

CITY OF SAN ANSELMO

ORDINANCE NO. 512

AN ORDINANCE AMENDING TITLE 5, CHAPTER  
3, OF THE SAN ANSELMO MUNICIPAL CODE,  
COMMONLY KNOWN AS THE "GARBAGE ORDINANCE."

The City Council of the City of San Anselmo does ordain as follows:

Section 1. Title 5, Chapter 3, of the San Anselmo Municipal Code is hereby amended as follows:

(a) Section 5-3.02 is amended to designate the existing paragraph as (a).

(b) There is hereby added to Section 5-3.04 the following paragraph to be designated (b):

For the purpose of this ordinance, any dwelling unit in which there are cooking facilities, and which is occupied more than four (4) days per month, shall be considered to produce garbage and require garbage collection.

(c) Section 5-3.04 is amended to designate the existing paragraph as (a).

(d) There is hereby added to Section 5-3.04 the following paragraph to be designated (b):

It shall be unlawful for any person to place or cause to be placed in any refuse receptacle owned by the City of San Anselmo and located upon any public street or public place any garbage or refuse originating within or upon any private property, provided, however, that pedestrians or other persons using the said street or public place shall be permitted to deposit in said receptacle miscellaneous small articles of refuse carried by them.

(e) There is added to Section 5-3.05 the following paragraph to be designated (d):

The rate or charge for collection of containers totalling more than 60 gallons or for collection from business establishments shall be fixed by agreement between the individual and the collector and, in the event such voluntary agreement cannot be had, the City has the right to fix the rate or charge.

(f) Section 5-3.06 is amended as follows:

(1) The first sentence of said section is designated as (a);

(2) All that part of said section after the first sentence is hereby designated as (b) and is amended to read as follows:

Should payments not be made when due and after all reasonable efforts to collect have failed, the garbage collector shall consult with the Chief Administrative Officer. Upon consent, in writing, by the Chief Administrative Officer, the garbage collector, after the consultation, may cease to make collections of garbage from such delinquent person and shall not be required to make collections until all delinquent payments have been made. Should any garbage remain uncollected because of delinquent payments and by reason thereof a nuisance exists upon said premises or there is in the opinion of the Health Officer danger to the public health by reason thereof, the Health Officer shall cause a notice to be personally served upon the owner of said premises, or posted thereon, requiring such garbage to be disposed of within twenty-four (24) hours or such delinquent payments to be made and such garbage to be collected within that time by the official garbage collector. If, at the expiration of the time stated in

the notice, such garbage shall not have been disposed of, or such payments have not been made and the garbage collected, the Health Officer shall cause the same to be collected by the official garbage collector and the expense of such collection shall be paid by the City to the collector, and the amount of such payment shall be a lien in favor of the City upon said premises.

(3) There is added to said section the following paragraph designated (c):

It shall be the responsibility of the owner of any dwelling unit, either single or multi-family, or commercial property which is rented, to provide for garbage collection service. Said owner shall be responsible for the payment of the fees provided for in this Ordinance.

(4) There is added to said section the following paragraph designated (d):

It is unlawful for any person having the responsibility for garbage removal to fail, neglect or refuse to do so after the Health Officer of the City orders said responsible person to remove the garbage in accordance with this Ordinance.

(5) There is added to said section the following paragraph designated (e):

It is the responsibility of the garbage collector to collect all fees hereunder and to keep proper books of account and keep all billings on a timely basis and to account to the City as often as the City shall require. Any cost or expense incurred by the City to enforce this Ordinance shall and the same is hereby ordered to be a lien against the real property of the responsible person, and is to be assessed, levied and collected in

the same manner as City and County real property taxes.

Section 2. This Ordinance shall be published once in full within 15 days of its final passage and adoption in the Ross Valley Times, a newspaper of general circulation printed and published in the City of San Anselmo, and shall be in full force and effect thirty (30) days from and after final passage.

This Ordinance was introduced at a regular meeting of the City Council held on the 23rd day of June, 1964, at 8:00 p.m. of said day and was thereafter at a regular meeting held at 8:00 p.m. on August 11, 1964, duly passed and adopted by the following vote:

AYES: COUNCILMEN: Clute, Reichmuth, Smith, Capurro

NOES: COUNCILMEN: none

ABSENT: COUNCILMEN: Franklin

Woodrow Capurro, Vice  
MAYOR

ATTEST:

Quita Gannon  
CITY CLERK