

ORDINANCE 12-06

AN AMENDMENT TO THE NORTH LOGAN MUNICIPAL CODE, ADOPTING PARAGRAPH 13D-118, UNLAWFUL USE OF THE CITY'S REFUSE CONTAINERS

WHEREAS, the City Council of the City of North Logan, Cache County, State of Utah, adopted and passed the Code of Revised Ordinances of the City of North Logan on March 16, 1989, which Code was published and effective on March 20, 1989; and

WHEREAS, due to recent problems with persons misusing the green waste containers provided for the public near Elk Ridge Park and other bulk refuse containers found elsewhere in the city, it has been determined that in order to more adequately protect the best interests of the residents and businesses of this municipality, a new paragraph making it unlawful to improperly use the city's bulk green waste and other refuse container should be adopted, and that this municipality would be better served by the adoption of this Ordinance;

NOW THEREFORE; pursuant to Utah State Code Annotated 1953, as amended, and in the best interest of the City and the residents, the City Council of the City of North Logan, Cache County, State of Utah, hereby adopts and passes the following:

AN AMENDMENT TO THE NORTH LOGAN MUNICIPAL CODE, ADOPTING PARAGRAPH 13D-118, UNLAWFUL USE OF THE CITY'S REFUSE CONTAINERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LOGAN, CACHE COUNTY, STATE OF UTAH AS FOLLOWS:

1. A new Paragraph 13D-118 is hereby adopted and shall read as set forth in this Ordinance.

13D-118 Unlawful Use of City's Green Waste and Refuse Containers:

- (A) It is unlawful for any person(s) not authorized by the Public Works Director or his designated representative to dispose of, discard, place, put, or drop any refuse that is not generated on the public site into any of the city operated general refuse containers that have been placed on city property and thus designated for public use and disposal of refuse generated at that site.
- (B) It is unlawful for any person(s) not authorized by the Public Works Director or his designated representative to dispose of, discard, place, put, or drop refuse or other materials into a refuse container that is designated for recycled refuse or green waste, as indicated by clear and appropriate labeling, container color, etc., other than refuse or other materials for which it is designated.
- (C) The bulk green waste containers operated by North Logan City and placed in North Logan City by the Cache County Service Area #1 may only be used by North Logan City residents, said containers being designated for residential, non-commercial use only. It is unlawful for any non North Logan resident or any commercial business, whether resident or non-resident of North Logan City, to use, discard, place, put, or drop any materials in the bulk green waste containers. In addition, the bulk green waste containers may only be used between the hours of dawn and dusk.

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- (D) Appropriate materials that may be placed in the bulk green waste receptacles include: grass, leaves, clean hay/straw, branches, shrubs, and garden waste. Unacceptable materials for deposit in the bulk green waste containers include: rocks, gravel, dirt, sod, tree root balls, painted or treated wood, plastic, glass, garbage, or garbage bags. It is unlawful to deposit any green waste that exceeds the rim of the container(s).
- (E) Placing green waste materials or any other refuse on the ground around the bulk green waste containers is prohibited by the city's littering ordinances - see North Logan City Code 10-401. (A)(11); 10-401. (D); or 15-504 (H).

The current paragraph 13D-118 shall be renumbered to 13D-119 and shall remain to read as follows:

~~13D-118~~ 119 Penalties. Any person who shall violate any provision of this chapter shall be guilty of a Class B misdemeanor for each day that the violation occurs. The penalties for Class B misdemeanors shall be as provided in this code.

- 2. SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.
- 3. This Ordinance shall take effect upon its first posting as required by law.

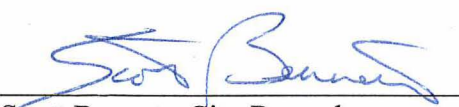
PASSED AND APPROVED by the City Council of North Logan, Utah, this 5th day of September, 2012.

North Logan City Corp.

By:


Lloyd Berentzen, Mayor

ATTEST:

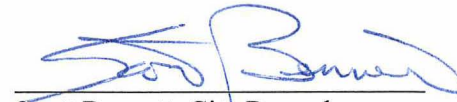

Scott Bennett, City Recorder

CERTIFICATE OF DUE POSTING

I, SCOTT BENNETT, City Recorder of North Logan, Utah, hereby certify that I, on the 5th day of September, 2012, in the City of North Logan, Cache County, State of Utah, posted the foregoing Ordinance No. 12-06 in a likely manner, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 2005 North 1200 East

WITNESS my hand this 5th day of September, 2012.



Scott Bennett, City Recorder