

ORDINANCE NO. 2077

AN ORDINANCE AMENDING CHAPTER VIII, ARTICLE 5, SECTION 8-515 OF THE MUNICIPAL CODE OF THE CITY OF EDGERTON, KANSAS REGARDING PROHIBITED PRACTICES INVOLVING SOLID WASTE SERVICE, ESTABLISHING REMEDIES THEREFORE AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS:

SECTION 1. Chapter VIII, Article 5, Section 8-515 of the City Code of the City of Edgerton, Kansas, is hereby amended to read as follows:

8-515. PROHIBITED PRACTICES; REMEDIES.

1. It shall be unlawful for any person to:
 - (a) Deposit solid waste in any container other than that owned or leased by that person or under their control, or provided by the city's contractor, without written consent of the owner;
 - (b) Deposit solid waste in any container with the intent of avoiding payment of a refuse charge;
 - (c) Deposit solid waste on any private or public property that is not owned or leased by that person or under their control;
 - (d) Interfere in any manner with employees of the city or its contractors in the collection of solid waste;
 - (e) Bury refuse at any place within the city except that lawn and garden trimmings may be composted;
 - (f) Remove the contents of any container or portion thereof;
 - (g) To upset, overturn, remove or carry away any refuse container or lid;
 - (h) To injure such container in any manner or lose the same.
2. All violations involving the prohibited acts listed in 1. a through g above may result in an action being brought against the offender in Municipal Court.
3. For violations of 1. h above, including, but not limited to, any and all damage to the refuse cart including loss, the city shall have the right to charge the owner of the property in question for such repair or replacement cost, including the ability to add such cost to the owner's utility bill. The owner may request proof of such charge from the city. (Ord. 2078, 2021)

SECTION 2. REPEAL OF CONFLICTING ORDINANCES. All ordinances or sections of ordinances in conflict herewith are hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval and publication once in the City's official paper.

PASSED by the Council and APPROVED by the Mayor on this 13th day of May, 2021.

/s/

DONALD ROBERTS, Mayor

ATTEST:

/s/

ALEXANDRIA CLOWER, City Clerk

APPROVED AS TO FORM:

/s/

LEE W. HENDRICKS, City Attorney