

ORDINANCE NO. 493

AN ORDINANCE OF THE TOWN OF SOUTH PRAIRIE, PIERCE COUNTY,
WASHINGTON, REPEALING ORDINANCE NO. 369 AND ENACTING A NEW
ORDINANCE REQUIRING USE OF GARBAGE SERVICE BY ALL RESIDENTS.

Whereas, every person, organization and business in the Town of South Prairie generates waste materials, and

Whereas, for public health, safety and welfare, all solid waste materials should be properly collected and disposed of, and

Whereas, it has been found where there is not mandatory waste or garbage collection, some parties will dispose of solid waste in an improper manner, and

Whereas, mandatory garbage collection services provides an economical method for the citizenry to dispose of waste.

Now, therefore, the Town Council of the Town of South Prairie, Pierce County, Washington do ordain as follows:

Section 1: Ordinance No. 369 is repealed in its entirety.

Section 2: This chapter shall apply to all territory embraced within the limits of the Town of South Prairie.

Section 3: The maintenance of health and sanitation require, and it is the intention of this Ordinance to make, the collection, transportation and proper disposal of solid waste within the Town by the garbage contractor compulsory and universal. This section does not apply to portions of the waste stream that are lawfully being recycled through commercial recyclers. This section also does not apply to any account, which has received a written exemption from garbage service from the Town.

Section 4: It shall be the duty of the owner of any commercial establishment or residence to ensure that all solid waste that is generated or accumulated is deposited into an approved container and is collected no less frequently than on a weekly basis or as may be otherwise specified in the agreement with the garbage contractor. Failure to comply shall constitute a class four civil infraction under RCW 7.80. A civil infraction may be imposed for each week of non-compliance.

Section 5: It is unlawful for any person to bury, dump, collect, or in any other manner dispose of solid waste on any property within the Town. Any person violating this section shall be subject to a civil citation under RCW 7.80. Should enforcement agents find within dumped, abandoned, or buried solid waste three items that are traceable to a particular individual, a presumption shall arise that that individual dumped, abandoned, or buried the solid waste, in violation of this Ordinance. Civil penalties under this Ordinance shall not preclude enforcement and sanctions by other agencies, including but not limited to the Tacoma-Pierce County Health Department.

Section 6: It is unlawful to burn any solid waste. Any person violating this section shall be subject to a civil citation under RCW 7.80. Civil penalties under this Ordinance shall not preclude enforcement and sanctions by other agencies, including but not limited to the Fire Department and Puget Sound Clean Air Agency.

Section 7: If any provision of this ordinance is determined to be invalid or unenforceable for any reason, the remaining provisions of this ordinance shall remain in force and effect.

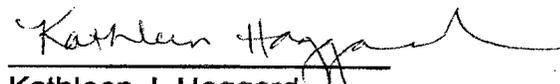
Section 8: This Ordinance shall take effect and be in force five (5) days from and after its passage, approval and publication as required by law.


Mayor Peggy Levesque
INTRODUCED 6-5-07
PASSED 6-5-07
APPROVED 6-5-07
PUBLISHED 6-13-07

Attested:


Marla Nevill
Clerk/Treasurer

Approved as to form:


Kathleen J. Haggard
Town Attorney

