

CITY OF DALTON
ORDINANCE
Ordinance No. 20-__

An Ordinance Of The City Of Dalton To Amend Section 94-77 of Article II “Collection” Of Chapter 94 “Solid Waste” Of The Revised Code Of Ordinances Of 2001 Of The City Of Dalton; To Provide For A System Of Fees And Fines For The Violation Of Said Chapter; To Provide An Effective Date; To Repeal All Ordinances Conflicting Therewith; To Provide For Severability; And For Other Purposes.

WHEREAS, the Article II “Collection” of Chapter 94 “Solid Waste” Of The Revised Code Of Ordinances Of 2001 Of The City Of Dalton has been amended from time to time;

WHEREAS, the City desires to revise and amend Section 94-78 of Article II “Collection” of Chapter 94 “Solid Waste” to provide clarity and the orderly collection of garbage, refuse, recyclable materials and yard trimmings;

BE IT ORDAINED by the Mayor and Council of the City of Dalton in regular meeting assembled and by authority of the same it is hereby ordained as follows:

-1-

The recitals contained herein above are incorporated herein by reference and are adopted as findings and determinations of the Mayor and Council.

-2-

Section 94-77 of Article II “Collection” of Chapter 94 “Solid Waste” is hereby amended to read as follows:

Sec. 94-77. - *General violations.* The civil excess service fees for the following violations shall apply to all residences, businesses, and institutions within City of Dalton:

- (1) Placing recyclable material in a City provided garbage container or curbside for collection or disposal = \$10.00 per 20 gallon bag of material
- (2) Placing cardboard or packing material curbside for collection or disposal as part of refuse collection= \$25.00
- (3) Placing loose debris not contained in an all-weather container curbside for collection or disposal = \$25.00
- (4) Placing prohibited items other than dangerous items in a trash container or curbside for collection or disposal = \$50.00
- (5) Placing a dangerous (toxic, caustic, contagious, explosive or otherwise hazardous) item in a trash container or curbside for collection or disposal = \$1,000.00
- (6) Placing refuse curbside without prior authorization = \$25.00
- (7) Placing excessive garbage in the container that prevents the lid from closing, garbage that is piled on top of the container, garbage that is unbagged, or garbage that is placed outside of the container = \$10.00 per 20 gallon

- bag
- (8) Placing more than four (4) cubic yards of yard trimmings out for collection = \$30.00 for each additional cubic yard of yard trimmings
 - (9) Placing more than two (2) cubic yards of refuse out for collection = \$30.00 for each additional cubic yard of refuse
 - (10) Placing garbage, recyclable materials, yard trimmings, or refuse on the property of another or in the waste container of another without permission = \$25.00
 - (11) Failure to remove solid waste and personal property of tenant or lessee within 24 hours of eviction = \$250.00 per truck load
 - (12) Placing construction debris, demolition debris, or roofing material out for collection = \$25.00 for less than one cubic yard of said debris or material and \$50.00 per cubic yard of said debris or material for each cubic yard over one
 - (13) Dumping garbage, yard trimmings, refuse, or junk on vacant lots or public roadway = \$250.00
 - (14) Overloading a dumpster = \$50.00
 - (15) Placing garbage, yard trimmings, refuse, or a dumpster in an unauthorized area = \$50.00
 - (16) Placing solid waste and personal property from a major cleanup or move out of a residence curbside for collection or disposal = \$250.00
 - (17) Placing tires curbside for collection or disposal = \$50.00 for up to four tires and \$25.00 for each additional tire over four
 - (18) Placing yard trimmings mixed with refuse items for collection or disposal = \$30.00 per cubic yard
 - (19) Placing yard trimmings generated by commercial activity in violation of Section 94-28(b)(11) out for collection or disposal = \$250.00
 - (20) Placing yard trimmings in violation of Section 94-28(b)(6) out for collection or disposal = \$30.00 per cubic yard

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Should any section or provision of this Ordinance be declared by a Court of competent jurisdiction to be unconstitutional, invalid or unlawful, such declaration shall not affect the validity of the remaining portions of the ordinance not so declared to be unconstitutional, invalid, or unlawful.

-4-

All resolutions and ordinances of the City of Dalton or parts thereof in conflict herewith are hereby repealed.

-5-

This Ordinance shall take effect and be in force following its adoption and publication in two public places within the City of Dalton for five (5) consecutive days, the public welfare of the City of Dalton requiring it.

ADOPTED AND APPROVED on the ____ day of _____, 20____, at the regular meeting of the Mayor and Council of the City of Dalton.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Council member _____, second by Council member _____ and upon the question the vote is _____ ayes, _____ nays and the Ordinance is adopted.

CITY OF DALTON, GEORGIA

Attest:

MAYOR

CITY CLERK

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of the ____ day of _____, 20____.

CITY CLERK
CITY OF DALTON