

Ordinance No. 343
AN ORDINANCE RELATING TO THE SANITATION AND PROMOTION OF PUBLIC HEALTH AND SAFETY; PROVIDING FOR AND REGULATING SANITARY CONDITIONS ON PUBLIC AND PRIVATE PROPERTY WITHIN THE CITY AND FOR THE COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE; FIXING CHARGES AGAINST PROPERTY OWNERS OR OCCUPANTS FOR SUCH COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE; PROVIDING PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO.

ARTICLE I
Section 1. DEFINITIONS:
"Garbage" shall include and mean kitchen and table refuse, offal, swill, every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay or dealing in or storage of meats, fish, birds, fruits or vegetables; provided however, that manure, dead animals and offal of slaughter houses are excluded.

"Refuse" shall include and mean all broken crockery, broken bottles, broken bricks, tin vessels, grass weeds, flowers, pasteboard boxes, paper, soil, sweepings, ashes, stones, and every kind of waste matter or material.

Section 2. DISPOSAL AND REMOVAL GENERALLY.
Any owner, lessor, agent, tenant or occupant of any house, dwelling or building where housekeeping, cooking or eating is done, or where any business is carried on in the city shall dispose of and remove garbage and refuse which may accumulate from such house, dwelling or building.

Section 3. DEPOSITING ON STREETS, VACANT LOTS, ETC.
It shall be unlawful for any person having garbage or refuse in the city to throw and deposit the same, or cause the same to be thrown or deposited, upon any street, alley, park or other public place or to throw or deposit the same upon any vacant lot or back yard, or to store or keep the same otherwise than in cans or receptacles as required by this ordinance.

Section 4. DEPOSITING ON PRIVATE PREMISES.
It shall be unlawful to keep, place or deposit garbage on any private grounds or premises whatsoever required by section 6.

Section 5. PROVIDING FOOD, ETC. FOR RATS.
It shall be unlawful to have, store, deposit or keep garbage or refuse where rats can have access thereto or feed thereon.

Section 6. CONTAINERS - REQUIRED.
Every owner, lessor or agent of any business establishment and of any house dwelling or building where housekeeping, cooking or eating is done shall provide and keep at all times suitable and sufficient vessels for receiving and holding without running over or leaking, garbage and refuse which may accumulate from such house, dwelling or building.

Section 7. SPECIFICATIONS GENERALLY.
The container shall be a watertight receptacle of a solid and durable grade of metal and shall be provided with a suitable handle on the outside and inside structures such as inside bands and reinforcing angles to prevent free discharge of the contents.

All refuse and garbage of residences in the city may be placed in the same container, receptacle or incinerator, provided both items are drained of free liquids, and all bottles and food containers thoroughly drained and rinsed, and provided all moist garbage which is capable of freezing or otherwise adhering to the bottom and inside of the container or receptacle or as to form a permanent sticky and unwholesome mass in which flies or other insects may breed and flourish, shall be wrapped in a paper of sufficient strength, or such paper shall be spread on the bottom of such container or receptacle, so as to prevent such garbage from adhering to such container or re-

ceptacle.
Section 8. PLACEMENT.
Every person shall place all containers in the alley way adjacent to his residence in such a manner as to be accessible to the garbage collector not later than 9:00 A.M. of each day; if there is no alley or if the alley is closed or inaccessible, every person shall place the container in or near the curb line in front of his residence.

Section 9. DISTURBING, ETC.
No person shall molest, remove, handle or otherwise disturb the garbage and refuse containers or contents which have been placed for servicing by the garbage collector except the owner, occupant, lessor or tenant of the residence, dwelling or building, or their employees and agents.

Section 10. CONDEMNATION.
Containers that have deteriorated so as to cause injury to garbage collectors or so as to result in loose fitting lids will be condemned by the City Engineer.

SECTION 11. DISPUTES AS TO PLACEMENT AND FREQUENCY OF COLLECTION.
In all cases of dispute or complaint concerning the place where garbage or refuse containers shall be placed while waiting the removal of their contents or how often any garbage or refuse shall be removed; when the same are not specifically fixed by this ordinance or other laws of the city, the city engineer shall determine any disputed point above referred to and his decision shall be final.

Section 12. COLLECTION BY CONTRACT OR CITY EMPLOYEES.
The City Council may enter into an exclusive contract or agreement with any person for the collection and removal of garbage or refuse throughout the city, or it may at its discretion make provisions for the collection and removal of garbage and refuse throughout the city by its own employees or agent.

Section 13. SPECIAL PERMISSION REQUIRED FOR REMOVAL, ETC., BY PRIVATE PERSONS.

No person except the employees of the city or persons under contract with it for such purpose, shall collect any garbage or refuse within the city or shall convey any garbage through any street, lane, road, alley or public highway of the city, unless such person shall first have obtained special permission from the city engineer for such collection, removal and conveyance. Anyone dumping at the City dump shall pay a fee of \$2.00 per month to help defray the cost of disposal. No person shall be permitted to salvage within the dumping area.

Section 14. CONSTRUCTION OF INCINERATORS AND ASH PITS.
Incinerators or ash pits shall be of metal, brick, stone or cement construction; shall be well ventilated; and shall have a fire-proof cover; provided, that all said incinerators or ash pits to be constructed in the City shall be approved by the Street and Alley Committee of the City Council of the City of Las Animas. No garbage or refuse shall be burned therein which produces objectional or obnoxious odors.

Section 15. COLLECTION RATES - TABLE OF CHARGES.

The fees set forth in this section are hereby fixed as the charges for removal and hauling of garbage and refuse in the city:

Single family residence\$.50 each
Two family residence 1.00 each
Apartments (two) 1.00 each
Apartments in excess of two50 each

Provided, however, that the above rates for apartments and trailer camps are based upon necessity for making only one stop for collection of such garbage and refuse. If more than one stop per day is required then fifty cents per additional stop shall be added to the above rates per month. Cartons, boxes, crates and other refuse which cannot be conveniently deposited in the required containers and which cannot be treated and handled as other garbage and refuse with the available equipment shall be subject to special charge to be determined and assessed according to the particular circumstances.

The foregoing rates on residences may be raised or lowered and rates for commercial establishments may

be established by resolution of the City Council.

Section 16. TO BE BILLED MONTHLY AS PART OF WATER BILL; DELINQUENT BILLS.

The collection fees enumerated in section 15 shall be billed monthly or semi-annually from and after January 1, 1961, as part of the water bill for each month. Should garbage and refuse collection bills become delinquent, water service may be discontinued at the discretion of the City Engineer.

ARTICLE II. WEEDS, BRUSH AND RUBBISH.

Section 17. WHEN TO BE REMOVED.
All weeds, brush, and rubbish of all kinds shall be removed from all lots and tracts of land within the city and from the alleys behind and the sidewalk areas in front thereof between the fifteenth day of June and fifteenth day of July of each year.

Section 18. NOTICE TO REMOVE.
Between the first and the fifteenth days of June each year the chief of police by a general notice published in at least one issue of each weekly newspaper published in the city, shall notify the tenants and owners of all lots and tracts of land in the city to remove all weeds, brush, and rubbish of all kinds from the lots and tracts of land and from the alleys behind and the sidewalk area in front thereof between the dates of the fifteenth day of June and the fifteenth day of July of that year.

Section 19. REMOVAL BY CITY GENERALLY.

If after notice is given as provided in section 18, any tenant or owners of any lot or tract of land in the city shall fail or refuse to remove the weeds, brush or rubbish in the manner and within the time specified in section 17, the street commissioner shall proceed to remove or have removed all weeds, brush and rubbish of all kinds from all lots and tracts of land in the city and from all alleys behind and all sidewalk areas in front thereof.

Section 20. COST OF REMOVAL BY CITY - ASSESSMENT AND COST SCHEDULE.

The cost of removing the weeds, brush and rubbish pursuant to section 19, plus five per centum for inspection and other incidental costs in connection therewith, shall be and is hereby assessed upon the lots and tracts of land from which he has removed or caused to be removed all weeds, brush and rubbish, and the cost of the removal and the names of the owners thereof.

Section 21. COST TO CONSTITUTE LIEN: WHEN ASSESSED AMOUNT DUE AND PAYABLE.

Upon receipt of the schedule specified in section 15, the city clerk shall assess the cost of the removal of the weeds, brush and rubbish, plus five per centum for inspection against the owners of each lot or tract from which the weeds, brush and rubbish were removed and the amount so assessed shall be a lien in the several amounts assessed against each lot or tract of land until the same is paid, and shall have priority over all other liens except general taxes and prior special assessments, and shall be due and payable at the time of the assessment by the owners of the property. Such assessment must be paid within thirty days from the time the assessment is made.

Section 22. COLLECTION OF LIEN AS TAX.

In case any assessment due and payable under this article is not paid within thirty days from the time the assessment is made, the city clerk shall certify the same to the county treasurer to be placed, by him upon the tax list of the current year and to be collected with ten per centum penalty thereon to defray the cost of collection.

Published once, read and passed, adopted and approved on second and third reading and ordered published this 5th day of December, 1960.

APPROVED:
A. F. COFFEY, Mayor
Attest:
VERA WYGLE, City Clerk
Published December 9, 1960 in the Bent County Democrat.

wilson jones

Certification to Ordinance 343

STATE OF COLORADO)
COUNTY OF BENT) ss.
CITY OF LAS ANIMAS)

I, Vera Wygle, City Clerk of the City of Las Animas, Colorado, do hereby certify that the above and foregoing Ordinance was introduced, and read in full and passed on first reading at a Special meeting of the City Council held on the 27th of October, 1960 and published in the Bent County Democrat in it's issue of November 11th, 1960, and was finally passed, adopted and approved at a regular meeting of the City Council held the 5th day of December 1960 and ordered published in it's issue of December 9th, 1960 and numbered Ordinance 343, of the City of Las Animas, Bent County, Colorado, that said ordinance was published in said order on December 9th, 1960.

IN WITNESS WHEREOF, I hereunto set my hand and the seal of the City of Las Animas, Colorado, this 10th day of December, 1960.

Vera Wygle, City Clerk
Vera Wygle, City Clerk