

ORDINANCE NO. 283

AN ORDINANCE OF THE CITY OF CLARK FORK, IDAHO, PROVIDING FOR THE GENERAL HEALTH OF SAID CITY; DEFINING GARBAGE, RUBBISH AND REFUSE; REGULATING CONTAINERS WITH WHICH TO ACCUMULATE THE SAME; PROVIDING METHODS FOR COLLECTION OF REFUSE WITHIN THE CITY AND DISPOSING OF THE SAME; AUTHORIZING ENACTMENT OF RULES AND REGULATIONS FOR ENFORCEMENT AND IMPLEMENTATION OF THIS ORDINANCE; PROVIDING PENALTIES FOR VIOLATION HEREOF; AUTHORIZING INJUNCTIONS AGAINST VIOLATION HEREOF; AND PROVIDING A SAVINGS CLAUSE, SEVERABILITY, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL of the City of Clark Fork, Bonner County, Idaho:

Section 1:

That the City council of the City of Clark Fork, Idaho shall enforce this ordinance.

Section 2:

The term "garbage" shall be interpreted to mean all decaying wastes including vegetable, animal offal, and carcasses of dead animals; excluding sewage, body wastes, and recognizable industrial by-products. The term "rubbish" shall include non-decaying wastes. "Refuse" shall refer to all solid wastes including garbage and rubbish (except sewage).

Section 3:

No owner, tenant or lessee of any public or private premises shall permit to accumulate upon his premises any garbage, rubbish, and refuse. All garbage will be taken to the transfer station for disposal or set out for pick-up in containers approved by the Solid Waste Disposal Contractor contracted to pick up garbage in the City of Clark Fork, Idaho.

Section 4:

Containers or rubbish shall be placed in front of the premises by the owners or occupants of such premises on the morning of the day scheduled for collection, and the empty containers shall be withdrawn from the front of the premises as soon after collection as possible on the same day.

Section 5:

All charges for the removal of refuse shall be prepared by, billed out by, and collected by the Solid Waste Disposal Contractor. In addition, the Solid Waste Disposal Contractor shall be responsible for collection of delinquent fees and other costs arising from non-payment of accounts. The Solid Waste Disposal Contractor shall be entitled to recover from the delinquent account any costs and attorney's fees incurred in collecting any delinquent solid waste collection accounts.

Section 6:

The Mayor and City Council may provide for the collection of garbage, rubbish and refuse within the City of Clark Fork and may contract for the collection and disposal thereof with any qualified person, firm or corporation lawfully engaged in the business of collection and disposal of garbage or refuse in the Clark Fork area.

Section 7:

It shall be unlawful for any person, firm or corporation to permit or suffer to accumulate garbage, rubbish and refuse in or about any yard, lot, place or premises, street, alley, which is owned or occupied by such person to be or remain in such condition as to cause or create a nuisance, offensive odor, atmosphere or rodent harborage which causes or creates a public nuisance.

Section 8:

It shall be unlawful and shall constitute a misdemeanor for any person, firm or corporation to violate the provisions of this ordinance, or for any person to throw away, dump or discard any type or nature of garbage, rubbish or refuse on any public lands, rights of way or private land belonging to another. Upon conviction of violations of this ordinance or any part hereof, the court may impose a fine of not more than \$300.00, or imprisonment in the county jail for not more than 30 days, or in the discretion of the court both such fine and imprisonment may be imposed. In addition to, the court shall have power to issue an injunction against further or continued violation of the terms or intent of this ordinance.

Section 9:

Ordinance #197 enacted January 13, 1993 shall be repealed by this ordinance.

Section 10:

The sections of this ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

Section 11:

This Ordinance shall take full force and effect following its approval, passage, and publication according to law.

PASSED AND APPROVED by the City Council and the Mayor under suspension of the rules upon which a roll call vote was taken and duly enacted as an Ordinance of the City of Clark Fork, Bonner County, Idaho at a meeting of the Clark Fork City Council held on the 8th day of March, 2021.

CITY OF CLARK FORK, IDAHO



Russell Schenck, Mayor

ATTEST: Amber Burgess

Amber Burgess, City Clerk

CITY COUNCIL MEMBERS	YES	NO	ABSENT
Stan Spanski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shari Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Banning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jay White	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

