

Subject: ORD #1534 – Updating Solid Waste Code – Title 6 RMC

Dept. Origin: City Council
Prepared by: Jennifer Robertson
City Attorney’s Office
For Agenda of: July 21, 2020
Exhibits: Ordinance No. 1534

Proposed Council Action:

This is on for Second Reading and Action.
Adopt Ordinance No. 1534

Concurred by Mayor: _____ Initial & Date
Approved/form by City Atty: JSR/7-9-2020
Approved by City Engineer: _____
Approved by Department Head: _____

INFORMATION / BACKGROUND

For many years, the City of Ruston has had its own solid waste utility for hauling garbage, recycling, and yard waste for the residents and businesses in Ruston. Over the past several years, operational costs have increased, and the long-term sustainability of the services was put at risk. Following a competitive RFP process, the City Council awarded a contract to Murrey’s Disposal Company for hauling all solid waste, recycling, and yard waste in Ruston. This contract was awarded on June 16, 2020 by passage of Resolution No. 711. Murrey’s will commence service under the contract on August 1, 2020.

The City’s solid waste code that is within three chapters of Title 6 (6.01, 6.03, and 6.04) has been in place for decades with few updates apart from rates. This code is based on the premise that the City is the waste hauler. In order to provide consistency with the new contract and to move these services outside of City operations, the solid waste code needed a major overhaul. This Ordinance consolidates Chapters 6.01, 6.03 and 6.04 into a new Chapter 6.01 of the Ruston Municipal Code. The new chapter also was made consistent with the Solid Waste Services Agreement that was authorized in June.

- 1. What remains the same.** The following provisions are the same or similar to the prior code:

Description of Section	Prior RMC Section	New RMC Section
The purpose and declaration of policy language.	6.01.010	6.01.005
Violation/prohibited acts contained in the prior code (i.e. to maintain the area around containers clean and	6.01.050 6.01.060	6.01.120 6.01.130

litter free, penalties for improper disposal, prohibitions on overloading or damaging containers, prohibiting hazardous waste, etc.).	6.01.070 6.01.080 6.01.085 6.01.090 6.01.140 6.01.160 6.01.210 6.01.220 6.01.230	6.01.120 6.01.130 6.01.130 6.01.130 6.01.055 6.01.140 6.01.150 6.01.160 6.01.170
Most of the definitions contained in the old code have been retained and new definitions from the Agreement have been added	6.01.020	6.01.020
Penalties for improper disposal or violations in this chapter are still in place but with a uniform penalty.	6.01.420	6.01.060 6.01.190
The only section contained in Chapter 6.04 regarding compliance with the State indoor clear air act has been relocated to	6.04.010	6.01.080

2. What has changed. In converting from a City utility to a contract, several portions of the new code needed revising:

Description of Section	Prior RMC Section	New RMC Section
The provisions that had the City performing an act (i.e. cleaning up spilled litter around cans and charging the customer) have been removed.	6.01.030 6.01.120 6.01.180 6.01.200 6.01.240 6.01.270 6.01.290 6.01.300 6.01.310 6.01.320 6.01.330 6.01.340 6.01.350	--
All sections setting rates and service levels.	6.01.250 6.01.260	6.01.090
Separate provisions or definitions for garbage, recycle, and yard waste have been consolidated where appropriate.	6.01.370 6.01.380 6.01.390 6.01.400	6.01.045 6.01.055 6.01.090
Rate changes need to follow state law notice requirements (45 days).	--	6.01.090

Removing items from recycle bins is now an infraction	--	6.01.100
Weight limits on containers have been added to the code consistent with Murrey's equipment load capacity.	--	6.01.055
The enforcement and penalties have been streamlined to allow police to write civil infraction tickets as opposed to using a hybrid civil violation procedure (as was contained in the prior code).	6.01.420	6.01.190
Chapter 6.03 which established the garbage utility for Ruston has been repealed.	6.03.010	--

If you have any questions about previous code sections or the new draft code, please let me know.

FISCAL CONSIDERATION

N/A

RECOMMENDATION / MOTION

This is on for Second Reading and Action. Adopt Ordinance No. 1534.

MOTION: I move to adopt Ordinance No. 1534 relating to the City of Ruston's solid waste regulations, repealing and replacing Chapter 6.01 of the Ruston Municipal Code and repealing Chapters 6.03 and 6.04 of the Ruston Municipal Code, creating a substantially revised Chapter 6.01 of the Ruston Municipal Code regarding solid waste collection in order to make the code consistent with the City's contract for solid waste services and dissolution of the City's Solid Waste Division, bringing the code current with these new operations, establishing definitions, compulsory removal of solid waste and use of City Contractor, providing exceptions thereto, establishing requirements and limitations for use of solid waste services, regulating use and location of solid waste containers, prohibiting placing hazardous waste into containers, creating prohibited activities relating to solid waste, and providing for penalties for the violation of the Solid Waste Code.

ORDINANCE NO. 1534

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, RELATING TO THE CITY'S SOLID WASTE REGULATIONS, REPEALING AND REPLACING CHAPTER 6.01 OF THE RUSTON MUNICIPAL CODE AND REPEALING CHAPTERS 6.03 AND 6.04 OF THE RUSTON MUNICIPAL CODE, CREATING A SUBSTANTIALLY REVISED CHAPTER 6.01 OF THE RUSTON MUNICIPAL CODE REGARDING SOLID WASTE COLLECTION IN ORDER TO MAKE THE CODE CONSISTENT WITH THE CITY'S CONTRACT FOR SOLID WASTE SERVICES AND DISSOLUTION OF THE CITY'S SOLID WASTE DIVISION, BRINGING THE CODE CURRENT WITH THESE NEW OPERATIONS, ESTABLISHING DEFINITIONS, COMPULSORY REMOVAL OF SOLID WASTE AND USE OF CITY CONTRACTOR, PROVIDING EXCEPTIONS THERETO, ESTABLISHING REQUIREMENTS AND LIMITATIONS FOR USE OF SOLID WASTE SERVICES, REGULATING USE AND LOCATION OF SOLID WASTE CONTAINERS, PROHIBITING PLACING HAZARDOUS WASTE INTO CONTAINERS, CREATING PROHIBITED ACTIVITIES RELATING TO SOLID WASTE, PROVIDING FOR PENALTIES FOR THE VIOLATION OF THE SOLID WASTE CODE, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Ruston has historically had its own solid waste utility for hauling garbage, recycling and yard waste for the residents and businesses in Ruston; and

WHEREAS, due to increasing costs, the City Council decided to contract out these services; and

WHEREAS, on June 16, 2020 by adoption of Resolution No. 711 the City Council entered into a contract for services with Murrey's Disposal Company; and

WHEREAS, the City's current solid waste code is contained in Chapters 6.01, 6.03 and 6.04 of the Ruston Municipal Code; and

WHEREAS, in order to transition to contracted solid waste collection, the code needs a major update to be consistent with the contract for services; and

WHEREAS, Chapter 6.03 RMC establishes the City's solid waste department and can be repealed as no longer applicable; and

WHEREAS, Chapter 6.04 RMC contains a single section on solid waste and should be consolidated into new Chapter 6.01 of the Ruston Municipal Code to have all solid waste regulations in one chapter; and

WHEREAS, the City Council held first reading of this Ordinance at its regular meeting on July 7, 2020; and

WHEREAS, the City Council adopted this Ordinance at second reading at its regular meeting on July 21, 2020; **NOW, THEREFORE,**

**THE CITY COUNCIL OF THE CITY OF RUSTON, WASHINGTON DOES
HEREBY ORDAIN AS FOLLOWS:**

Section 1. Chapter 6.01 of the Ruston Municipal Code is hereby repealed and replaced with a new Chapter 6.01 of the Ruston Municipal Code to read as follows:

**Chapter 6.01
SOLID WASTE COLLECTION AND DISPOSAL**

Sections:

- 6.01.005 Declaration of policy.**
- 6.01.010 Chapter application.**
- 6.01.020 Definitions.**
- 6.01.030 Compulsory removal and disposal.**
- 6.01.040 Minimum service levels.**
- 6.01.045 Billing for solid waste services.**
- 6.01.050 Accumulation of solid waste.**
- 6.01.055 Weight guidelines for service.**
- 6.01.060 Penalty for improper disposal.**
- 6.01.065 Improper disposal in another's container.**
- 6.01.070 Name appearing on waste material; presumption.**
- 6.01.080 Tip fees.**

6.01.090 Rates.

6.01.100 Removing items from bins – Civil infraction.

6.01.110 Disposal of yard waste.

6.01.120 Container locations, residential.

6.01.130 Commercial container requirements.

6.01.140 Hazardous wastes.

6.01.150 Containers — Immediate area to be litter free.

6.01.160 Accumulation of refuse on planting strip or sidewalk unlawful.

6.01.170 Scattering refuse unlawful.

6.01.180 Compliance required.

6.01.190 Violation – Penalties.

6.01.005 Declaration of policy.

The City Council finds that the maintenance of health and sanitation requires compulsory and universal collection, removal, and disposal of refuse, recyclable materials and yard waste.

6.01.010 Chapter application.

This chapter shall apply to all territory embraced within the corporate limits of the City of Ruston.

6.01.020 Definitions.

Definitions as used in this chapter shall be as follows:

“Aluminum” shall mean cans and containers composed solely of aluminum.

“Cardboard” shall mean moderately thick paperboard not contaminated by glue, food, waxed coating or other similar contaminants

“Cart” shall mean a Contractor provided receptacle which is made of durable, corrosion-resistant, non-absorbent material with a close-fitting cover and wheels. For the collection and storage of solid waste, Contractor shall provide the following sizes of Carts twenty (20) gallon, thirty-five (35) gallon, sixty-five (65) gallon, and ninety-five (95) gallon. For the collection and storage of source-separated or commingled recyclables, and yard waste, Contractor shall provide either sixty-five (65) or ninety-five (95) gallon Carts.

“Commercial” means any establishment or business which is not residential in nature. This would include hotels/motels, churches, nonprofit organizations, federal, state and local government-owned facilities. Any service address which contains a mix of residential and commercial shall be considered “commercial”.

“Commercial wood waste” shall mean natural wood or wood bi-products including, but not limited to, pallets, stumps, and shavings, which are not treated with chemicals, paint or other contaminants.

“Contractor” means the company with which the city has contracted to collect, haul or dispose of solid waste.

“Curbside” shall mean at the curb or up to five (5) feet from the edge of the public road.

“Customer” means the person in whose name the account is established and to whom the bill is issued. This is the person who is responsible for payment of the bill, including, without limitation, residents, businesses, property owners, managers, and tenants.

“Drive-in” shall mean leaving the public road to provide service. When drive-in is required or requested, the customer shall ensure that there shall be no obstruction from overhanging branches and/or wires and that there is adequate room for the collection vehicle to turn around. If the customer requests drive-in service, the road surface shall be of such material as to withstand the weight of the collection vehicle; all maintenance and repairs shall be the customer’s responsibility.

“Excluded waste” shall mean any material which is or contains, or which Contractor reasonably believes to be or contain, radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, toxic or hazardous material as defined by applicable federal, state or local laws or regulations.

“Garbage” shall mean all putrescible and non-putrescible solid and semi-solid wastes, including, but not limited to, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, dead small animals completely wrapped in plastic and weighing less than fifteen (15) pounds, and discarded commodities that are placed by Customers in appropriate Containers, bags, or other receptacles for collection and disposal by the Contractor. Needles or “sharps” used for the administration of medication can be included in the definition of “Garbage,” provided that they are placed within a sealed, secure container as agreed upon by the City and the Contractor and this handling is consistent with current Pierce County sharps policy. The term “Garbage” shall not include Excluded Waste, Hazardous Wastes, Source-separated recyclable materials, or Source-separated yard waste.

"Hazardous Waste" shall mean any substance that is:

(1) Defined as hazardous by 40 C.F.R. Part 261 and regulated as Hazardous Waste by the United States Environmental Protection Agency under Subtitle C of the Resource Conservation and Recovery Act ("RCRA") of 1976, 42 U.S.C. § 6901 et seq., as amended by the Hazardous and Solid Waste Amendments ("HSWA") of 1984; the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq.; or any other federal statute or regulation governing the treatment, storage, handling or disposal of waste imposing special handling or disposal requirements similar to those required by Subtitle C of RCRA.

(2) Defined as dangerous or extremely hazardous by Chapter 173-303 WAC and regulated as dangerous waste or extremely Hazardous Waste by the Washington State Department of Ecology under the State Hazardous Waste Management Act, Chapter 70.105 RCW, or any other Washington State statute or regulation governing the treatment, storage, handling or disposal of wastes and imposing special handling requirements similar to those required by Chapter 70.105 RCW.

“Jurisdictional health department” means the Tacoma-Pierce County health department as defined in RCW 70.05.020.

“Metal containers” shall mean cans and containers composed of metals, such as tin or steel cans, which are attracted by a magnet.

“Mixed paper” shall mean paper (except newspaper), including magazines, mail, phone books, photocopy or printer paper, and envelopes that are not contaminated by food, plastic wrap or other contaminants.

“Multifamily” refers to any structure housing two or more dwelling units (RCW 70.95.030 (13)). An account which contains two dwelling units which are occupied by members of the same family may be considered a “single-family” residence for purposes of this chapter.

“Newspaper” shall mean any part of the newspaper that was included when it was delivered or purchased.

“Pack-out” shall mean the charge for carryout of over five (5) feet from the edge of the public road, but not over fifty (50) feet.

“Person” means every person, firm, co-partnership, association, or corporation (RCW 70.95.030(14)).

“Plastic” shall mean plastic water and pop bottles, milk jugs and other plastic bottles with necks smaller than its body.

“Recyclables” shall mean those recyclable items defined in RCW 70.95.030(17) designated by the City to be picked up in the curbside recycling program which items are limited to those items deemed acceptable as recyclable pursuant to Pierce County, Washington.

“Single-family” refers to any residence which contains one housing unit.

“Solid waste” means all putrescible and non-putrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, and recyclable materials. (RCW 70.95.030(22)).

“Solid waste collection service” means the collection of solid waste for transportation, disposal or further processing by motor vehicle for compensation originating within the city of Ruston. Solid waste collection service includes recycling and yard waste service as requested by the customer.

“Yard waste” shall mean any material which occurs naturally and is grown on residential, commercial or industrial property or is included in the landscaping of such property.

6.01.030 Compulsory removal and disposal.

- a) The maintenance of health and sanitation require, and it is the intention of this chapter to make, the collection, removal and proper disposal of solid waste within the City by the contractor compulsory and universal.
- b) This section does not apply to the following:
 1. Self-hauling by the waste generator;

2. Construction/demolition waste hauled by self-haulers;
3. Construction or self-hauling by demolition contractors in the normal course of their business; or
4. Any account which has received a written exception to garbage service from the City.

6.01.040 Minimum service levels.

- a) The minimum solid waste collection service required in the City of Ruston is one cart of 20-gallon size or larger (with or without recycling) one time per week for all occupied residences. The minimum service level for commercial establishments is weekly service at a level commensurate with the amount of solid waste produced by the establishment as determined by the contractor.
- b) Exceptions:
 1. If one owner owns adjacent properties on different utility accounts, one solid waste service may be shared based upon a written request to and approval from the Mayor and the contractor.
 2. If the solid waste service provider is unable to provide collection service due to inadequate clearance for the disposal vehicles, a customer may file a written request for an exemption from solid waste collection services with the City Clerk. Such exemption must be approved by both the Mayor and the contractor and shall be conditioned upon agreement that solid waste will be disposed of properly on a weekly basis at a permitted landfill by the customer. This section will not allow a exception if the property can be reasonably modified and/or the container moved to allow service.

6.01.045 Billing for solid waste services.

The city has entered into an agreement with the contractor which requires the contractor to bill for all solid waste services in accordance with RMC 6.01.090. All costs related to billing and bill collection will be paid by the contractor.

- a) Charges for any special services not covered in either RMC 6.01.090 or the contract shall be determined by the mutual agreement of the city and the contractor.
- b) In billing for solid waste/recycling services, the property owner shall not be held responsible if they are not the customer, unless otherwise agreed by the property owner.
- c) The contractor will mail bi-monthly billings to the residential customers and monthly to commercial customers. For residential customers, the bills shall include charges for the month in which the bill is received by the customer and the following month. For all customers, the time period covered will be stated on the bill.
- d) The contractor will bill customers directly for collection of solid waste that exceeds the level of service designated by the customer.
- e) If a customer does not have their solid waste, recycling, or yard waste at the designated pick-up point when the collection truck arrives and contacts the city's contractor directly for service, a return trip charge may be assessed as described in either RMC 6.01.090 or the contract.
- f) The contractor will not provide proration of bills for partial months. The minimum proration period shall be one month.

- g) The bill provided by the contractor will clearly state the type of service for which the customer is being charged. The bill will include a breakdown of charges for each type of service and any applicable taxes or charges.
- h) The bills provided by the contractor will be due in accordance with guidelines established by the contractor which can include penalties for late payment.
- i) The contractor may use a collection agency, a lien process, or other legal methods to recover the past due balance from the customer. The contractor cannot impose any financial obligation on a property owner if they were not the customer, unless otherwise agreed with the property owner.

6.01.050 Accumulation of solid waste.

It shall be the duty of the owner of any commercial establishment or residence to ensure that all solid waste that is created or accumulated is deposited into an approved container and is collected at least on a weekly basis.

6.01.055 Weight guidelines for service.

- a) The solid waste, recycling, or yard waste containers for cart service or extra garbage service shall be insect-proof and the capacity per cart shall not exceed the limits thereof. For extra garbage service, the limit is 32 gallons. The solid waste container shall be kept in a sanitary condition. The solid waste container shall be set in an area approved by the service provider for collection one time per week. The weight guidelines for can service are as follows:

For Garbage Service:

Mini-can (max. 20 gallons)	30 lbs.
Small cart (max. 35 gallons)	45 lbs.
Medium cart (max 65 gallons)	90 lbs.
Large cart (max 95 gallons)	135 lbs.
Extra garbage (max 32 gallons)	45 lbs.

For Recycle or Yard Waste Service:

65 Gallon cart	90 lbs.
95 Gallon cart	135 lbs.

- b) It is prohibited to overload containers in a manner which is likely to cause damage to the collection vehicle, create a litter condition, or impede collection. The contractor shall place tags on containers found to exceed the weight guidelines. If the guidelines stated above are consistently breached, the contractor will require a change in service to accommodate the level of solid waste to be collected.

6.01.060 Penalty for improper disposal.

It is unlawful for any person to bury, burn, dump, collect, or in any other manner dispose of solid waste upon any street, alley, public place, or private property within the city. Any person violating

this section shall be guilty of a misdemeanor under RMC 1.18.010 and any person convicted thereof may be punished by a fine of not more than \$1,000.00 or by imprisonment for no more than 90 days or by both such fine and imprisonment.

6.01.065 Improper disposal in another's container.

It is unlawful to deposit any solid waste in a solid waste container owned or maintained on the premises of another unless invited, licensed, or otherwise privileged to do so. Any person violating this section shall be guilty of a misdemeanor under RMC 1.18.010 and any person convicted thereof may be punished by a fine of not more than \$1,000.00 or by imprisonment for no more than 90 days or by both such fine and imprisonment.

6.01.070 Name appearing on waste material; presumption.

Whenever solid waste dumped in violation of RMC 6.01.060 or 6.01.065 contains three or more items bearing the name of one individual, there shall be a rebuttable presumption that the individual whose name appears on such items committed the unlawful dumping.

6.01.080 Tip fees.

Tip fee changes approved by the county are considered pass-through costs. The contractor shall notify the city of a county change in tip fees immediately upon the contractor's official notification of a change in such fees, but not less than 45 days prior to the requested effective date. The contractor shall submit a copy of the written notification of any tip fee change to the Mayor, who shall approve the change in pass-through costs resulting from a change in county tip fees. The effective date of rate changes authorized under this section shall not be less than 45 days after the contractor submits the required county notification to the Mayor.

6.01.090 Rates.

- a) The monthly rates for current solid waste handling service (including garbage, recycling, and yard waste) shall be calculated in accordance with such agreement for solid waste service as the city may enter into.
- b) In accordance with RCW 35A.21.152, the public shall be notified of each rate increase for a solid waste handling service. The notice may be mailed to each affected ratepayer or published once a week for two consecutive weeks in a newspaper of general circulation in the collection area. The notice shall be available to affected ratepayers at least 45 days prior to the proposed effective date of the rate increase. Providing such notice shall be the responsibility of the contractor.
- c) The city shall maintain, publish, and make available to the public a current schedule of rates for solid waste handling service. Publishing can occur through the city's website, and the schedule may be made available to the public through the city clerk's office. Such information shall also be available from the contractor's customer service department.

6.01.100 Removing items from bins – Civil infraction.

Removal of items from recycling bins without permission of the person responsible for the bin shall constitute a civil infraction as defined in Chapter 1.18 RMC. Any person found violating this section shall be guilty of a misdemeanor under RMC 1.18.010. Any person convicted thereof may

be punished by a fine of not more than \$1,000.00 or by imprisonment for no more than 90 days, or by both such fine and imprisonment.

6.01.110 Disposal of yard waste.

The contractor shall take the collected yard waste to a fully licensed compost site. Use of an unlicensed site or alternate method of disposal requires review and approval by the city council.

6.01.120 Container locations, residential.

- a) Carts shall be placed at such locations on the frontage of the property being served within five feet of the curb, street, or alley where the contractor's truck can stop legally for collection and loading.
- b) Carts or containers left within public right-of-way shall be left only so long as it is necessary to provide collection by the contractor. Carts and containers shall be removed from the right of way no later than one day following the waste collection day.
- c) Covers on containers are required and shall be kept secure and fastened at all times so that flies, insects, dogs and other scavengers cannot gain access and contents do not become wet.
- d) It is unlawful for any person to willfully damage or destroy any garbage container belonging to any other person.

6.01.130 Commercial container requirements.

- a) Commercial customers shall place containers at such locations as designated by the contractor, who shall make determinations based on efficient solid waste collection. Commercial containers shall be placed on a hard surface pad in such a way as to facilitate collection. The storage place shall additionally meet the requirements listed below:
 - 1. The storage space shall be located on private property;
 - 2. The storage space shall not be located in any required parking area;
 - 3. The storage space shall not block or impede any fire exits, public rights-of-way or any pedestrian or vehicular access; and
 - 4. The storage space shall be located to minimize noise and odor to building occupants and neighboring developments.
- b) All commercial containers shall be confined within completely fenced areas. Such fenced areas shall be so screened as to conceal their contents from public view.
- c) Covers on containers are required and shall be kept secure and fastened at all times so that flies, insects, dogs and other scavengers cannot gain access and contents do not become wet.
- d) It is unlawful for any person to willfully damage or destroy any container belonging to any other person.

6.01.140 Hazardous wastes.

Hazardous materials as defined herein shall not be placed in refuse containers intended for collection by the contractor.

6.01.150 - Containers — Immediate area to be litter free.

Every person in possession, charge, or control of any premises within the City shall maintain the area adjacent to their solid waste containers clean and free from garbage, refuse, and rubbish.

6.01.160 Accumulation of refuse on planting strip or sidewalk unlawful.

It shall be unlawful for the owner or occupant of abutting private property to allow the accumulation of any refuse on sidewalks or planting strips, whether such refuse is deposited by such owner or occupant or not. This provision shall not apply to the Sheriff when removing the contents of a building to the sidewalk or planting strip pursuant to an eviction, to firefighters placing debris on the sidewalk or planting strip in the course of extinguishing a fire or explosion, to the use of receptacles placed or authorized by the city for the collection of refuse on sidewalks or planting strips, or to accumulations temporarily authorized under a street use permit.

6.01.170 Scattering refuse unlawful.

It is unlawful for any person, firm or corporation to scatter, throw, deposit, etc., any garbage, refuse, or rubbish, or other substance which may be unsightly, offensive to smell or injurious to health, on any private yard, lot, building, sidewalk, street, alley, or any other public place other than in the type of container provided for by this chapter.

6.01.180 Compliance required.

All solid waste delivered to the Pierce County system of solid waste disposal shall be in compliance with the Resource Conservation and Recovery Act, as amended (42. U.S.C. Subsection 9001, et seq.), Chapter 70.95 RCW, and all other applicable Federal, State and local environmental health statutes, ordinances, resolutions, rules or regulations.

6.01.190 Violation – Penalties.

In addition to any other penalty or remedy available, a violation of any section within this chapter shall be punishable as a civil infraction as defined in Chapter 1.18 RMC. The base penalty for a civil infraction issued for violating a section of this chapter shall be as follows:

- a) First violation: \$100.00 plus statutory assessments;
- b) Second violation: \$250.00 plus statutory assessments; and
- c) Third violation and subsequent violations: \$1,000.00 plus statutory assessments.

Section 2. Chapter 6.03 of the Ruston Municipal Code is hereby repealed.

Section 3. Chapter 6.04 of the Ruston Municipal Code is hereby repealed.

Section 4. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 5. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 6. Effective Date. This Ordinance shall be effective on July 31, 2020, or five days after publication as provided by law, whichever occurs last.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 21st day of July, 2020.

APPROVED by the Mayor this 21st day of July, 2020.

Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

Judy Grams
City Clerk

APPROVED AS TO FORM:



Jennifer S. Robertson
City Attorney's Office

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

ORDINANCE NO: 1534