

ORDINANCE NO. 7

AN ORDINANCE TO AMEND AND REENACT SECTIONS 10.0301, 10.0303, AND 10.0305, AND TO CREATE AND ENACT SECTIONS 10.0314 AND 10.0315 OF THE ORDINANCES OF THE CITY OF WISHEK RELATING TO GARBAGE CONTAINERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WISHEK, NORTH DAKOTA:

SECTION 1. Section 10.0301 of the Ordinances of the City of Wishek, North Dakota, is hereby amended and reenacted to read as follows:

10.0301 Definitions

For the purpose of this article, the following words shall have the meanings given herein:

1. "Ashes" is the residue from burning wood, coal, coke or other combustible materials.
2. "Container" or "Garbage Container" is the garbage receptacle utilized to dispose of garbage. Said container must be compatible with the City's garbage equipment and meet the requirements of the City of Wishek.
3. "Garbage" is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.
4. "Refuse" is all putrescible and non-putrescible solid wastes (except body wastes) including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.
5. "Rubbish" is non-putrescible solid wastes (excluding ashes) consisting of both combustible and non-combustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

SECTION 2. Section 10.0303 of the Ordinances of the City of Wishek, North Dakota, is hereby amended and reenacted to read as follows:

10.0303 Containers

All garbage and rubbish shall be placed by the person upon whose premises the same shall have been produced or accumulated, in containers, which shall be protected against the access of flies and rodents.

Containers shall be placed in the alley of those lots having access to any alley, or at the end of a driveway or on the street next to the curb if no alley is accessible. The City may specify where containers shall be placed along the alley or street for the convenience of collection.

SECTION 3. Section 10.0305 of the Ordinances of the City of Wishek, North Dakota, is hereby amended and reenacted to read as follows:

10.0305. Nuisance

Failure to comply with the provisions of this ordinance shall constitute a public nuisance and be punishable as such under the terms of Chapter 12 of these ordinances.

SECTION 4. Section 10.0314 of the Ordinances of the City of Wishek is hereby created and enacted to read as follows:

10.0314 Requirements

All garbage containers must be set out for collection by 8:00 a.m. on the assigned collection day and must be removed from the boulevard by 10:00 p.m., or after collection, whichever is later, on the assigned collection day. Containers must be placed for collection at the end of the driveway.

If a resident is unable to comply with these requirements, or has other special instructions for collection, the resident must contact City Hall to make those arrangements. Special arrangements are not guaranteed and must be approved by the City.

All garbage containers must have at least five (5) feet of space between them and any other object to allow the garbage trucks sufficient room to operate. Garbage containers must not be placed on top of snowbanks. Garbage containers must be placed in areas in which the snow has been removed and the garbage truck can access.

SECTION 5. Section 10.0315 of the Ordinances of the City of Wishek is hereby created and enacted to read as follows:

10.0315 Penalty

Violation of this ordinance is punishable by a minimum fine of \$50, with a maximum fine not to exceed \$1,000. Each day a violation continues will be considered a separate offense.

SECTION 6. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.


Mayor of the City of Wishek, North Dakota

ATTEST:

Mary Vickers
City Auditor

Date of First Reading: August 5, 2024

Date of Second Reading: September 3, 2024

Date of Publication: September 18, 2024