

**TOWN OF PIERCE, COLORADO
ORDINANCE NO. 2024-06**

**AN ORDINANCE AMENDING CHAPTER 7, ARTICLE 3, OF
THE TOWN OF PIERCE MUNICIPAL CODE CONCERNING
THE ACCUMULATION OF GARBAGE, REFUSE AND RUBBISH**

WHEREAS, the Board of Trustees (the “Board”) of the Town of Pierce (the “Town”) desires to amend certain provisions of the Town’s Code related to the storage and accumulation of garbage, refuse and rubbish; and

WHEREAS, the Board finds that Chapter 7, Article 3, Section 7-3-10 of the Municipal Code should be amended as further set forth in this Ordinance; and

WHEREAS, the Board believes that the changes set forth below are in the best interests of the Town and its residents.

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

Section 1. Chapter 7, Article 3, Section 7-3-10 of the Pierce Town Code is amended to read as follows (deletions are indicated with a ~~strike through~~ and additions indicated with underline):

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) Any refuse or rubbish which by its nature is incapable of being stored in refuse containers, and any materials not customarily stored outdoors in residential neighborhoods, such as, but not limited to, construction materials, tires, pickup campers, truck bed covers, automobile parts, household appliances and upholstered furniture that is designed, manufactured and intended primarily for indoor use, shall be stored in such matter that it is not visible from any public street or sidewalk, not

including public alleys. The storage of materials within a garage or other fully enclosed structure shall not be considered outdoor storage for the purposes of this Section. Notwithstanding the foregoing, construction materials may be stored outdoors on residential property for a period not to exceed 60 days if such materials are being used in the construction of a structure for which a building permit has been issued by the Town, or for a period not to exceed 30 days if such materials are being used for construction that does not require a building permit.

- (c) 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.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) ~~No automobile parts shall be stored in plain view on property in residential zones.~~

Section 2. In the opinion of the Board, this Ordinance is necessary for the preservation and protection of the health, safety, welfare and property of inhabitants and owners of property in the Town of Pierce.

Section 3. 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.

Section 4. This ordinance shall be so interpreted and construed to effectuate its general purpose pursuant to the laws of the State of Colorado.

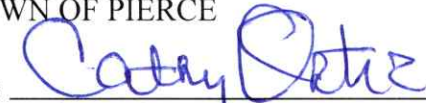
Section 5. The Town Clerk shall certify to the passage of this Ordinance and cause notice of its contents and passage to be published.

Section 6. 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 9th DAY OF SEPTEMBER, 2024.

TOWN OF PIERCE

By:


Cathy Ortiz, Mayor

ATTEST:


Kristina Duran, Town Clerk

