

**ENROLLED ORDINANCE NO. 17-021**

**AN ORDINANCE AMENDING TITLE 8 “HEALTH AND SAFETY”, CHAPTER 8.12 “GARBAGE COLLECTION AND DISPOSAL”, TO REVISE SECTIONS 8.12.020 “FEES FOR SANITATION SERVICES”, 8.12.210(B) “PLACEMENT OF CONTAINERS”, 8.12.250 “DEPOSIT OF REFUSE”, 8.12.290 “MONTHLY PAYMENT”, 8.12.320 “FAILURE TO PAY”, OF THE RIVERTON MUNICIPAL CODE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:**

**Section 1.**

**8.12.020 Fees for Sanitation Services, is hereby revised to read as follows:**

**8.12.020 Fees for Sanitation Services.**

~~A. From and after the effective date of the ordinance codified in this chapter, the fees for the respective classes of sanitation service are as follows:~~

~~—1. Residential:~~

~~—a. Regular service (one container) — six dollars (\$6.00).~~

~~—b. Charge per additional container — six dollars (\$6.00).~~

~~—2. Commercial:~~

~~—a. Regular service — Individual container — thirteen dollars and twenty cents (\$13.20).~~

~~—b. Regular service — Shared container — six dollars and sixty cents (\$6.60).~~

~~—c. Extra pickup — Per container — thirteen dollars and twenty cents (\$13.20).~~

~~—3. Miscellaneous:~~

~~—a. Pickup of garbage not placed in container (commercial only) — five dollars (\$5.00) per minute.~~

~~—b. Special requested pickup — ten dollars (\$10.00), plus three dollars (\$3.00) a minute with a fifteen-minute minimum charge, (time measured from City Shop).~~

~~—B. The city council annually will review the fees established in subsection A of this section as set forth in this subsection. On February 1st of each year, or as soon thereafter as is reasonably practicable, the city clerk shall:~~

~~—1. Determine the annual average for the United States for all items in the Consumer Price Index as published by the United States Department of Labor, Bureau of Labor Statistics, or such other similar index as is available and reasonably reliable;~~

~~—2. Compare such average as published for February 1st of that year with the average as it existed on February 1st of the year immediately preceding, and determine the percentage increase or decrease in such average;~~

~~—3. Apply such percentage increase or decrease to the dollar amount of all existing fees, and round the resulting sums up to the nearest cent; and~~

~~—4. Present the foregoing information to city council for its consideration.~~

~~—C. In addition to the annual review required by subsection B of this section, the city council may, by resolution and after public notice and hearing, review and adjust the fees set forth in subsection A of this section as it deems necessary to comply with the requirements of Section 8.12.270. (Prior code § 11-1.1)~~

*A. The rates established herein and hereafter shall be reviewed by the city council and may be adjusted at such time by resolution of the city council following public notice and hearing on such change. Effective rates will be published on the city website. Billing policies and procedures heretofore adopted by action of the city council are confirmed where not in conflict with this section, and may be supplemented, altered or repealed by motion of the city council.*

**Section 2.**

**8.12.210 Placement of Containers, subsection “B”, is hereby revised to read as follows:**

**8.12.210(B)**

B. The location for placement for curbside service areas shall be immediately adjacent to the curb. ~~in any area where sidewalk is not contiguous with the curb. In all areas where sidewalk and curb are contiguous, containers shall be placed as close as possible to the back of sidewalk.~~ Containers shall not be placed in a manner which obstructs sidewalks. (Prior code § 11-20)

**Section 3.**

**8.12.250 Deposit of Refuse, is hereby revised to read as follows:**

**8.12.250 Deposit of Refuse.**

Refuse Property of City. Ownership of garbage and refuse material set out for collection and collected by the city shall be vested in the city. Any materials placed in *or* upon ~~or adjacent to~~ any container shall be construed as being set out for collection. (Prior code § 11-24)

**Section 5.**

**8.12.290 Monthly Payment, is hereby revised to read as follows:**

**8.12.290 Monthly payment.**

Charges for sanitation service shall be due and payable ~~ten (10) days from the date of billing~~ *on the fifteenth of each month*. The city shall print on each bill the due date thereof. Charges for sanitation service shall be printed on the same billing as water and sewer services. A late charge of an amount equal to ten (10) percent of the charge for services shall be added to the *regular* monthly charge if not paid on or before the date upon which the same becomes due and payable. (Prior code § 11-28) *In addition to all other remedies provided herein and by law, the city may file a lien on the property being served for past due utility services. Such lien shall be filed in the office of the Fremont County Clerk and shall have priority as provided by law.*

**Section 6.**

**8.12.320 Failure to Pay, is hereby revised to read as follows:**

**8.12.320 Failure to pay.**

If any utility user fails to pay monthly charges *imposed pursuant to Section 8.12.020 of the Riverton Municipal Code* within ~~five~~ *seven* calendar days after the due date of that bill, the city shall notify the utility user by a delinquency/shut off notice stating that unless all outstanding charges on that account are paid within seven calendar days after mailing such notice the water of the utility user shall be shut off ~~immediately~~ *any time at the city's option*. Additionally, if the utility user does not have water service through the city, the sanitation department's container(s) shall be removed. (Ord. 01-012 § 1, 2001; Ord. 00-006 § 19, 2000; prior code § 11-32) *Failure to receive a utility bill does not relieve the obligation to pay for services rendered.*

**Section 7.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**Section 8.**

This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING	<u>September 19, 2017</u>
PASSED ON SECOND READING	<u>October 3, 2017</u>
PASSED ON THIRD READING	<u>October 17, 2017</u>

PASSED, ADOPTED AND APPROVED this 17<sup>th</sup> day of October 2017.

CITY OF RIVERTON

By: \_\_\_\_\_  
John L. Baker, Mayor

ATTEST:

\_\_\_\_\_  
Kristin S. Watson  
City Clerk/Human Resource Director

**ATTESTATION**

I, Kristin S. Watson, Clerk of the City of Riverton, attest that Ordinance No. 17-021 was passed, adopted, and approved by the Governing Body of the City of Riverton on the 17<sup>th</sup> day of October 2017. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being *October 20, 2017*.

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Kristin S. Watson  
City Clerk/Human Resource Director