

ORDINANCE NO. 1054

AN ORDINANCE AMENDING SECTION 13-6, PLACEMENT FOR COLLECTION, *CODE OF THE CITY OF FORT MORGAN*, (1994)

BE IT ORDAINED BY THE COUNCIL OF FORT MORGAN:

SEC. 13-6, PLACEMENT FOR COLLECTION, *Fort Morgan Municipal Code* (1994), IS HEREBY AMENDED TO READ IN ITS ENTIRETY AS FOLLOWS:

Sec. 13-6. Placement for collection.

The City shall place the refuse and garbage containers provided by the City at such locations in the streets and alleys and places in the City as it shall determine, and it shall be unlawful and a municipal misdemeanor for any person to remove a container or "dumpster" or to change its location from that established by the City or to use the same in any manner or for any purpose except for the deposit of garbage and refuse as provided in this Article.

13-6.1 Provisions for Service of Rollout Containers.

- A. Service of Rollout Containers shall normally occur two (2) times per week.
- B. Rollout Containers shall be placed for service as follows:
 1. For those customers serviced from the street and receiving curbside service, refuse containers are to be placed at the curb after 4:00 p.m. the night before the day of the collection and no later than 7:00 a.m. on the day of collection.
 2. Rollout Containers must be removed from the collection point not later than 8:00 p.m. the day of collection.
 3. Rollout Containers must be placed directly to the right or left of the driveway at the curb line.
 4. Rollout Containers must be placed on a level surface, with a minimum of two (2) feet from each other. Where a residence does not have a driveway the rollout container shall be placed at least four (4) feet from the curb.
 5. Rollout Containers must be placed with the rollout wheels set to the curb.
 6. Refuse shall not be placed in the street or on the sidewalk, or in any manner that it will interfere with vehicular or pedestrian traffic.
 7. All contents shall fit securely in the container so as to not cause the opening between the rim and the lid of the container to be greater than a forty-five (45) degree angle. All materials above the rim of the container must be bagged to prevent spillage. Occupant may be required to obtain an additional container at the discretion of the Superintendent of Public Works when excess waste is generated frequently.
 8. The combined weight of each container and its contents shall not exceed three-hundred-thirty-five (335 lbs) pounds.

13.6.2 Violations.

It shall be unlawful for any customer to place a container at the curb prior to 4:00 p.m. the night prior to the day of the collection, or to fail to remove a container from the public right-of-way by 8:00 p.m. on the day of collection.

13.6.3 Continuing Violations.

Each and every day any violation of this code or any other ordinance, rule or regulation of the city continues shall, unless otherwise provided, constitute a distinct and separately punishable offense.

EFFECTIVE DATE.

This Ordinance shall be in full force and effect five (5) days after publication.

READ AND PASSED ON FIRST READING AND ORDERED PUBLISHED IN FULL on the 18th day of September, 2007.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea J. Strand
City Clerk

PASSED, APPROVED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED by title only the 2nd day of October, 2007.

THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO

[SEAL]

BY: /s/ Jack L. Darnell
Mayor

ATTEST:

/s/ Andrea J. Strand
City Clerk

STATE OF COLORADO)
COUNTY OF MORGAN)
CITY OF FORT MORGAN)

CERTIFICATE

I, Andrea Strand, the duly appointed, qualified and acting Clerk of the City of Fort Morgan, Colorado, do hereby certify and attest that the foregoing **Ordinance No. 1054** was, as a proposed **Ordinance** duly and legally presented to the City Council of the City of Fort Morgan, Colorado, at a regular meeting on the 18th day of September , 2007. Said **Ordinance**, as proposed, was duly read at length at said regular meeting, and thereafter the same was, on the 21st day of September, 2007, published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Said proposed **Ordinance** was again taken up and read a second time, duly and legally passed, approved and adopted at a Regular Meeting of the City Council held on the 2nd day of October, 2007. Within five (5) days after its final passage, said **Ordinance** was published in *The Fort Morgan Times*, a daily newspaper of general circulation published and printed in the City of Fort Morgan, Morgan County, Colorado. Published on October 10, 2007.

/s/ Andrea J. Strand
City Clerk