

**CITY OF CENTRAL, COLORADO
ORDINANCE 12-17**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL
COLORADO AMENDING CERTAIN PROVISIONS OF ARTICLE III OF
CHAPTER 7 OF THE CENTRAL CITY MUNICIPAL CODE REGARDING
GARBAGE AND REFUSE; AND ADOPTING TIMES WHEN RESIDENTIAL
TRASH CANS CAN BE OUTSIDE**

WHEREAS, the City of Central is a home rule municipality that is authorized, pursuant to its Home Rule Charter, the Colorado Constitution and state law, to adopt ordinances in furtherance of the health, safety and welfare of the City's inhabitants; and

WHEREAS, the City has previously adopted regulations pertaining to garbage and refuse standards, as codified in Article III of Chapter 7 of the Central City Municipal Code; and

WHEREAS, the Central City Municipal Code does not currently address when residential trash cans can be outside; and

WHEREAS, wildlife found in this mountainous area includes, bear, mountain lions, raccoons and other animals which can be attracted to trash cans which are left out; and

WHEREAS, when attracted to trash cans, wildlife can become a nuisance by scattering trash around properties, as well as create potentially deadly situations for both humans and wildlife; and

WHEREAS, keeping the City clean and minimizing human/wildlife conflict are both desirable goals of the City.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO THAT:**

Section 1. **Creation of Section 7-87.** Section 7-87 of Article III of Chapter 7 is hereby created to read as set forth below:

It shall be unlawful to place residential garbage or recycling containers within a front yard setback or in the public right-of-way or out for collection at any time earlier than 6:00 a.m. on the scheduled date of collection. All such containers shall be removed from those locations by 9:00 p.m. on collection day.

Secs. 7-88 – 7-100. Reserved.

Section 2. **Codification Amendments.** The codifier of Central City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Central City Municipal Code.

Section 3. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 5. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the 20th day of November, 2012, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

Approved as to form:

Linda C. Michow, City Attorney

ATTEST:

Reba Bechtel, City Clerk

PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the 4th day of December, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on November 22, 2012.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on December 6, 2012.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk