

## CITY OF DILLINGHAM, ALASKA

## ORDINANCE NO. 2023-XX

**AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING SECTION 8.04.030 CONTAINERS—REQUIREMENTS TO INCLUDE DUMPSTER COVERS**

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BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

**Section 1. Classification.** This is a code ordinance.

**Section 2. Amendment to Section 8.04.030 (C).** Dillingham Municipal Code Section 8.04.030(C). is hereby amended to read as follows [new language **underlined and emboldened** and deleted text displayed in ~~strike-out font~~]:

**8.04.030 Containers—Requirements.**

C. Dumpsters shall be fully enclosed on the bottoms and sides and shall have no holes that would allow escapement of liquids. **Dumpsters shall be covered or otherwise contained with a watertight animal-proof lid and of adequate durability for continued use so as to prevent the contents from being scattered by the wind or other causes.** Dumpsters shall be cleaned at periodic intervals by the owner of the dumpster as necessary to prevent obnoxious odors or other nuisances.

**8.04.095 Violations—Penalties.**

In addition to the provisions of Section 8.04.090, a person who violates this chapter is guilty of an infraction and subject to a fine as set forth in Section 1.20.040, plus any surcharge required to be imposed under AS 23.55.039. Each day that a violation persists shall constitute a separate offense. **In any instance where solid waste, trash/garbage or junk of any kind is placed, deposited in, on, under or adjacent a garbage can/refuse container not in compliance with this section, the owner of the property shall be responsible and is defined as a violator. If a violator, other than the property owner, handles solid waste/garbage in a manner not in compliance with the requirements of this Code as described above, both the violator and property owner may be defined as violators.** In addition to law enforcement officers, the city animal control officer is authorized to issue citations for any violation of this title. (Ord. 01-11 § 4, 2001; Ord. 13-19 § 11, 2013.)

**Section 3. Amendment to Section 1.20.040.** Dillingham Municipal Code Section 1.20.040. is hereby amended to read as follows [new language **underlined and emboldened** and deleted text displayed in ~~strike-out font~~]:

**1.20.040 Minor offense fine schedule.**

In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195 through 12.25.230, without a court appearance, upon

payment of the fine amounts listed in this section, plus the state surcharge required by AS 12.55.039 and 29.25.074. Fines must be paid to the court. The Alaska Court System’s Rule of Minor Offense Procedures applies to all offenses listed in this section. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine schedule amount listed below for that offense. Citations charging these offenses must meet the requirements of the Minor Offense Rules. The fines set forth below may not be judicially reduced.

8.04.030	Improper storage of refuse	75
<b>8.04.030.C</b>	<b><u>Failure to provide and maintain appropriate receptacles leading to solid waste/garbage is placed, deposited in, on, under or adjacent a garbage can/refuse container not in compliance</u></b>	<b>300</b>
8.04.040	Containers on right-of-way	75
8.04.050	Failure to dispose of refuse	75
8.04.052.A	Disposal of hazardous material in city landfill	300
8.04.055	Improper deposit of fish waste	300

**Section 4. Effective Date.** This ordinance is effective upon adoption.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on May 6, 2023.

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Alice Ruby, Mayor

ATTEST:

[SEAL]

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Greta Hayden-Pless, Acting City Clerk