

ORDINANCE NUMBER 153

AN ORDINANCE OF THE TOWN OF JEROME, ARIZONA,
ADOPTING "JEROME GARBAGE AND REFUSE CODE,"
BY REFERENCE, PROVIDING PENALTIES FOR THE
VIOLATION THEREOF, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND THE COMMON COUNCIL OF THE
TOWN OF JEROME, ARIZONA:

SECTION 1. That certain document known as "JEROME GARBAGE AND REFUSE CODE," three copies of which are on file in the office of the Town Clerk of Jerome, Arizona, which document was made a public record by Resolution No. 3, Town of Jerome, Arizona, is hereby referred to, adopted, and made a part hereof as if fully set out in this ordinance.

SECTION 2. Any person violating any of the provisions of the Jerome Garbage and Refuse Code shall, upon conviction thereof, be deemed guilty of a misdemeanor, and shall be punished in cases where a different penalty is not otherwise provided, by a fine not to exceed Three Hundred Dollars (\$300.00) or by imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment.

SECTION 3. All ordinances and parts of ordinances in conflict with the provisions of this ordinance or any part of the Code adopted herein by reference are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance, or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 5. Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Jerome, Arizona, an emergency is declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE MAYOR AND THE COMMON COUNCIL OF THE TOWN
OF JEROME, ARIZONA, this 13 day of February, 1962.

APPROVED BY THE MAYOR this 13 day of February, 1962.

William H. Kruse
William H. Kruse, Mayor

ATTEST:

Douglas Steel
Town Clerk

ORDINANCE NO. 153

AN ORDINANCE RELATING TO THE DISPOSAL OF GARBAGE AND REFUSE IN THE TOWN OF JEROME; DEFINING THE TERMS "GARBAGE" AND "REFUSE" AS USED HEREIN; PROVIDING PENALTIES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF JEROME:

Section 1. Definitions. Unless otherwise expressly stated or the context clearly indicates a different intent the following terms shall, for the purpose of this ordinance, have the meanings indicated in this section following:

Garbage: All refuse from kitchens, factories, markets or stores, eating houses and other places where meats, fish, fruits or vegetables are prepared for food; all decayed or unsound fruits or vegetables; all animal or vegetable refuse, and all organic household waste that shall have resulted from the preparation of food.

Refuse: All ashes, bottles, tin cans, waste paper, and all such other things of a similar nature which comprise the daily accumulation from residences, restaurants, markets or stores, factories, and all other places where waste matter may accumulate and be subject to disposal.

Section 2. It shall be unlawful for any person to deposit, throw or place any garbage or refuse upon any street or alley, or upon any private property, whether owned by such person or not, unless such garbage or refuse shall be deposited in containers, as required in this ordinance.

Section 3. Containers for garbage shall be of metal, or shall be metal lined, or shall be of a durable plastic or similar material and shall not exceed 30 gallon capacity. They shall be water tight and shall be so maintained. They shall be provided with tight fitting covers, which shall not be removed except when depositing or removing material. Refuse of a type not subject to raid by animals or dispersal by the elements may be placed in open containers for collection or removal. It shall be the duty of every owner or occupant of property within the town to provide separate containers for garbage, not to exceed 30 gallon capacity, and refuse.

Section 4. It shall be unlawful for any unauthorized person in any manner to interfere with containers for garbage or refuse or with the contents thereof.

Section 5. It shall be the duty of every owner or occupant of property within the Town of Jerome to cause all garbage to be removed at least once each week, and to cause all refuse to be removed at least once every two weeks. Garbage and refuse shall be removed any time upon order of the health officer.

Section 6. No garbage shall be burned in such manner as to dissipate offensive odors, or in any manner other than that approved by the town health officer. No refuse or grass shall be burned on any lot or in any street or alley in any manner other than that approved by and under the supervision of the proper authority.

Section 7. Containers for garbage or refuse shall be kept in a location readily accessible for collection.

Section 8. The Town of Jerome may, for the benefit of the public health, contract with a suitable person for the exclusive right to collect and dispose of the garbage and refuse in the Town, but no person shall perform under such contract without first having obtained a license from the town so to do. The Town Clerk shall issue such license upon the payment of a fee of Ten Dollars (\$10.00) for each quarter, and upon execution to the town of a bond in the sum of One Thousand Dollars (\$1,000.00) for the faithful performance of his contract and this ordinance.

Section 9. Such fees may be charged for the removal of garbage and refuse, either by contract or by the town, as the Common Council may by resolution determine.

Section 10. It shall be unlawful for any person to remove or haul, or cause to be removed or hauled, on or along any street or alley in the town, any garbage unless the same is contained in a strong, water tight vehicle, or in a barrel or other water tight receptacle so constructed as to prevent leakage, spillage, or the escape of offensive odors. It shall be unlawful for any person to dump or deposit, or cause to be dumped or deposited, within the town, any garbage, refuse or other matter of like nature. The town shall provide a dumping ground for garbage or refuse.

Section 11. It shall be the duty of every person removing or hauling garbage or refuse to replace immediately in his vehicle or receptacle any material that may have fallen therefrom in or upon any street, highway, alley or premises within the town.

Section 12. Any person or persons violating any provision of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than Three Hundred Dollars (\$300.00) or by imprisonment not exceeding thirty days, or by both such fine and imprisonment.

Section 13. The provisions of this ordinance shall be enforced by the town marshal and the town health officer, and they are hereby empowered to enter any and all premises for the purpose of ascertaining the sanitary condition thereof, and any person denying or obstructing such entry shall be subject to penalty as herein provided.

Section 14. Whereas it is necessary for the preservation of the health, peace and safety of the Town of Jerome that this ordinance become immediately effective, an emergency is hereby declared to exist, and this ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR OF THE TOWN OF JEROME THIS _____ DAY OF _____ 1962.

APPROVED THIS _____ day of _____ 1962.

Mayor

ATTEST:

Town Clerk