

CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2014-02

**AN ORDINANCE AMENDING ORDINANCE 85-15 TO RESTRICT THE PLACEMENT
OF GARBAGE/REFUSE/RECYCLING RECEPTACLES UPON PRIVATE PROPERTY
AND ESTABLISHING A FINE FOR THE VIOLATION OF THE RESTRICTION(S)**

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WHEREAS, on November 5, 1985, the City of Russellville passed Ordinance 85-15 providing for the control of garbage, refuse and litter; and

WHEREAS, complaints have been received by citizens of the City of Russellville regarding the placement of private receptacles upon private property not owned by the individual(s) causing said receptacles to be placed upon said property; and

WHEREAS, the City Council of the City of Russellville deems it to be in the best interests of the City and its citizens to prohibit such conduct and to establish a fine for violating the restriction(s) set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL IN AND FOR THE CITY OF RUSSELLVILLE, KENTUCKY AS FOLLOWS:

SECTION A: SUBSTANTIVE AMENDMENTS

Ordinance 85-15, shall be amended as follows:

Section 13. (a) No person shall throw or deposit garbage or refuse litter upon any premises other than his own or upon any public place within the City except in public receptacles or authorized private receptacles. (b) No person shall cause a public or private receptacle to be placed upon any premises other than his own or that of the business that owns the receptacle without the written permission of the owner of said premises, except that a person may cause a

receptacle to be returned to the premises of the person or business that owns or is responsible for the receptacle.

Section 18. Any person found guilty of violating any section of this ordinance, other than Section 13. (b), shall, upon conviction, be fined in an amount of not less than \$20 nor more than \$250, and each day of violation shall be considered a separate offense, but the court in its discretion may require an individual convicted of violating this ordinance to remove litter from public property within the City for any prescribed period not to exceed seven (7) days (up to six (6) hours per day) in lieu of or in addition to the fine provided for in this section. Any person violating Section 13. (b) shall, upon the first complaint, receive a notice of violation from the Code Enforcement Officer for the City; if the violation is not abated within twenty-four (24) hours, then the Code Enforcement Officer shall issue a citation for the violation with a fine of \$50.00 for the first offense, \$100.00 for the second offense and \$200.00 for the third or greater offense.

SECTION B: SEVERABILITY CLAUSE

In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.

SECTION C: REPEALER CLAUSE

All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

SECTION D: EFFECTIVE DATE

This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING conducted on the 18th day of February 2014.

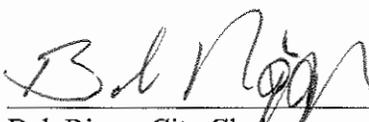
SECOND READING conducted and **PASSAGE** on the 4th day of March 2014.

APPROVED BY:



Mark Stratton, Mayor

ATTEST:



Bob Riggs, City Clerk

At a meeting of the City Council of the City of Russellville, Kentucky, held on March 4, 2014, the foregoing ordinance was adopted, after full discussion, by the following vote:

AYES:

Jimmy Davenport
Pat Bell

Jack Whipple
Bill Decker
Darlene Gooch

NAYS:

ABSENT: Sandra Kinser

ABSTAINING: