, 4-3-3 or 4-3-4 of this chapter shall be assessed a civil penalty of not less than fifty dollars (\$50.00) nor more than one thousand dollars (\$1,000.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (1985 Code § 9.40.070)