

CITY OF WHITE SALMON, WASHINGTON

ORDINANCE NO. 2013-12-934

AN ORDINANCE AMENDING WSMC CH. 8.07 REGARDING NUISANCES AND NUISANCE ABATEMENT, ADDING NEW SECTION 8.07.045 RELATING TO ENFORCEMENT OF GARBAGE COLLECTION REQUIREMENT AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, contemporaneously herewith, the City adopted Ordinance No. 2013-12-933 repealing WSMC 8.08 GARBAGE COLLECTION AND DISPOSAL, which established a City garbage service and required collection of residents' garbage through this service; and

WHEREAS, the City continues to provide garbage service through a solid waste provider, authorized to provide this service by the Washington Utilities and Transportation Commission; and

WHEREAS, the City wishes to continue to require regular garbage service with the designated solid waste provider for all city residents; and

WHEREAS, the City finds that such a requirement is necessary to insure the health and safety of City residents and to ensure the City's livability and economic viability;

NOW, THEREFORE, the City of White Salmon do ordain as follows:

SECTION 1. AMENDMENT TO WSMC CH. 8.07:

Key: Added = underlined Deleted = ~~stricken~~

Amending WSMC 8.07.030(F):

- F. To permit any portion of any premises to become or continue to be in a state which causes an unsafe condition, offensive odors, or unsanitary conditions, including, without limitation;
 - a. To fail to maintain regular garbage collection service with the authorized holder of a valid solid waste collection certificate from the Washington State Utilities and Transportation Commission, according to the rules and rates established by said provider;
 - a. b. To permit storage of garbage, recyclables, and compost without providing adequate safeguards;
 - i. Garbage not kept in a proper receptacle with a tight-fitting lid;
 - ii. Recyclables not properly stored and regularly disposed of;
 - iii. Compost not kept in a manner to prevent it from attracting infestations of insects or emitting foul odors.
 - b. c. To permit storage of any appliance, machinery, equipment, structure or device of any kind which is likely to attract children without providing adequate safeguards, including, without limitation;
 - iv. Any accessible refrigeration appliances not having the doors secured or removed, or any enclosure that can entrap humans or animals.
 - v. Any broken or discarded household furniture, furnishings or equipment, or any appliances not in an approved enclosed structure, in the front, side, or back yard of a property;
 - e. d. To allow any pit, quarry, cistern, open well or excavation of any kind to exist on any premises without adequate safeguards;

- d. e. To permit accumulations, stacks, or piles of building or construction materials not associated with a current in-progress project including metal, wood, wire, electrical or plumbing materials in disarray or exposed to the elements on the property.
- e. f. Fire Hazards. To permit stacks or accumulations of newspapers, cardboard, or other paper, clothes, or wood products left in a manner that could pose a substantial risk of combustion or the spread of fire;
- f. g. Toxic or Caustic Substances. To permit improper storing or keeping of any toxic, flammable, or caustic substances or materials;
- g. h. Smoke, Soot, or Odors. To cause or permit the escaping or emitting of any unnecessary or harmful smoke, soot, fumes, or gases or odors offensive or harmful to persons of ordinary sensibilities;
- h. i. Insect or Vermin Attractions. Creating or maintaining accumulations of matter, including food stuffs, that harbors or is an attraction for the infestation of insects or vermin or failing to eliminate such infestations, including nests, colonies, hives or apiaries of bees, hornets or wasps not in compliance with RCW Chapter 15.60 or WAC Chapter 16-602.

SECTION 2: ADDING NEW SECTION WSMC 8.45, ABATEMENT OF FAILURE TO MAINTAIN GARBAGE SERVICE REQUIREMENT:

8.07.045 Abatement of Failure to Maintain Garbage Service.

Upon notification from the designated solid waste certificate holder from the Washington State Utilities and Transportation Commission that any city water customer has failed to secure and/or maintain regular garbage collection services according to WSMC 8.07.030(F)(a) and the rules and rates established by that provider, the City may, in the discretion of the Public Works Director, discontinue water service to that customer until the garbage service provider verifies garbage service has begun or has been restored.

SECTION 3: SURVIVAL OF REMAINDER

Except as so amended, WSMC Ch. 8.07 is reinstated in its entirety as though fully set forth.

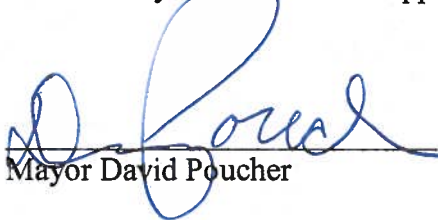
SECTION 4: EFFECTIVE DATE


This ordinance shall become effective five days after publication as provided by law.

SECTION 5: SEVERABILITY


If any part of this ordinance is declared unconstitutional or otherwise invalid for any reason, the remaining provisions shall be construed to be effective after removing the objectionable provision(s).

PASSED by the Council and approved by the Mayor on January 2, 2014.


 Mayor David Poucher


 Leana Johnson, Clerk/Treasurer

APPROVED AS TO FORM:


 Kenneth B. Woodrich, City Attorney