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ORDINANCE NO. 415

An Ordinance of the Town of Coupeville, Washington, relating to health and sanitation: Providing for the establishment, maintenance and operation of a universal compulsory system of garbage collection: Making delinquent charges for services performed as lien upon property: Repealing Ordinances 317, 355A, B, C and D, and all other ordinances or parts of ordinances in conflict herewith and providing penalties.

THE TOWN COUNCIL OF THE TOWN OF COUPEVILLE DO ORDAIN AS FOLLOWS:

SECTION 1 - DEFINITIONS:

- A. Refuse: The term refuse shall include garbage, rubbish, ashes, swill and all other putrescible and non-putrescible wastes except sewage, from all public and private establishments and residences.
- B. Garbage: The term garbage shall include all putrescible wastes except sewage including vegetable wastes, animal offal and carcasses of dead animals, but not including recognized industrial by-products and shall include all such substances from all public and private establishments and residences.
- C. Rubbish: The term rubbish shall include all non-putrescible wastes except ashes, from all public and private establishments and residences.
- D. Person: The term person shall mean every person, firm, partnership, association, institution and corporation. The term shall also mean the occupant and/or the owner of the premises for which service herein mentioned is rendered.
- E. Garbage Collector: The term garbage collector shall mean the Town of Coupeville or private collection company under contract to the Town.

SECTION 2: The charges for garbage and refuse collection and disposal shall be compulsory and universal. Said charges shall be billed by the garbage collector. Every occupant of the property and every owner of the property for which garbage and refuse collection and disposal services are rendered shall be responsible for and shall pay, without delinquency, all charges therefor. The charges shall be paid to the garbage collector and his office by the person or persons responsible and shall be paid not later than thirty (30) days after the billing therefor is mailed, and if not so paid, the charges shall be deemed delinquent. In the event of delinquency, any such charge or charges shall be a lien against the property for which the collection and disposal of garbage and refuse was rendered. Such a lien shall be prior to all other liens and encumbrances filed subsequent to the filing with the County Auditor of Island County of such notice of lien except liens for general taxes and local improvement assessments. Interest shall accrue upon delinquent accounts at the rate of eight percent (8%) per annum until fully paid. Billings for account shall be mailed to the person or tenant in possession unless special instructions to the contrary are received from the owner.

SECTION 3: That, in addition to all other remedies for the collection of delinquent charges or billings authorized by ordinances of this Town pertaining to garbage or refuse collection, the Town shall have the right to such liens as may be established for the collection of garbage utility charges, as now authorized by the laws of the State of Washington, or as the same may be herein-after amended, re-enacted or modified.

SECTION 4: It shall be the duty of every person in possession, charge or control of any dwelling, flat, rooming house, apartment house, trailer park, mobile home park, motel, hospital, hotel, school, club, restaurant, boarding house, or meeting place, or in possession, charge or control of any shop, place of business, or manufacturing establishment where refuse is created or

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1 accumulated, at all times to keep or cause to be kept portable cans of approved  
2 size, type and construction or approved metal dumpsters, and to deposit or  
3 cause to be deposited said refuse and garbage therein.

4 A. Cans shall be strong, watertight, not easily corrodible, rodent-proof,  
5 insect-proof, not more than thirty (30) gallons capacity, nor exceeding 75  
6 pounds in weight when filled, having two handles at the sides and firmly fitting  
7 lids. When refuse is placed in or taken from the cans, the lids shall properly  
8 be replaced. Each can shall be so packed that the contents will dump out rapidly  
9 when the can is inverted. Each can shall be kept clean inside and out so that  
10 no obnoxious odors shall exist. All garbage cans and/or units shall be placed  
11 by the occupant in a convenient and easily accessible location, no further than  
12 fifteen (15) feet from the improved street; PROVIDED, however, that where no  
13 suitable area is available, garbage cans and/or units may be placed on the side-  
14 walk or in an area within fifteen (15) feet of the street for collection, but  
15 shall not be so placed until a reasonable time prior to collection and shall be  
16 removed within a reasonable time thereafter. If no area is suitable for storing  
17 of cans and/or units within the above distances, cans and/or units will be  
18 picked up at other locations designated by the occupant, and an additional  
19 charge will be made to said occupant.

20 B. Large, suitable and sufficient numbers of containers for both collec-  
21 tion or garbage and refuse may, with the approval of the Town, be used by hotels  
22 restaurants, boarding houses, eating places, apartment houses, schools and  
23 hospitals, and in the business district or at other locations satisfactory to  
24 the Town.

25 C. Without limiting the foregoing requirements to deposit and keep refuse  
26 in portable cans, refuse shall be collected in units where the same be of a  
27 type not practicable to place in such cans if the same be securely bundled so  
28 that none of the materials blow about and so it is not easily broken apart and  
29 which is of a size that the longest dimension does not exceed three (3) feet,  
30 the volume does not exceed twelve (12) cubic feet, and the total weight does  
31 not exceed seventy (70) pounds and is in good condition for handling at the time  
32 of collection or if the same be boxed or otherwise contained in a container  
33 two (2) feet square or less.

34 SECTION 5: It shall be unlawful for any person to dump, collect, remove  
35 or in any other manner dispose of garbage or swill upon any street, alley,  
36 public place or private property within the Town of Coupeville.

37 SECTION 6: All garbage and refuse shall be removed at regularly scheduled  
38 times from all occupied premises in the residential sections and from all other  
39 occupied premises as stated in Section 4 of this Ordinance, as required.  
40 Storage of such garbage and refuse prior to removal shall comply with this  
41 Ordinance, and the rules and regulations adopted herein.

42 SECTION 7: The Town of Coupeville reserves the right and may have the  
43 option to require the separation of paper or other component parts of refuse,  
44 and may require the deposit thereof in separate cans or receptacles and may  
45 prescribe the method of disposal thereof.

46 SECTION 8: It shall be unlawful for any person to deposit in any refuse  
47 receptacle any burning materials, or materials sufficiently hot to create  
48 combustion when the same come in contact with other refuse.

49 SECTION 9: After the effective date of this Ordinance, all persons as  
50 stated in Section 4 of this Ordinance, responsible for the payment, as herein-  
51 above set forth, shall be entitled and required to utilize the services of a  
52 garbage collector, licensed by the Town of Coupeville, using such schedule and  
53 routes as shall be determined and approved by the Town.

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SECTION 10: Ordinance numbers 317, 355A, B, C and D, and all Ordinances and parts of Ordinances in conflict herewith are repealed.

SECTION 11: Any person found guilty of violating the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed Three Hundred Dollars (\$300.00) or by imprisonment for a period not to exceed ninety (90) days, or by such fine and imprisonment.

SECTION 12: If any provision of this Ordinance, or its application to any person or circumstances is held invalid, the remainder of this Ordinance, or the application of the provision to other persons or circumstances is not affected.

SECTION 12: The effective date of this Ordinance shall be January 1, 1987

PASSED by the Town Council and APPROVED by its Mayor this 8th day of December, 1986.

THE TOWN OF COUPEVILLE

By:

Lew D. Lally  
MAYOR

ATTEST:

Dani G. Ward  
TREASURER-CLERK

APPROVED AS TO FORM:

James Allen  
TOWN ATTORNEY

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