

ORDINANCE 401-1985

AN ORDINANCE RELATING TO SOLID WASTE MANAGEMENT
IN THE CITY OF DRY RIDGE, KENTUCKY.

This Ordinance deals specifically with abandoned motor vehicles, accumulation of junk, weeds, rubbish and littering and sets up formulations by the City of Dry Ridge to clean up said property and imposes penalties for a violation of the above standards set forth by the City.

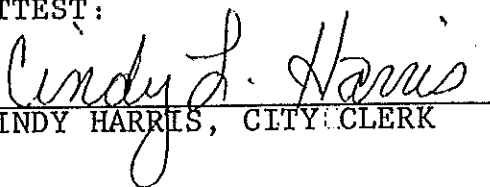
This Summary of Ordinance is made by Thomas M. Funk, attorney at law. A copy of the full ordinance will be on file at the Dry Ridge City Building, Broadway, Dry Ridge, Kentucky.

This Ordinance WAS discussed and passed, at the Dry Ridge City Council meeting on the first Monday, in December, 1985.



DONALD PAT CURRY, MAYOR

ATTEST:



CINDY HARRIS, CITY CLERK

ORDINANCE NO. 401 - 1985

AN ORDINANCE RELATING TO SOLID WASTE
MANAGEMENT IN THE CITY OF DRY RIDGE,
KENTUCKY.

WHEREAS, the City of Dry Ridge needs a formulated, procedure to deal with junk, abandoned and inoperable motor vehicles, garbage and litter;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF DRY RIDGE
AS FOLLOWS:

ARTICLE ONE

1. Motor Vehicles

a. Motor vehicles shall be defined as "all vehicles which are propelled otherwise than muscular power".

b. Inoperable motor vehicles shall be defined as "motor vehicles which do not have the necessary operating engine parts or accessories to be driven on a public highway at any and all times".

c. Abandoned motor vehicles shall be defined as "motor vehicles which are on public property, or property other than that of the owner of said motor vehicles, which remains in the same location for five (5) days without notification to the City or City officials as to its ownership".

2. It shall be unlawful for any person, firm or corporation to have upon their premises or property in open view more than one (1) inoperable motor vehicle or five (5) motor vehicles for more than 48 hours unless officially licensed by the City to operate a junk yard, recycling center, motor vehicle dealership,

auto repair shop, service station or antique dealership within the guidelines of the Dry Ridge Zoning Ordinance and the Dry Ridge Occupational License Ordinance.

3. It shall be unlawful for any person, firm, or corporation who owns or operates a junk yard, recycling center, auto repair shop, service station or antique dealership to have on their premises or property in open view more than five (5) inoperable motor vehicles or ten (10) motor vehicles for more than 48 hours. Motor vehicle dealerships shall not have more than five (5) inoperable motor vehicles in open view on their property or premises for more than 48 hours, however, said motor vehicle dealerships shall be allowed to have an unlimited number of operating motor vehicles on their premises in open view so long as said motor vehicles are there for purpose of sale or lease.

4. All abandoned motor vehicles shall be confiscated by the City as soon as feasible and disposed of as reasonably necessary as determined by the City.

5. For violation of the above section, see Article Six.

ARTICLE TWO

1. Junk shall be defined as items which are worn, or little value or which constitute trash, rubbish or salvage materials as adjudged by the City officials in conformity with community standards.

2. It shall be unlawful for any person, firm or corporation to have upon their premises or property in open view accumulated "junk" for more than 48 hours unless officially licensed by the City to operate a junk yard or recycling center within the guidelines of the Dry Ridge Zoning Ordinance or Dry Ridge Occupational License Ordinance.

3. When a violation of the above section occurs the City shall notify the offender by ordinary mail or personal notice that the City has determined that the offender is accumulating "junk" upon their premises, with no right or license, for more than 48 hours. In the next 24 hours after notice to the offender, should the sight not be cleaned by the offender and junk removed, the City shall then cite the offender for violation of this Ordinance.

4. For violation of the above sections, see Article Six.

ARTICLE THREE

1. No person while a driver or passenger in a vehicle shall throw or deposit litter upon any street or public place within the City or upon private property.

2. Every person hauling or causing to be hauled dirt, sand, gravel, cement, fill dirt, or loose material of any kind in or upon any street, alley, sidewalk or other public place shall haul it or cause it to be hauled in vehicles provided with tight boxes or beds so constructed or loaded to prevent any of the contents from falling or being thrown, blown or deposited upon any street, alley, sidewalk or other public place. Any materials which fall from, or which are thrown, blown, or deposited from any vehicle upon any street, alley, sidewalk, or other public place, shall be removed immediately by the person in charge of the vehicle.

3. No person shall sweep into or deposit into any gutter, street, or other public place within the City the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

4. No person owning or occupying a place of business shall sweep into or deposit into any gutter, street or other public place within the City the accumulation of litter from any building or lot or from any public or private sidewalk. Persons

owning or occupying places of business within the City shall keep the sidewalk in front of their business premises free of litter.

5. No person shall post or affix any notice, poster or any other paper or device which is calculated to attract the attention of the public, to any lamp post, public utility pole, or shade tree or upon any public structure or building, except as may be authorized by law.

6. No person shall throw or deposit litter on any occupied private property within the City, whether owned by that person or not, except that the owner or person in control of private property may maintain authorized private recepticals for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon the streets, sidewalks, or other public places, or upon private property. No person shall throw or deposit litter on any open or vacant private property within the City whether owned by that person or not.

7. For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

a. City Limits shall be defined as "any area or place within the boundaries of the city as presently fixed or hereafter fixed by appropriate annexation or deannexation ordinances".

b. Originating shall be defined as "the place or point at which such household waste was first created as waste or the point at which discarded electrical appliances were first dis-

continued from active use, or as to scrap metals and scrap materials the place where such metals and materials were first removed from a building or machine or other device having a useful purpose".

c. Solid waste shall be defined as "household wastes of any and all description, discarded electrical appliances, scrap metals, and scrap materials of all types".

8. No person shall bring or cause to be brought into the City any solid waste for the purpose of causing the same to be deposited on public or private property within the city limits.

9. No person shall cause or permit any solid waste, not originating within the City limits to be deposited on any public or private property subject to his control and lying within the City limits.

10. The deposit of any solid waste which contains matter or material showing an origination of such solid waste at a point within the City on any lands, either private or public within the City limits, shall create a rebuttable presumption that the person identifiable as the owner of such solid waste is guilty of a violation of this section.

11. For violation of the above sections, see Article Six.

ARTICLE FOUR

1. Garbage shall be defined as all organic household waste, animal and vegetable matter, such as has been prepared or intended to be used as food, or shall have arisen in the preparation of food matter from residences, groceries, stores,

stands, restaurants, apartments, hotels and all other businesses.

2. The word trash whenever used herein shall mean all ashes, paper, cans, but shall not include leaves, weeds, branches and grass unless put in a separate container.

3. The word person whenever used herein shall include individuals, firms, partnerships and corporations.

4. The City shall collect garbage, trash and all other materials within the City but shall not furnish garbage collection to any property lying outside the City limits. Collection routes will be designated and times of collection shall be determined and announced publicly by the City.

5. All persons must place their garbage in water proof, tight fitting containers and said containers shall at all times be kept covered. Garbage shall not be placed in paper bags with no covers. Trash may be placed in the same container as garbage but then requires a lid to keep container covered.

6. Said garbage and trash containers for residences shall be placed at the curb line in front of said premises or at the curb at side of said residence, or in the alley, if garage of said residence is located adjacent to a side street or alley on the collection date for said street or alley by the hour or the day that the hours are designated by the City Council. It shall be unlawful for garbage or trash containers to be placed or remain on said street or alley except on said collection dates. After said containers have been emptied, the persons owning and using

same shall remove them from said street or alley, and in no case later than the same day as collection. Collections for business houses shall be made from the rear of the premises where possible.

7. No garbage or trash shall be placed on said street or alley in violation of the provisions of this Ordinance by any person for any reason.

8. No person operating a store, restaurant or hotel shall discard garbage or trash unless placed in containers, or dispose of boxes, paper, cans or other material at their rear or side of their establishment except when same is ready to be hauled away. Items above which are capable of being spread around by the elements shall be contained in proper storage recepticals.

9. For violation of the above sections, see Article Six.

ARTICLE FIVE

1. The existence of weeds, high grass and accumulated trash and rubbish within the City of Dry Ridge, Kentucky either on private property or on or near the sidewalks, street, or grass plots between sidewalks and streets, is detrimental to the general health of the inhabitants of said community and is declared to be a nuisance.

2. It shall be the duty of every owner or occupant of all lots or parcels of ground within the City of Dry Ridge, Kentucky to cut and trim, from time to time during the growing season, all weeds, high grass, and nocuous plants or growths existing

on any such lots or parcels of ground and on or near the sidewalks, streets, or the aforesaid grass plots abutting any such lot or parcel of real estate, so that such weeds, grass, growths shall during the growing season from April 1 to November 1 each year be kept cut as close to the earth at all times as may be necessary to keep same not more than 12 inches in height.

3. That the owners of property within the limits of the City of Dry Ridge, Kentucky or the person in possession or control of such property which joins or abuts on public streets or alleys, and owners of vacant lots, or the person in possession or control of such vacant lots, shall be required to clear it once, and keep clean such vacant lots and public streets and alleys of leaves, trash, garbage, rubbish and junk.

4. For violation of the above section, see Article Six.

ARTICLE SIX

PENALTIES

1. In the event of violation of any of the sections of the above ordinance occur which the City feels necessitates a cleanup, the owner of said property, or user of said article, shall be responsible of cleanup. In the event the owner of said property or user of said article does not effect the cleanup the City may have the item cleaned and have a lien against the property or article for the value of services used in effecting the cleanup. The City shall bill the owner of the property or user

of said article for the amount paid to have the premises cleaned and in the event the owner or user fails to pay the City said amount, a lien shall be placed against the property of the owner or user for said amount and said amount shall be added to the tax bill for the following year.

2. In the event violation of this ordinance occurs which results in a motor vehicle being hauled away by the City, the owner of said motor vehicle is responsible to the City for the value of services in towing away said motor vehicle. No vehicle shall be released to owner without payment being made prior to said release.

3. Any person, firm, partnership or corporation violating the provisions of this Ordinance shall be fined not less than \$25 nor more than \$500 for each offense, and each day they fail or refuse to comply with the provisions of this Ordinance shall constitute a separate offense.

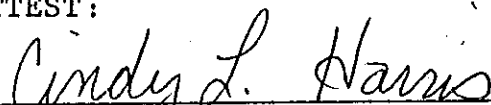
First Reading: October 15, 1985 Second Reading: December 2, 1985.

PASSED AND ORDERED PUBLISHED THIS 2nd day of December, 1985.



DONALD PAT CURRY, MAYOR

ATTEST:



CINDY HARRIS, CITY CLERK