

ORDINANCE NO. 24-01

AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 10-03 GARBAGE, REFUSE, AND RUBBISH, SECTION 10.0306 STORAGE CONTAINER REQUIREMENTS AS AMENDED OF THE REVISED ORDINANCES OF THE CITY OF HEBRON, MORTON COUNTY, NORTH DAKOTA OF 1971

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEBRON, MORTON COUNTY, NORTH DAKOTA, AS FOLLOWS:

That Section 10.0306 of the Revised Ordinances of the City of Hebron, Morton County, North Dakota, of 1971 and all subsequent amendments thereto is hereby re-pealed and re-enacted under this Ordinance as follows:

10.0306. **Storage Container Requirements.** The following provisions govern the type, use and maintenance of garbage containers:

1. Residential containers must be of a tapered, commercially manufactured type, equipped with suitable handles and tight-fitting covers, and shall be watertight. They may have a maximum capacity of 50 gallons unless bulk containers (dumpsters) are used. All solid waste deposited into residential containers or dumpsters must be placed into plastic bags which are closed tightly and have sufficient strength to hold the waste. Plastic bags with a maximum capacity of 50 gallons shall also be acceptable waste containers provided they are closed tightly and have sufficient strength to hold the solid waste they contain. The City will not pick up any waste containers with loose garbage or any loose garbage set out for pickup. Further, any waste containers or plastic bags containing waste too heavy to be picked up by a city employee collecting garbage, will not be picked up and will be left at curb side.

Owners of apartment buildings or houses with one to three apartment units shall furnish not less than one 50 gallon container per living unit. Owners of apartment buildings or houses with four or more units shall provide minimum sized dumpsters as follows:

- a. One cubic yard for five living units or less;
- b. Two cubic yards for six to ten living units;
- c. Two cubic yards for each additional ten living units in excess of ten units;
- d. Or as required by the City Supervisor.

The City Supervisor is authorized to make such inspections as are deemed reasonable to determine the number of containers and the number of pickups per week necessary to provide the minimum level of service required for the removal of refuse from an apartment house and to determine the rate to be used for such service.

Dumpsters must be constructed of durable rust and corrosion-resistant metal, be equipped with tight-fitting lids or doors to prevent entrance of insects or rodents, and must be watertight, leakproof and weatherproof.

2. In order to prevent dumpster users from downsizing their containers below their actual needs, the City Supervisor is authorized to charge an overflow surcharge fee to be applied to the customer's monthly bill when overflows occur. The amount of the surcharge shall be as determined by the City Supervisor.
3. Every garbage and trash container must be maintained in as sanitary condition as possible in view of the use to which it is put; and must be thoroughly cleansed as needed by washing, scalding or otherwise. Dumpsters must be kept in good repair and painted once a year unless the City Supervisor approves existing condition.
4. All garbage must be drained and wrapped, sacked or bagged before being placed in waste containers. Waste containers must be kept tightly closed during the collection or deposit of garbage, trash or solid waste. The contents of all receptacles must be so protected that the wind cannot blow out and scatter same over the streets, alleys and premises of the City. Individuals are encouraged to compost lawn clippings and leaves or take them to collection sites provided by the City Council.
5. It is the duty of any person in control of any premises to replace any container which is damaged or deteriorated and may cause injury to collection personnel or create a health problem within five days after receipt of a notice of violation.
6. Storage racks or container supports must be provided for individual containers stored outside to minimize corrosion, to prevent breeding of insects, and prevent rodent harborage. Distance to the bottom of the racks or container supports must be at least twelve inches above ground level. The maximum height of a front retaining rail may not exceed 24 inches above grade. Pursuant to Section 10-0304(5), all containers must be moved to a collection point on the day of collection.

SEVERABILITY. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed and rescinded.

EFFECTIVE DATE. This Ordinance shall be in full force and effect after its final passage and approval.

CITY OF HEBRON



GRANT WALTH - Mayor

ATTEST:



ERIN McCUTCHAN - Auditor

Introduction and First Reading: June 10, 2024

Second Reading: July 8, 2024

Final Passage: July 8, 2024