

ORDINANCE NO. 4

AN ORDINANCE PROVIDING FOR THE COLLECTION AND DISPOSAL OF GARBAGE; AUTHORIZING A CONTRACT THEREFOR; AND RELATING GENERALLY TO THE HEALTH AND SANITATION OF THE CITY OF WILSONVILLE AND THE INHABITANTS THEREOF.

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Definitions. For the purpose of this ordinance, the following words and phrases shall have the meanings ascribed to them in this section:

- (a) "Person" shall mean any institution, public or private corporation, individual, partnership or other entity.
- (b) "Premises" shall mean land, buildings or other structures, vehicles, water craft or parts thereof upon or in which garbage is stored.
- (c) "Garbage" shall mean all refuse and solid wastes, including ashes, rubbish, tin cans, debris generally, dead animals, street cleanings and industrial wastes and things ordinarily and customarily discarded and dumped for the purpose of promoting the cleanliness and health of the City and its residents, but not including sewage and body waste.
- (d) "Contractor" shall mean person or persons, corporation, partnership or other entity who is a party to a Garbage Collection Contract with the City of Wilsonville.

Section 2. The regulation of the disposal and hauling of garbage in the City of Wilsonville under the provisions of this ordinance shall be under the supervision of the City Council or an agent or employee of the City, duly designated by the City Council and the powers and duties of said Council or as delegated shall include, though not exclusively, authority to conduct periodic inspections to insure full compliance with the terms and provisions of this ordinance and to arbitrate or provide for arbitration of any and all disputes arising between the Contractor and the citizens of the City of Wilsonville.

Section 3. It shall be unlawful for any person in possession, charge or in control of any dwelling, apartment house, trailer camp, restaurant, place of business or manufacturing establishment where garbage is created or accumulated, to fail at all times to keep portable cans or containers of standard type and construction and to deposit said garbage therein, provided

however that stiff paper products and wooden or metal waste matter may remain outside of cans or containers, if neatly and orderly stored. Said cans or containers shall be strong, water tight, rodent proff, insect proof and of not more than 30 gallons capacity and shall have tightly fitting lids. Said cans or containers shall be kept tightly closed at all times except when being emptied or filled and shall be kept and maintained at a place or places reasonably accessible to garbage haulers at first floor or ground level.

Section 4. It shall be unlawful for any person to burn, dump, collect, remove or in any other manner accumulate or dispose of garbage upon any street, alley, public place or private property, within the City of Wilsonville, otherwise than as herein provided. Waste paper, rubbish and debris, brush, grass, wood and cuttings from trees, but excepting paper, cardboard or wood containers in commercial quantities, may be burned in furnaces, outside fireplaces or incinerators on private property; or upon special permit from the fire chief of the City of Wilsonville, they may be burned in open fires. It shall always be unlawful to burn, within the City limits, any wet garbage or other substance which creates foul or obnoxious odors. Any unauthorized accumulation of garbage on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulation of garbage within thirty (30) days after the effective date of this ordinance shall be deemed a violation of this ordinance.

Section 5. It shall be unlawful for any person to haul garbage upon the streets and public thoroughfares of the City of Wilsonville, except as otherwise provided herein.

Section 6. The Mayor of the City of Wilsonville is hereby authorized and directed to enter into a contract with Albert LaJoie and Joe A. Schneider, co-partners, doing business as Suburban Garbage Service, for a period of five (5) successive years from and after the effective date of this ordinance granting to the said Albert LaJoie and Joe A. Schneider, dba Suburban Garbage Service, the exclusive right to collect, convey and dispose of all garbage as herein defined and which accumulates in the City of Wilsonville. The terms and conditions of such contract to be first approved by the

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Wilsonville City Council. Upon the expiration of said contract by the lapse of time or otherwise, the Mayor of the City of Wilsonville is hereby authorized to enter into a renewal contract or other contracts with other persons, firms or corporations as may be required for the collection, conveyance, removal and disposal of garbage within the City of Wilsonville.

For the right to collect and haul garbage over the streets of Wilsonville, the Contractor shall pay to the City of Wilsonville as a license and inspection fee, annually and in advance, an amount equal to three per cent (3%) of the gross revenue collected by the Contractor for garbage collection services; said fee to be based upon the prior years gross revenue.

Section 7. The rates and compensation for the service rendered by the contract garbage hauler shall be reasonable and uniform and shall not be in excess of a schedule of charges and compensation to be fixed by the contract. Provided that such rates and charges may be changed from time to time after negotiations with the Contractor.

Section 8. All persons in the City of Wilsonville are hereby required to dispose of all perishable garbage before the same shall become offensive and to dispose of all non-perishable garbage promptly and not permit the same to accumulate on or about the premises and to dispose of the same by burning, burying or in such manner as shall not create a nuisance and as permitted by this ordinance.

Section 9. Any person may transport garbage produced by himself or itself upon the streets of the City of Wilsonville provided that such garbage must be hauled in such manner as to prevent leakage or litter upon the streets and must be deposited upon designated dumping grounds or disposed of in a manner not inconsistent with this ordinance.

Section 10. Except as provided herein, it shall be unlawful for any person, firm or corporation other than a person, firm or corporation under contract with the City as provided in Section 6 of this ordinance to collect, gather and haul garbage over the streets of the City of Wilsonville.


Section 11. Any person violating any of the terms of this ordinance shall upon conviction in the Municipal Court or upon a plea of guilty before

such Court, be subject to a fine not exceeding \$200.00 and to imprisonment in the County Jail for one (1) day for each \$2.00 of such fine remaining unpaid or to imprisonment in the County Jail for a period not exceeding ninety (90) days or to both such fine and imprisonment and for costs of prosecution.

Section 12. It being deemed by the City Council for the City of Wilsonville, Oregon, that an emergency exists this ordinance shall go into effect immediately upon its passage by the City Council and the approval by the Mayor.

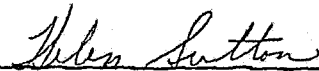
Passed by the Council this 7th day of ~~March~~^{April}, 1969.

Signed and Approved by the Mayor this 7th day of ~~March~~^{April}, 1969.



Mayor of the City of Wilsonville, Oregon

ATTEST:



Recorder of the City of Wilsonville, Oregon