

7/3/2008

83-O-08

AN ORDINANCE

**Establishing a Municipal Solid Waste Franchise Service and
Amending Various Sections of Title 8, Chapters 5 and 5½**

WHEREAS, the Mayor and City Council of Evanston have determined that an exclusive solid waste and recycling franchise for commercial, business, institutional, and multifamily buildings would be in the best interest of both the City and the users; and

WHEREAS, the exclusive solid waste franchise would lower and standardize collection and disposal costs; and

WHEREAS, the exclusive solid waste franchise would stabilize yearly cost increases to the users; and

WHEREAS, City enforcement of public safety and health laws would be greatly enhanced through an exclusive solid waste franchise; and

WHEREAS, an exclusive solid waste franchise would minimize and more effectively control the flow of heavy equipment on City alleys and streets through the efficient routing of collection vehicles; and

WHEREAS, an exclusive solid waste franchise would provide every user with recycling services and reduce land fill waste volumes;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:**

SECTION 1: That Title 8, Chapter 5 of the Evanston City Code of 1979, as amended, is hereby further amended and replaced in its entirety to read as follows:

**CHAPTER 5
MUNICIPAL SOLID WASTE**

8-5-1: DEFINITIONS:

In the construction and application of this chapter, the following words shall have the meanings respectively ascribed to them in this section:

CONTAMINATED: Not in its pure state; tainted, putrefied, polluted, or unclean.

MUNICIPAL SOLID WASTE: Includes recyclable materials, refuse, and yard waste.

PRIVATE SCAVENGER: Any non-governmental entity or any person(s) not employed by a governmental entity, engaged in the business of collecting, transporting, and/or disposing of municipal solid waste.

RECYCLABLE MATERIALS: Any material that can be recycled or reused.

REFUSE: Includes all discarded, unwanted, or rejected materials, not including yard waste or recyclable materials.

YARD WASTE: Includes all grass clippings, leaves, tree pruning and woody wastes, weeds, brush, and other compostable landscape type material.

8-5-2: DIRECTOR OF PUBLIC WORKS; SUPERVISION:

All matters relating to or affecting the collection, removal, or disposal of municipal solid waste shall be subject to the supervision and direction of the Director of Public Works or his or her designee. Designees of the City Manager are also hereby authorized to enforce all provisions of this Title relating to such matters.

8-5-3: GENERAL DISPOSAL REQUIREMENTS:

(A) All refuse must be stored in a clean, leak proof, nonabsorbent container during the storage period.

(B) Refuse need not be separated based on whether it is combustible, noncombustible, or putrescible; provided, however, that when any recyclable

materials are mixed in with refuse, the provisions of this Chapter pertaining to recyclable materials shall apply.

(C) Yard wastes shall be placed in either: 1) thirty (30) gallon (maximum) Kraft paper bags; or 2) roll out carts purchased through the office of the Director of Public Works and sold at a cost to be established by the City Council. Yard waste consisting of brush or tree branches may be tied in bundles which must be no more than four feet (4') in length and tied with cloth ties. Tree branches less than four inches in diameter are considered yard waste and will be collected by City crews, larger branches must be removed at the expense of the resident. The diameter of the bundles must not exceed three feet. Bundles tied with plastic, wire, or rope will not be accepted.

(D) No refuse shall be deposited, be thrown away, or be permitted to accumulate or remain in any street, alley or other public place or in any place where its presence would constitute a nuisance to others or a potential or actual hazard to health, sanitation or safety.

(E) Occupiers, owners, or operators of residences and business or commercial properties shall not use waste receptacles placed on the public way by the City to collect refuse disposed of by passersby.

8-5-4: RECYCLABLE MATERIALS DISPOSAL REQUIREMENTS:

(A) The recyclable materials listed in this Section set out for disposal shall be cleaned and segregated from any refuse and set out in special receptacles provided by the City or the franchise waste private scavenger(s):

1. Paper items including newspapers and all inserts, direct mail advertising, office paper, magazines, catalogs, phone books, cardboard, and chipboard (flattened cereal or tissue boxes, paper towels and toilet paper rolls, and food boxes). No waxed paper products will be accepted.

2. Glass jars and bottles without lids.

3. Aluminum cans, containers, and clean foil.

4. Steel and bimetal cans including empty aerosol cans and empty dry paint cans.

5. Plastic containers with material code numbers one (1), two (2), three (3), four (4), five (5), and seven (7) without lids, plastic six- and twelve-pack rings.

6. Such other articles as shall be from time to time mandated by regulations promulgated by the Director of Public Works.

(B) The above articles shall be set out for collection in such specific manner as shall be determined by regulations promulgated by the Director of Public Works.

8-5-5: RECYCLABLE MATERIALS RECEPTACLES:

The recycling container provided is the property of the City or the franchise private waste scavenger(s) and is to be used only for recycling pursuant to this Chapter. Abusing it or using it for any other purpose constitutes a violation of this Chapter and may result in a special pick-up fee for the collection of the non-recyclable material and cause the City or the franchise waste private scavenger(s) to reclaim the receptacle.

8-5-6: GENERAL RECEPTACLE REQUIREMENTS:

(A) Residential: Garbage containers used at residences with four (4) or less dwelling units shall be either the ninety-five (95) gallon or sixty-five (65) gallon rollout carts provided by the City. Each additional roll out refuse cart will require the payment of a monthly fee of two dollars and fifty cents (\$2.50).

(B) Location: Refuse collection containers shall be located aboveground. No collection will be made from containers set into the ground unless such containers were being serviced by City provided municipal solid waste collection service or a private scavenger as of the effective date of this Ordinance.

(C) City Provided Containers:

1. Refuse roll out carts or dumpsters provided by the City will be imprinted with a serial number and stamped with the City seal to identify the roll out carts. Ownership of the refuse carts shall remain with the City and unauthorized removal of said carts shall be a violation of this Chapter.

2. Roll out carts specifically marked for yard wastes and purchased through the office of the Director of Public Works are acceptable containers and will be collected by City crews. These carts are the property of the purchaser. Yard waste roll out carts are maintained and repaired by the City as a courtesy but residents are responsible for paying for any replacements that are needed.

3. The roll out carts used for refuse will be maintained and repaired by the City. The City will replace the City issued roll out cart for refuse free of charge when it determines that a replacement is needed.

(D) Yard Waste: Kraft paper bags used for yard waste shall have a maximum capacity of thirty (30) gallons and weigh no more than fifty (50) pounds when filled.

(E) Container Labeling: All municipal solid waste collection containers provided by private scavengers shall:

1. Display the name and address of the premises they serve in conspicuous lettering. Said lettering is to be maintained in a clean and legible condition. Containers shall be situated so that the required lettering is visible from the public way.

2. Be registered annually with the Director of Public Works on the form provided by him or her and requiring the name, address, and telephone number of the owner and operator of the premises serviced by said containers, the number of containers, the capacity of each, their location, the name, address, and telephone number of the scavenger service, and the frequency of scavenger pick ups. The registrant shall update the information provided within ten (10) days of a change.

3. If located in the downtown zoning districts, shall be maintained with their lids shut and locked, except when depositing or removing waste.

8-5-7: OWNERSHIP OF RECYCLABLE MATERIALS:

Ownership of recyclable materials shall be vested in the City or in haulers authorized by the City. Unauthorized collection of recyclable materials set out for collection shall constitute a violation of this Chapter.

8-5-8: DESIGNATION OF COLLECTION SITE; COLLECTION AGENT:

(A) Every building, establishment, institution or premises shall contain a designated refuse collection site which meets the standards of convenience and health and safety published by the Director of Public Works with the advice of the Health Department, Department of Community Development and the Fire Department. This requirement shall be applicable to all construction sites and remodeling projects.

(B) Each premises occupied or used as a multi-family residential unit, business, or commercial purpose shall designate one individual who shall at all times be responsible for all requirements under this Chapter.

8-5-9: COLLECTION RESPONSIBILITY:

8-5-9-1: MUNICIPAL SOLID WASTE COLLECTION SERVICE:

(A) The City shall provide municipal solid waste collection service, not including the collection of building materials, on a once per week basis when practicable, to the following:

1. All single-family detached homes. For purposes of this section, a structure commonly called a "coach house" or "carriage house" is considered to be a "single-family detached home" separate from the principal house on the same lot.

2. All multiple dwellings of four (4) or fewer units.

3. Townhouse, row house, or multiple dwellings which are at least seventy five percent (75%) owner occupied for the entire housing complex, and that the Director of Public Works determines shall be included in the municipal solid waste collection service based on accessibility. Townhouse, row house, and multiple dwellings that the Director of Public Works determines shall not be included in the municipal solid waste collection service shall be serviced by the municipal solid waste franchise service pursuant to Section 8-5-9-3 of this Chapter. A sanitation service charge for the municipal solid waste collection service will be charged as specified in section 8-5-12 of this Chapter.

(B) The City shall provide municipal solid waste collection service via private scavenger under contract with the City, not including the collection of building materials, on a twice per week basis when practicable, to each unit of a condominium, cooperative apartment, townhouse, or row house dwelling which is at least seventy five percent (75%) owner occupied for the entire housing complex. A sanitation service charge for the municipal solid waste collection service will be charged as specified in Section 8-5-12 of this Chapter.

(C) All other residences, businesses, institutions or other legal entities shall be serviced by the City franchise waste service pursuant to Section 8-5-9-3 of this Chapter unless the residence, business, institution, or other legal entity is:

1. Exempted from the municipal solid waste franchise service pursuant to Section 8-5-9-3-2 of this Chapter; or

2. Receiving municipal solid waste collection service from a private scavenger contracted by the City pursuant to Section 8-5-9-2 of this Chapter; or

3. Serviced by a governmental agency other than the City; or

4. A university, hospital, or governmental agency.

(D) Any person or legal entity occupying any building required to provide private scavenger service shall, upon the request of the City Manager or his or her designee, provide a copy of the current contract for refuse collection with a licensed scavenger for the premises in question.

(E) The disposal of building materials shall be undertaken by the dwelling occupant or owner at his or her own expense.

(F) The Director of Public Works shall designate procedures regulating the collection of refuse, garbage, large, heavy or extraordinary materials and items.

(G) There is hereby established a minimum fee of twenty-five dollars (\$25.00) for a "special pick up," which is defined as an amount of refuse which is too large to fit in the container provided by the City. The twenty-five dollar (\$25.00) fee will cover the collection, transportation and disposal of up to three (3) cubic yards of refuse. For each additional three (3) cubic yards of refuse in excess of the initial three (3) cubic yards, an additional ten dollars (\$10.00) will be charged. If the amount of refuse is so large or the refuse is placed in an uncontained manner that the City's collection and disposal cost exceeds twenty-five dollars (\$25.00), the fee may be increased by the Director of Public Works or his or her designee to cover the City's cost. Residents will be advised on their collection day if a special pick-up is required. If residents do not call within forty-eight (48) hours of receiving notification, the special pick-up will be performed and the resident will be charged.

(H) If the City Manager or his or her designee determines that a Sunday waste pick up from a business or commercial premises is required in the interest of the public health, welfare, or safety, he or she: 1) shall order same and invoice the operator of the premises in question for one hundred fifty dollars (\$150.00), and 2) may cause the area in proximity to said receptacle to be cleaned. If the area adjacent to the container is not kept clear of refuse on a Sunday, the City may remove the refuse adjacent to the container and invoice the operator of the premises in question one hundred fifty dollars (\$150.00) for each occurrence. Nonpayment of any invoice issued pursuant to this section within thirty (30) days of its date shall constitute a violation of this Chapter.

8-5-9-2: CONDOMINIUM/COOPERATIVE APARTMENT COLLECTION:

(A) Occupants of condominiums and cooperative apartments whose residence units total more than six (6) and where the building is at least seventy five percent (75%) owner occupied shall be provided with municipal solid waste collection service by either a private scavenger under contract to the City or a designee of the Director of Public Works. Service shall be a maximum of twice a week or on a schedule to be determined by the Director of Public Works. A sanitation service charge for the municipal solid waste collection service will be charged as specified in section 8-5-12 of this Chapter.

(B) Refuse containers for such dwelling units shall be provided by either the private scavenger under contract to the City or the designee of the Director of Public Works.

(C) In the event a condominium/cooperative apartment has limited refuse storage capacity requiring removal more than twice per week, as determined by the Director of Public Works or his or her designee, the extra collection service shall be obtained at the expense of the building occupants or owners.

(D) The designated collection site for a condominium/cooperative apartment will be located so as to provide the highest degree of accessibility to collection vehicles.

8-5-9-3: MUNICIPAL SOLID WASTE FRANCHISE:

8-5-9-3-1: ESTABLISHING MUNICIPAL SOLID WASTE FRANCHISE WASTE SERVICE, GENERAL REGULATIONS:

As suits the current best interest of the City, and to better enable the City to regulate and control the collection, transportation, and disposal of municipal solid waste, the City may provide for an exclusive franchise waste service to collect, transport, and dispose of municipal solid waste by one or more qualified private scavengers procured through a competitive bidding process.

(A) The following shall be serviced by the exclusive municipal solid waste franchise service:

1. All townhouse, row house, or multiple dwellings that the City does not provide municipal solid waste collection to under Section 8-5-9-1(A)(3) and 8-5-9-1(B) of this Chapter; and

2. All residences, businesses, institutions, or other legal entities required in Section 8-5-9-1(C) of this Chapter to receive service from the municipal solid waste franchise service.

(B) All those required to receive franchise waste service shall be responsible for paying all fees in accordance with the exclusive franchise contract.

(C) Such service shall be as often as may be required to prevent a nuisance or a threat to public health, welfare and safety, but in no event, shall service be less than once each week.

(D) No person or legal entity occupying a building required to receive the municipal solid waste franchise service shall enter into or extend a current contract for municipal solid waste collection after November 1, 2008. All such contracts shall be deemed invalid after November 1, 2008.

(E) Any entity not subject to service through the municipal solid waste franchise may petition the Director of Public Works or his or her designee, in writing, for such service.

8-5-9-3-2: MUNICIPAL SOLID WASTE FRANCHISE SERVICE EXEMPTIONS:

Any person or legal entity occupying any building specified in Section 8-5-9-3-1 of this Chapter may request, in writing, to the Director of Public Works or his or her designee, that they be exempted from the City franchise service. Said request shall specify the circumstances that necessitate such exemption status which may include, but are not limited to, a corporate contract whose provisions are outside the persons' or entities' control or a specialized service that cannot be provided by the City franchise service.

Any person or legal entity that has been granted an exemption from the City franchise waste service shall contract at its own expense with a private scavenger licensed by the City pursuant to Title 8, Chapter 5 1/2 of this Code. Municipal solid waste pickup by the private scavenger shall be as often as may be required to prevent stored refuse from becoming a nuisance or a threat to the public health, welfare, or safety.

8-5-10: ACCESS TO ALLEYS, COLLECTION:

(A) Residences With Access To An Alley: All residences which abut upon an alley shall designate a collection site at the edge of the property directly adjacent to such alley. Where practicable, the site shall not be fenced or otherwise closed off in such a manner as to impede efficient collection. Any gates leading to the collection site from the alley shall be unlocked. The collection site may be on the alley itself, provided that containers shall not interfere with the free movement of vehicles in the alley.

(B) Residences Without Alley Access:

1. Occupants of residences whose property does not abut an alley shall locate garbage containers along the curb immediately adjacent to the property, provided that containers shall not interfere with the free movement of vehicles in the street or pedestrians on walkways.

2. Garbage containers and all other refuse materials shall be containerized or secured and placed at the curb not earlier than six o'clock (6:00) p.m. of the day preceding collection nor later than seven o'clock (7:00) a.m. on the day of collection. All containers shall be removed from the curb no later than seven o'clock (7:00) p.m. on the day of collection or twelve (12) hours after actual collection, whichever occurs later.

8-5-11: RESPONSIBILITY FOR COMPLIANCE:

Every owner, occupant, agent, employee of an owner or occupant, including corporations, associations of owners and individuals responsible for the

collection and removal of refuse, garbage, and yard waste shall comply with each applicable provision of this Chapter.

8-5-12: IMPOSITION OF SANITATION SERVICE CHARGE:

There is hereby established a six dollar and ninety-five cent (\$6.95) charge per month per dwelling unit for the collection and disposal of municipal solid waste by the City. This charge shall not apply to those receiving the City waste franchise service pursuant to Section 8-5-9-3 of this Chapter. This charge shall apply to the following:

(A) All units receiving municipal solid waste collection service from the City pursuant to Section 8-5-9-1 of this Chapter; and

(B) All condominium and cooperative apartment units receiving municipal solid waste collection service from a private scavenger under contract to the City pursuant to Section 8-5-9-2 of this Chapter.

8-5-13: BILLING PROCEDURES; DISPOSITION OF FUNDS:

The Sanitation Service Charge, extra refuse container charge and the special pick up fee shall be added to and separately recited upon a statement of charges for water consumption, sewer service, solid waste collection service, extra refuse container charge, and special pick up service. Such statement shall be prepared and mailed to the consumer at least every six (6) months. Such statement shall become delinquent if unpaid after twenty (20) days from the date of the statement, and a penalty of ten percent (10%) of the amount due and owing for the period recited upon such statement shall thereafter be added to such statement and collected in addition thereto. All revenue received in payment of the sanitation service charge, extra refuse container charge and the special pick up fee shall be deposited in the general fund.

Whenever any Sanitation Service Charges or special pick up fees shall remain unpaid after the expiration of thirty (30) days from the date of such statement, the water supply for the premises so served and delinquent shall be terminated, and the service shall not be resumed until all recycling and special pick up bills in arrears shall have been paid, including accrued penalties and service fee of fifteen dollars (\$15.00) paid for termination and resumption of water supply service.

The City Manager, or his or her designee, shall enforce the provisions of this Chapter.

Those receiving franchise waste service shall be responsible for paying all fees in accordance with the exclusive franchise contract.

8-5-14: CHARGES CONSTITUTE A LIEN:

Charges for the sanitation service charge and special pick up fees shall be a lien upon the premises served pursuant to the law thereto pertaining. When such charges have been delinquent for a period of sixty (60) days, the City Manager shall cause a statement of lien to be recorded against the premises served and delinquent in the form and manner provided by law.

The failure to record such a lien or to mail notice thereof shall not affect the right of the City to foreclose or adjudicate such a lien, by an equitable action in accordance with the statutory requirements therefor and in the same manner as provided for water service in section 7-12-7-4 of this Code. The City Manager shall execute releases of such liens on behalf of the City upon receipt of payment therefor.

8-5-15: PENALTY:

(A) Any person who shall violate the provisions of this Chapter except sections 8-5-7, 8-5-12, 8-5-13, and 8-5-14 of this Chapter, shall be punishable by a fine of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00). A separate offense shall be deemed committed for each day such violation occurs or continues.

(B) Any person who shall violate section 8-5-7 of this Chapter shall be punishable by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). A separate offense shall be deemed committed for the unauthorized collection of each receptacle containing recyclable materials.

SECTION 2: That Title 8, Chapter 5 1/2 of the Evanston City Code of 1979, as amended, is hereby further amended and replaced in its entirety to read as follows:

CHAPTER 5 1/2**MUNICIPAL SOLID WASTE HAULING LICENSES****8-5: 1/2-1: LICENSE REQUIRED:**

(A) No private scavenger as defined in Section 8-5-1 of this Code shall engage in the collection, transportation, and/or disposal municipal solid waste within the municipal limits without first having obtained a license to do so. The only private scavengers eligible to apply for such a license are:

1. Those contracted by the City to collect municipal solid waste.

2. Those contracted by the City as the franchise waste hauler(s) pursuant to Section 8-5-9-3 of this Code.

3. Those servicing persons or entities that are not required to be serviced by the City's municipal solid waste pick-up service or the municipal solid waste franchise service.

(B) Every application for a license to carry on the business of a private scavenger shall conform to the general provisions of Title 8, Chapter 5 of this City Code relating to municipal solid waste, and shall state the number of vehicles which the applicant intends to operate or use in such business.

(C) The application for a license so required herein shall state what method of disposal and the place thereof proposed by the applicant. The license shall be granted only upon the approval of the application by the Public Health Director or his or her designee, and may be revoked at any time upon the recommendation of the Public Health Director for cause.

8-5: 1/2-2: FEE, BOND AND INSURANCE, INDEMNIFICATION:

(A) Each licensee shall pay annually to the City Collector the sum of ninety-dollars (\$90.00) for each and every vehicle used by the licensee to haul municipal solid waste.

(B) Each licensee shall execute a bond in the City in the sum of five thousand dollars (\$5,000.00). This bond shall contain a provision requiring the surety to investigate and defend third party suits.

(C) Each licensee shall agree in writing to indemnify, save, and keep harmless the City from any and all loss, cost damage, expense or liability of any kind whatsoever, which the City may suffer or which may be recovered against the City from or on account of the issuance of the license or on account of any activity advocated or permitted by the City. Additionally, each licensee shall supply to the City a certificate of insurance evidencing insurance coverage pertaining to all of the licensee's equipment, personnel and operations in the following amounts:

1. General Liability: Two million dollars (\$2,000,000.00) combined single limit per occurrence for bodily injury, personal injury and property damage.

2. Automobile Liability: One million dollars (\$1,000,000.00) combined single limit per occurrence for bodily injury, personal injury and property damage.

3. Workers' Compensation and Employers' Liability: Workers' compensation limits as required by Illinois state statute.

The City shall be listed as an additional insured on the certificate of insurance, and any change to the certificate or policy of insurance must be reported to the Public Health Director or his or her designee prior to the change becoming effective.

8-5: 1/2-3: MANNER OF DISPOSAL:

Municipal solid waste collected by private scavengers shall, under no circumstances, be disposed of in any public dump or public place within the City, nor in any other manner or place other than as prescribed by the Public Health Director or his or her designee.

8-5: 1/2-4: VEHICLE REQUIREMENTS

8-5: 1/2-4-1: CONSTRUCTION REQUIREMENTS:

Every vehicle constructed for or intended to be loaded with municipal solid waste shall be constructed according to the regulations and orders of the Department of Health.

All vehicles mentioned in this Section and all boxes, tubs and receptacles thereon in which any substance in such Section referred to may be or is carried, shall be strong and tight, so that no part of such contents or load shall fall, leak or spill therefrom, and shall be adequately and tightly covered so as to prevent the same from being offensive.

8-5: 1/2-4-2: USE CREATING NUISANCE PROHIBITED:

No vehicle carrying offal, swill, putrescible waste, or the contents of any privy vault, cesspool, or sink, or having upon it or in it any manure or other nauseous or offensive substance shall, without necessity therefore, stand or remain, nor shall a needless number gather, before or near any building, place of business or other premises where any person may be; nor shall any such vehicle stand or remain an unreasonable length of time in loading or unloading or in passing along any street or through any inhabited place or grounds; nor shall any such vehicle, or the driver thereof, or anything pertaining thereto, be in a needlessly filthy or offensive condition, and when not in use, such vehicle and all implements used in connection therewith shall be stored and kept in some place where no needless offense shall be given to any of the inhabitants of the City.

No driver of any such vehicle, nor any person having undertaken or being engaged about the loading or unloading thereof, nor any person engaged about the cleaning or emptying, or having undertaken to empty or remove any manure, putrescible waste, offal or the contents of any vault, sink, privy, catch basin, cesspool, or any noxious or offensive substance shall do or permit to be done

about the same, or in connection therewith, that which shall be needlessly offensive or filthy in respect to any person, street, place, building or premises. All vehicles shall be thoroughly disinfected and put in an inoffensive condition when not in use.

8-5: 1/2-4-3: LEAKING PROHIBITED:

No person shall allow and it shall be the duty of every scavenger, contractor, and person who has ordered or produced or is having any of the following articles carried, to prevent any vehicle from being so fully loaded or from being in such bad state of repair, or of such faulty construction or from being so improperly driven or managed, that any offensive liquid or any manure, garbage, rubbish, offal, dirt, or material thereon shall fall upon or in any place, street or premises. It shall be the duty of every such person to at once remove such materials from said property and replace same on such vehicle.

8-5: 1/2-5: COLLECTION EQUIPMENT CONDITION AND LABELING:

Each licensee shall maintain its equipment used in the designated services in good repair and working order. All collection equipment used by the licensee must have the name and telephone number of the firm clearly displayed. Vehicles shall have such information displayed on both sides.

8-5: 1/2-6: CONSTRUCTION OF CHAPTER:

Nothing in this Chapter shall be construed to conflict with any provision of this Code or any other City regulation concerning the removal and disposal of dirt, filth, litter, garbage, ashes, manure, offal, swill, dead animals, and other material from the streets and alleys of the City, by the City and/or through its contractors or otherwise.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That if any provision of this Ordinance 83-O-08 or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this Ordinance 83-O-08 that can be given effect without the invalid application or provision, and each invalid application of this Ordinance is severable.

SECTION 5: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: July 14,
2008

Approved: August 14, 2008

Adopted: August 11,
2008

Lorraine H. Morton
Lorraine H. Morton, Mayor

Attest:
Rodney Greene
Rodney Greene, City Clerk

Approved as to form:
Elke Tober-Purze
Elke Tober-Purze, Interim
First Assistant Corporation Counsel

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