

ORDINANCE NO. 88

AN ORDINANCE TO AMEND CHAPTER 7.07 OF THE TOWN CODE
OF THE TOWN OF ENNIS

CHAPTER 7.07

SOLID WASTE DISPOSAL

Sections:

- 7.07.010 Town to Contract for Disposition
- 7.07.020 Fees to Defray Costs
- 7.07.030 Location of Pick Up
- 7.07.040 Maximum Amount of Pick Up - Repealed
- 7.07.050 Monthly Statement of Charges - Repealed
- 7.07.060 The Penalty Clause
- 7.07.070 Validity
- 7.07.080 Effective Date

7.07.010 Town to Contract for Disposition. The Town of Ennis shall provide by contract for the disposition and removal of ashes, garbage, refuse and other offensive matter from the streets, specified alleys and other premises within the Town by entering into a contract for removal and disposition thereof with a private contractor. Such service is nonmandatory for the individual citizens of Ennis; the nonmandatory nature of the contract in no way excuses noncompliance with the remainder of this ordinance.

7.07.020 Fees to Defray Costs. The cost of such disposition shall be according to contract signed by the Town.

7.07.030 Location of Pick Up. Residential garbage shall be placed at a location agreed upon by the garbage contractor and the Town of Ennis. Such agreement shall be the result of negotiation between the garbage contractor and the Town of Ennis and not the option of the customer.

7.07.040 Maximum Amount of Pick Up. Repealed.

7.07.050 Monthly Statement of Charges. Repealed.

7.07.060 Penalty Clause.

A. Repealed.

B. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town of Ennis or any jurisdiction of said town any garbage or other objectionable waste or refuse. Such person shall be assessed a fine of not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) per each offense.

C. Illegal Dumping. It shall be unlawful for any person to place, deposit or permit to be deposited their garbage into containers or dumpsters designated and provided for the use of commercial businesses, residence, schools, parks or the Town of Ennis. Such persons shall be assessed a fine of not less than Twenty-Five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) for each offense.

D. It shall be unlawful for any person to store, accumulate or place offensive material upon one's own property or the public right of way for more than one week. This is not meant to include compost piles from material that is generated by the occupant upon the occupant's property, but this is meant to include but not limited to; brush and slash from land clearing, nonfunctional vehicles and parts therefrom, accumulation of trash and garbage sacks, rubble and debris from demolition, dead animals, discarded lumber and building materials. Items for disposal must be properly containerized. Failure to have materials removed at the earliest possible service date, or once per week, from the garbage collector can result in a fine of not less than Twenty-Five Dollars (\$25.00)

nor more than One Hundred Dollars (\$100.00) plus a clean up fee for each offense.

E. It shall be unlawful for a customer to allow trash to accumulate and create an unsightly, unsanitary condition around their dumpster or garbage site. It is the responsibility of each and every customer to maintain a neat and clean disposal site. In the case of shared sites, the responsibility for clean up shall be equally assumed. Failure to do so will cost the customer clean up fees plus fines of not less than Twenty-Five Dollars (\$25.00) but not more than One Hundred Dollars (\$100.00) for each offense.

F. It shall be unlawful, as mandated by State Law, that no garbage shall be dumped from containers larger than 35 gallon capacity from residences. Containers must meet the restrictions mandated. Any person expecting the garbage to be dumped from a larger container shall face the penalty of having the garbage collector dispose of his illegal container. The replacement will be at the owner's expense.

G. All refuse shall be stored in plastic bags and placed inside an approved container as specified by the The Town garbage contract and this ordinance.

7.07.070 Validity:

A. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

B. The invalidity of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

7.07.080 Effective Date:

This ordinance shall be in full force and effect thirty (30) days after its adoption by the Ennis Town Council and duly notice has been given to the public.

PASSED BY THE ENNIS TOWN COUNCIL AND APPROVED BY THE MAYOR
THIS 10th DAY OF September, 1987.

E. A. Gairrett
E. A. GAIRRETT, MAYOR

ATTEST Pamela M. Allison
PAMELA M. ALLISON, TOWN CLERK

First Reading August 13, 1987

Second Reading August 27, 1987

Posted September 3, 1987

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA }
County of Madison } SS.

Daryl L. Tubenon

being duly sworn says that he is publisher and printer of The Madisonian, a weekly newspaper published in the City of Virginia City, County of Madison, State of Montana; that the annexed notice is a true copy which was published in said newspaper for a period of 2

successive weeks, commencing on the 27th

day of August, 1987,

and ending on the 3rd day of

September, 1987.

Lamis J. Christensen for
Daryl L. Tubenon Publisher and Printer.

Subscribed and sworn to before me this 4th day of September, 1987.

Evelyn M. Smul

Notary Public in and for the State of Montana, residing at Virginia City, Montana. My commission Alder

expires January 8, 1990.

Ennis. Such agreement shall be the result of negotiation between the garbage contractor and the Town of Ennis and not the option of the customer.

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Passed by the Ennis Town Council and approved by the mayor this day of , 19 .

E. A. Gairrett, Mayor
Attest: Pamela M. Allison,
Town Clerk.

(Pub. Aug. 27 and Sept. 3, 1987) et

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