

ORDINANCE NO. 2020-4

AN ORDINANCE AMENDING ARTICLE 3, GARBAGE AND REFUSE, OF THE PIERCE MUNICIPAL CODE BY THE REPEAL AND REENACTMENT OF SECTION 7-3-10, ACCUMULATION OF GARBAGE, REFUSE AND RUBBISH PROHIBITED.

WHEREAS, the Board of Trustees finds it necessary and in the best interest of the residents of the Town of Pierce to regulate garbage and rubbish within the Town of Pierce.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PIERCE, COLORADO, as follows:

1. Repeal and Reenactment of Pierce Municipal Code Section 7-3-10. Section 7-3-10 of the Pierce Municipal Code is repealed and reenacted to read as follows:

Sec. 7-3-10. Accumulation of garbage, refuse and rubbish prohibited.

- (a) The owner and occupant of any premises within the Town, whether business, commercial, industrial or residential premises, shall maintain the property in a clean and orderly condition, permitting no deposit or accumulation of materials other than those collected in conjunction with a business enterprise lawfully situated and/or licensed for such storage or collection. All garbage, refuse and rubbish stored on the premises shall be stored in refuse containers and the storage area shall be kept free of loose refuse. Any refuse or rubbish which by its nature is incapable of being stored in refuse containers shall be neatly stacked and stored. The number and size of refuse containers shall be sufficient to accommodate the accumulation of refuse from the property. Containers shall be secured and placed where they are not spilled by animals, wind or other elements and screened from view of the street.
- (b) No person shall store or permit to remain on any business, commercial, industrial or residential premises owned or occupied by such person any manure, refuse, animal or vegetable matter or any foul or nauseous liquid waste, garbage or rubbish, which is likely to become putrid, offensive or injurious to the public health, safety or welfare, for a period longer than seven days at any one time.
- (c) The property owners and the prime contractors in charge of any construction site shall maintain the construction site in such a manner that refuse and rubbish will be prevented

from being carried by the elements to adjoining premises. All refuse and rubbish from construction or related activities shall be picked up at the end of each workday and placed in containers which will prevent refuse and rubbish from being carried by the elements to adjoining premises.

- (d) The accumulation of refuse and rubbish which constitutes or may create a fire, health or safety hazard or harborage for rodents or is hazardous to persons is unlawful and is hereby declared to be a nuisance and a nonconforming use of the premises.
- (e) Discarded refuse shall be removed by the owner and occupant of any premises within the Town, whether business, commercial, industrial, or residential zones, so that the premises are clean and orderly at all times.
- (f) No automobile parts shall be stored in plain view on property in residential zones.

2. Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance in each part, section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more parts, sections, subsections, clauses or phrases be declared invalid.

3. Interpretation. This ordinance shall be so interpreted and construed to effectuate its general purpose pursuant to the laws of the State of Colorado.

4. Publication. The Town Clerk shall certify to the passage of this Ordinance and cause notice of its contents and passage to be published.

5. Effective Date. Except as otherwise specifically provided herein, the provisions enacted by this Ordinance shall become effective thirty (30) days after publication as provided by law.

PASSED, ADOPTED AND APPROVED THIS 10th DAY OF February, 2020.

TOWN OF PIERCE

By: 
Mayor

ATTEST:

