

ORDINANCE NO. 188

An Ordinance defining garbage, and declaring when the same is a nuisance; providing how garbage is to be stored and collected, and providing for service charges for collection thereof; and providing penalties for the violation of this ordinance.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, NORTH DAKOTA:

Section 1. Garbage; defined. The term "Garbage", as used in this ordinance, is defined to be all manner of kitchen and household refuse, all offal including both animal and vegetable matter, metal and glass food containers from which the food has been removed, metal cans commonly known as tin cans, waste paper and paper containers, and all other waste material and things produced or accumulated in the operation of kitchens or places where food is served, produced or consumed, including all waste matter from homes, store or places of business of any nature, including rubbish, leaves, and waste paper and all manner of refuse including ashes, which may constitute a menace to public health or create a fire hazard or an unsightly condition.

Section 2. Same; to be stored in metal receptacle; where. Every person, firm or corporation, is hereby prohibited from storing or keeping garbage within the corporate limits of the City of Rolla unless the same is stored and kept in their own metal receptacle, provided with a cover and handles on two sides and kept closed to prevent the entrance of flies and other insects, and in good condition so as to be impervious to moisture. All garbage shall be placed at alleys for pickup in all blocks where alleys exist, otherwise garbage shall be placed at curbs for street pickup just before collection day. Defective metal receptacles provided by the owner, tenant, lessee or occupant concerned, shall be promptly replaced upon notice.

Section 3. Same; receptacles. Said receptacles shall not exceed 50 gallon capacity, except that the City Council may, from time to time, by resolution alter the designation of the size and construction of garbage receptacles.

Section 4. Same; declared nuisance; when. The accumulation of garbage within the City of Rolla so as to become a menace to health, or detract from the general cleanliness of the City, and the storing or keeping of garbage contrary to the provisions of Section 2 hereof, is hereby declared to be a public nuisance and unlawful. The accumulation of fallen or cut trees and branches and other items of garbage too large to be kept in accordance with the provisions of Section 2 hereof is also declared to be a public nuisance and unlawful, but such items shall not be collected under the provisions of this Ordinance, but shall be promptly removed by the owner.

Section 5. Same; throwing in streets, etc., prohibited. It shall be unlawful for any person, firm or corporation, to throw, place or deposit, or permit to be thrown, placed or deposited, any garbage or refuse as defined in Section 1 hereof, upon any street, alley, public way or public place, or on any private lot, piece or parcel of ground within the corporate limits of the City of Rolla, except in the places hereinbefore provided.

Section 6. Same; collection of. The City of Rolla shall collect from both the residential area and the business area of the City, all garbage accumulated in accordance with the provisions of Section 2 hereof, and shall haul the same to a garbage disposal.

*Amended  
# 203*

*Amended  
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1 area. The garbage will be picked up and hauled away at least once  
2 each week, when reasonably possible and oftener from special  
3 locations so designated by the City Council, or as often as is  
4 necessary to maintain and preserve the health of the community,  
5 except where streets or alleys are in a temporary condition which  
6 makes it impossible to do so. No person within the City of Rolla  
7 shall be permitted to refuse to accept such garbage disposal  
8 service, and the failure of any person to receive such service  
9 shall not exempt him from the payment of charges hereinafter set  
10 forth save and except only those persons residing in Blocks in  
11 which no garbage collection service is provided for the entire  
12 Block, and in such Block where no service is rendered no charges  
13 shall be made.

14 Section 7. Collection day; burning prohibited; when. The  
15 City Council may, from time to time, by resolution designate  
16 garbage collection days for various sections of the City, to  
17 be announced by publication in the official newspaper by public-  
18 ation in one issue of said newspaper. On such designated days,  
19 and for twelve hours prior thereto, no garbage shall be burned  
20 or set on fire in the metal receptacles heretofore mentioned.

21 Section 8. Garbage; limitation on quantity. All accumulations  
22 of garbage of each family, or each business establishment, during  
23 a collection period, shall be collected for the standard charge.

24 Section 9. Contagious disease refuse. The removal of wearing  
25 apparel, bedding or other refuse from homes or other places where  
26 infectious or contagious diseases have prevailed must be  
27 performed under the supervision and direction of the City Health  
28 Officer. Such refuse shall not be placed in containers for  
29 regular garbage collections.

30 Section 10. Service charges. The head of each family, or  
31 proprietor or occupant of each dwelling or residential premises,  
32 served by or using the garbage disposal facilities in any manner  
33 whatsoever, shall pay a charge for the use of the garbage disposal  
34 system and for the services which may be rendered and performed in  
and about the collection, removal and disposal of garbage, of  
\$1.00 per month for the first kitchen and 50¢ per month for each  
additional kitchen on said premises; each business establishment  
shall pay such a charge of \$1.00 per month, except that in cases  
where the City Council determines that it is necessary to  
collect garbage from a particular business establishment oftener  
than once each week, the charges for such businesses shall be  
increased proportionately to the number of extra weekly collections  
made. Garbage disposal charges provided for herein shall be added  
to the charges for water and sewer services, and collected on the  
same bills, which are billed monthly. The amount of garbage  
disposal charges shall be stated as a separate amount, however,  
and shall be kept in a separate accounting fund to be known as the  
Garbage Disposal Fund. In all cases where water or sewer service  
is not available to property, and garbage disposal service is used  
by the property owners, agent or tenant of such real estate, the  
charge for said service shall be billed by the Water Department  
separately and shall be due and payable at the same time that the  
bills for the water service and garbage disposal as above set forth  
are due and payable.

31 Section II. Recovery of charges by city. If the service  
32 charge so established for garbage disposal service is not paid  
33 when due, said sum may be recovered by the City of Rolla in an  
34 action at law against the owner or occupants or both of the property  
so served, or may be assessed against the premises served. All  
accounts shall be considered delinquent if not paid by the 10th  
of the month following the month for which service is rendered.

*Amended  
# 233*

1 Section 12. Penalty. Any person, firm or corporation  
2 violating any of the provisions of this Ordinance shall, upon  
conviction thereof, be punished by a fine of not exceeding One  
3 Hundred Dollars, or by imprisonment in the City Jail for not  
exceeding ninety days, or by both such fine and imprisonment.

4 Section 13. Effective date. This Ordinance shall be in full  
5 force and take effect immediately upon its final passage and the  
publication of its title and penalty clause.

6  
7 First reading: July 1st, 1957

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9 Second reading and passage: August 6th, 1957

10 Approved: August 5th, 1957.

11  
12 W. A. MUNRO *W. A. Munro*  
Mayor, City of Rolla.

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14 Attest: *Victor C. Jackson*

15 VICTOR C. JACKSON  
16 City Auditor.  
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