

**CITY OF CORDOVA, ALASKA
ORDINANCE 1206**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF CORDOVA, ALASKA, AMENDING SECTION 14.20.090 CONTAINERS-LOCATION BY CHANGING THE SECTION TITLE TO CONTAINERS-PLACEMENT AND BY ADDING THE FOLLOWING LANGUAGE: “CONTAINERS OF REFUSE SHALL NOT BE PLACED PRIOR TO 6 AM ON THE SCHEDULED PICK-UP DAY” AND AMENDING SECTION 1.28.085 C MINOR OFFENSE FINE SCHEDULE BY CHANGING THE TITLE OF THE REFERENCE TO 14.20.090 THERE, AS WELL, TO 14.20.090 CONTAINERS-PLACEMENT

WHEREAS, the City of Cordova provides residential refuse pickup service in the City; and

WHEREAS, refuse is an attractant for bears causing a public safety concern when bears access trash from containers on unscheduled pickup days; and

WHEREAS, public education efforts have encouraged citizens to refrain from storing trash outside in containers; and

WHEREAS, it is in the City’s best interest to provide a time that refuse is allowed to be in containers and placed outside on scheduled pickup days to safeguard the people and the bears in Cordova; and

WHEREAS, it is in the City’s best interest to not allow refuse to be put in containers and placed out for pickup before 6 am on scheduled pickup days, helping lessen the bear attractant; and

WHEREAS, it is also best practice to change the part of section 1.28.085 C referring to 14.20.090 to the new title of 14.20.090 Containers-Placement.

NOW, THEREFORE, it is ordained as follows:

Section 1. Cordova Municipal Code Section 14.20.090, Containers–Location is hereby amended to read as follows:

14.20.010 Purpose.

The purpose of this chapter is to provide for the collection and removal of garbage and refuse within the corporate limits of the city to protect the health and well-being of the inhabitants of the city. (Ord. No. 1108, § 3, 3-20-2013)

14.20.020 Definitions.

In this chapter:

"Authorized collector" means a person with whom the city has contracted or whom the city has licensed to collect and dispose of refuse.

"Bag" means a refuse bag constructed of either polyethylene or paper approved by the city manager for indoor and outdoor storage of dry, wet and flammable refuse.

"Commercial service" means service that is not residential service.

"Container" or "can" means a sturdy receptacle, either furnished by the city or approved by the city manager for refuse collection for commercial or residential service.

Added language bold and underlined, deleted language stricken through.

"Garbage" means food waste, including every accumulation of animal, vegetable or other matter that attends the preparation, consumption, decay, dealing in, discard of or storage of meats, fish, fowl, fruit or vegetables, including the cans, containers, wrappers or other tangible items wasted or used along with such materials.

"Holiday" means a recognized city holiday under Section 4.48.040.

"Refuse" means all forms of solid waste including garbage and rubbish but excluding rubble.

"Residential service" means service to one or more dwelling units.

"Rubbish" means grass clippings, hedge trimmings under three feet in length, paper and small light scrap lumber.

"Rubble" means brushwood, heavy yard trimmings which cannot be conveniently cut into three-foot lengths, discarded fence posts, ashes, cinders, street sweeping, catch basin muck, concrete, mortar, stones, bricks, scrap metal or other similar construction materials, trees or materials resulting from the erection or destruction of buildings.

(Ord. No. 1108, § 3, 3-20-2013; Ord. No. 1144, § 3, 5-18-2016)

14.20.030 Refuse collection required.

The city shall provide refuse collection and disposal within the city subject to and in accordance with the provisions of this chapter. A person who owns or occupies a facility where refuse is generated shall contract with the city or its authorized collector for refuse collection service, unless exempted from the collection requirement by the city manager.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.040 Refuse collection—Service type and frequency.

The city or its authorized collector shall collect and remove refuse from customers' facilities according to the following schedule:

A. Residential service shall consist of the removal of refuse from containers weighing not more than seventy-five pounds when full, a minimum of once weekly. When a holiday is observed on the normal day of collection, the collection will be made the following day.

B. Commercial service shall consist of the removal of refuse either from containers weighing not more than seventy-five pounds when full, or from dumpsters as frequently as the owner or the city manager determines to be necessary.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.050 Refuse collection—Schedule of collection routes.

The city or its authorized collector shall maintain on file with the city manager a current schedule of its refuse collection routes, and the city or the authorized collector shall follow the routes shown in that schedule.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.060 Refuse collection—Obstructions prohibited.

No person may obstruct the collection of refuse required under this chapter from a facility owned or controlled by the person, including without limitation by the presence of excessive snow, vicious animals or parked vehicles. The city or its authorized collector need not collect refuse from a facility where such an obstruction is present.

(Ord. No. 1108, § 3, 3-20-2013)

Added language bold and underlined, ~~deleted language stricken through.~~

14.20.070 Refuse collection—Delivery to disposal site or incinerator.

All refuse that is collected in the city shall be delivered to a city-approved disposal site or incinerator and deposited there in the place and manner designated by the city manager.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.080 Containers—Specifications.

A. The customer shall provide a sufficient number of containers having a capacity of twenty to thirty-three gallons for the storage of refuse before its collection.

B. A customer owning or controlling a facility that generates a quantity of refuse that is impractical to store in containers described in subsection (A) of this section, shall maintain a sufficient number of dumpsters of a type and size approved by the city manager for the storage of refuse before its collection.

C. The customer shall place the daily accumulation of refuse other than rubbish in a container provided under this section, eliminating as far as possible all liquid from the refuse and securely wrapping the refuse in an impermeable bag before placing it in the container.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.090 Containers—~~Location~~ Placement.

Before the time for refuse collection, the customer shall place all containers of refuse for collection in plain view at the same accessible location at the facility no less than twenty feet from the nearest roadway. The containers shall be placed at ground level or on an open platform or porch not more than four feet above the adjacent roadway, so that they may be reached from the ground by the collector. If the facility abuts a public alley, the containers shall be placed immediately adjacent to the alley. If the facility does not abut a public alley, but is served by a private driveway, the containers shall be placed immediately adjacent to the roadway. **Containers of refuse shall not be placed prior to 6 AM on the scheduled pick-up day.**

(Ord. No. 1108, § 3, 3-20-2013)

14.20.100 Containers—Depositing other than refuse prohibited.

No person may deposit any material other than refuse in a container from which refuse is to be collected under this chapter. The city or its authorized collector need not collect refuse from a container that holds material other than refuse.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.110 Containers—unauthorized use prohibited.

No person may deposit refuse in a refuse container provided for the use of another facility or customer without the permission of the person who owns or controls the other facility, or the other customer.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.120 Refuse-Unauthorized transport prohibited.

No person other than the city or its authorized collector may operate a motor vehicle transporting garbage in the city for profit.

(Ord. No. 1108, § 3, 3-20-2013)

14.20.130 Refuse—Vehicle requirements.

A vehicle used to transport garbage for profit must be of a size approved by the city manager and kept in good running order and in a clean, sanitary condition.

(Ord. No. 1108, § 3, 3-20-2013)

Added language bold and underlined, deleted language stricken through.

14.20.140 Rubble—Collection and disposal.

A licensed collector or the owner shall collect and dispose of rubble within the city.
(Ord. No. 1108, § 3, 3-20-2013)

14.20.150 Trespassing, removal of material from refuse disposal site.

No person may:

- A. Enter or remain in any area at a refuse disposal site that is closed to the public, except in the course of employment by the city or an authorized collector.
- B. Remove refuse or rubble from any site maintained by the city or its authorized operator for refuse disposal without prior authorization from the city manager.

(Ord. No. 1108, § 3, 3-20-2013)

Section 2. Cordova Municipal Code Section 1.28.085 is hereby amended to read as follows:

1.28.085 Minor offense fine schedule.

- A. A person cited for an offense for which a fine is established in subsection C. of this section may mail or personally deliver to the clerk of court the amount of the fine indicated on the citation for the offense plus any surcharge required to be imposed by AS 29.25.074, together with a copy of the citation signed by the person indicating the person's waiver of court appearance, entry of plea of no contest, and forfeiture of the fine. A citation for a scheduled offense may be mailed or personally delivered within fifteen days after the date of the citation. The payment of a fine under this subsection shall be treated as a judgment of conviction. The fine paid is complete satisfaction for the offense.
- B. If a person cited for an offense for which a fine amount is established in subsection C. of this section appears in court to contest the citation and is found guilty, the maximum sentence which may be imposed is the scheduled fine amount plus any surcharge required to be imposed by AS 29.25.074.
- C. The following violations of this code are amenable to disposition without court appearance upon payment of a fine in the amount listed below:

CODE REF.	CODE TITLE	FINE PER DAY
14.20.090	Containers- Location Placement	\$75.00

Section 3. This ordinance shall be effective thirty (30) days after its passage and publication. This ordinance shall be enacted in accordance with Section 2.13 of the Charter of the City of Cordova, Alaska, within ten (10) days after its passage.

1st reading: May 17, 2023

2nd reading and public hearing: June 6, 2023

PASSED AND APPROVED THIS 7th DAY OF JUNE 2023.



[Handwritten Signature]

David Allison, Mayor

ATTEST:

[Handwritten Signature]

Susan Bourgeois, CMC, City Clerk

Added language bold and underlined, deleted language stricken through.