CITY OF CORTEZ, COLORADO
ORDINANCE NO. 1187, SERIES 2014

AN ORDINANCE AMENDING CHAPTER 18 OF THE CORTEZ CITY CODE, ADDING SECTION 18-60 REGARDING UNAUTHORIZED DUMPING IN TRASH RECEPTACLES AND DUMPSTERS

WHEREAS, unauthorized persons who reside both inside and outside the City limits of Cortez are dumping or placing their trash in dumpsters and trash receptacles throughout the City of Cortez. These dumpsters, trash receptacles are used, owned, or paid for by the City and/or City residents/property owners; and,

WHEREAS, said unauthorized dumping creates a need for more frequent emptying of dumpsters/trash receptacles; and,

WHEREAS, said unauthorized dumping results in increased fees paid by the City and/or its residents/property owners for the additional emptying of trash receptacles and dumpsters; and,

WHEREAS, such unauthorized dumping is a theft of services from the City of Cortez and its residents.

NOW THEREFORE, BE IT ORDAINED BY THE CORTEZ CITY COUNCIL THAT the following Section 18-60 shall be added to the Cortez City Code.

Sec. 18-60. UNAUTHORIZED DUMPING IN TRASH RECEPTACLES/DUMPSTERS

(a) It is unlawful for any person, and it is a theft of services to throw, deposit, or place without the consent of the owner or authorized user of any dumpster or trash receptacle, any refuse, rubbish, ruin, solid waste, weed, wreckage, yard waste, combustible trash, ashes or any other waste material in any dumpster or trash receptacle located within the City of Cortez.

(b) *Definitions*: For the purposes of this section, the following words and phrases shall have the meanings as set forth in Section 22 B-1 Definitions: ashes, brush, combustible trash, garbage, hazardous waste, litter, recyclable material, refuse, rubbish, ruins, solid waste, weed, wreckage, yard waste.

(c) Any person, firm, association, or corporation who violates this section shall be guilty of a municipal offense and shall be punished as set forth in Cortez City Code Section 17-16A as now in effect or as may be amended from time to time.

REPEALER. All orders, bylaws, ordinances, and resolutions of the City, or parts thereof, inconsistent or in conflict with this Ordinance, are hereby repealed to the extent only of such inconsistency or conflict.

SEVERABILITY. If any section, paragraph, clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

RECORDING AND AUTHENTICATION. Upon adoption hereof, this Ordinance shall be recorded in a book kept for that purpose and shall be authenticated by the signatures of the Mayor and the City Clerk.

EFFECTIVE DATE. This ordinance shall be effective upon publication after final passage.

PUBLIC HEARING. This ordinance shall be considered for second and final reading on the 13th day of May 2014, at the hour of 7:30 p.m. in the City Council Chambers in City Hall, 210 East Main Street, Cortez, Colorado, at which time and place all persons may appear and be heard concerning the same.

PASSED AND APPROVED ON FIRST READING THIS 22ND DAY OF APRIL 2014.

CITY OF CORTEZ

Karen W. Sheek, Mayor

ATTEST:

Linda L. Smith, City Clerk

PASSED, APPROVED, AND ADOPTED ON SECOND AND FINAL READING THIS 13TH DAY OF MAY 2014.

CITY OF CORTEZ

Karen W. Sheek, Mayor

ATTEST:

Linda L. Smith, City Clerk

APPROVED AS TO FORM:

Michael F. Green, City Attorney