
Document Control Changes: Created 21 June 1994 (was originally CFO-009-SW-94, number change), Revised 28 August 2007 (was CF-003-SW-94), Revised 28 June 2016, New Format June 2016; Revised September 2020

AN ORDINANCE OF THE GOVERNING BODY OF CEDAR FORT TOWN
ADOPTING REGULATION AND PICKUP OF SOLID WASTE (GARBAGE) WITHIN THE
TOWN OF CEDAR FORT.

WHEREAS, Health and sanitation regulations require that garbage be disposed of in a proper manner and appropriate location outside the Town limits, and

WHEREAS, Cedar Fort Town wishes to update its regulations regarding the collection and pickup of garbage and refuse;

NOW, THEREFORE, be it ordained by the governing body of Cedar Fort Town as follows:

1.0 GARBAGE REGULATION

The Town will, provide garbage removal service from the residential properties in the Town through contracted services.

2.0 DEFINITIONS

- 2.1 "Garbage" means waste from the preparation, handling, storing, cooking or consumption of food and food products.
- 2.2 "Residential garbage" refers to garbage produced in places of private residence and dining halls not open to the public and is limited to certain restrictions as set forth by the Town's contracted service provider.
- 2.3 "Refuse" means all waste matter, except garbage, attending or resulting from the occupancy of residences, apartments, hotels, or other places of dwelling. Refuse will not be deemed to include industrial waste or waste matter resulting from the construction, demolition or repair of a building or other structure.
- 2.4 "Community waste" means lawn cutting, clippings from bushes and shrubs, leaves and trees and tree branches.
- 2.5 "Container" or "regulation container" means a type of garbage or trash container approved by the Town's contracted service provider.

3.0 COLLECTION OF GARBAGE

- 3.1 The town or its agent will collect, remove and dispose of residential garbage subject to the reasonable limitations of the Town's contracted service provider. Garbage

and refuse will be collected, removed and disposed of with such frequency and in such manner as the town council may establish from time to time.

- 3.2 Commercial establishments, institutions and establishments creating commercial garbage must remove its garbage, refuse, and community waste through a commercial garbage service.
- 3.3 Nothing contained in this section will preclude persons from hauling their own garbage to an appropriate garbage processing facility. No person will import any garbage waste or refuse into the town for storage or disposal.
- 3.4 The Town, upon written notice, will make reasonable efforts to provide assistance to disabled persons, where necessary, who are unable to handle the containers.
- 3.5 Spring/ Fall Cleanup: The Town Contractor may provide a spring and/or fall cleanup collection by either providing central roll-off containers or issue dump passes for each resident with garbage service.
- 3.6 Nothing in this section will be construed as eliminating the charge made for garbage service.
- 3.7 Every dwelling will have garbage collection service through the Town unless the resident provides competent evidence annually of its commercial garbage service with at least monthly pickup.

4.0 SERVICE CHARGE, CONTAINER REMOVAL POLICY and LATE FEES, & DISHONORED CHECKS

- 4.1 All residents within the municipality are required to receive garbage collection; if they receive their residential garbage service through the Town, they must pay the town the following garbage service charges:

Residential Rate per Month:

Town Charge based on current contract with garbage collection company

Residential vacancy rate per month: \$4.00 for each month or part thereof

- 4.2 If a dwelling unit has remained vacant for an entire month, the owner may make arrangements with the clerk for minimum garbage collection charges during the continued vacancy of the premises.
- 4.3 The fees and charges provided for in this Ordinance are due and payable on the 1st

(first) day of the each month (for the previous month's service). If the fees and charges are not paid by the 15th (fifteenth) of the month, the account is past due and a \$25 late fee is charged. Only one late fee will be charged per individual account per month.

Garbage collection service may be terminated and the container collected if any of the following conditions exist:

1. No payment has been received for 2 consecutive months, or
2. Total past due amount exceeds \$50.

A retrieval fee of \$35 will be added to the bill.

A re-delivery fee of \$55 will be assessed to restore garbage service.

The Town will impose a monthly late fee (after the initial \$25 late fee) on past due accounts of \$25 per month. Only one delinquent fee will be charged per individual account per month.

- 4.4 When an account becomes past due, the next utility bill will include the late and delinquent fees as provided in this Section 4.0. If the fees are not paid within 30 days, the Town may seek to recover \$100 plus triple the past due services up to \$200 or the maximum amount allowed by law.

A violation of any Section of this Ordinance constitutes a municipal infraction, punishable by a civil penalty of \$50 for the first violation, and \$150 for each additional violation. Seeking a civil penalty as authorized in this Ordinance, does not preclude the Town from seeking additional relief allowed by law.

If the owner does not timely pay the fees and charges, the Town may certify the delinquent/past due amounts to the Utah County Treasurer and Assessor. These delinquent fees and charges will, immediately upon this certification, become a lien on the delinquent premises on parity with and collected at the same time and in the same manner as general county taxes that are a lien on the premises.

The Town will apply payment first to late and delinquent fees and then to the past due service fees.

Except as otherwise provided herein, any person found in violation of the provisions of this Ordinance will be fined an amount not to exceed Five Hundred Dollars (\$500.00) for each violation. Each day in violation will be considered a

separate violation. The Town may also seek an injunction to prevent further violation of this Ordinance.

- 4.5 In the event a check presented for fees is dishonored for any of the reasons set forth in *Utah Code Ann. § 7-15-1*, the Town will impose a \$35 service charge and pursue all remedies available under *Utah Code Ann. § 7-15-1 et seq.*

5.0 METHOD OF PAYMENT OF SERVICE CHARGES

- 5.1 The garbage service charges may be included in the billing for culinary water service furnished by the Town and will be billed and collected in the same manner as water service charges are billed and collected.

6.0 NO ACCUMULATION OF GARBAGE

- 6.1 It is unlawful for any land owner to allow the deposit, accumulation, or dumping of garbage, refuse, or community waste on its land.

- 6.2 It is unlawful for any person to litter, dump, deposit or store any garbage, refuse, or community waste on any street, public right-of-way, alley, or Town property. .

7.0 CONTAINERS

- 7.1 All approved garbage service container will be placed on the edge of the road/ asphalt blacktop by 7:00 a.m. at a readily accessible location that allows adequate access for the Town's contracted service provider's equipment to empty the container.
- 7.2 Containers will not exceed Town's contracted service provider's capacity limitations or other reasonable restrictions.

8.0 PROHIBITED ITEMS AND ACTIONS.

- 8.1 The Town Contractor will not collect or dispose of any bulky waste, construction debris, dead animals, automobile parts, tires, batteries, hazardous waste, manure, hot ashes or items and material in containers that are not the approved containers..
- 8.2 Burning of Refuse. It is unlawful for any person to burn any garbage or refuse.
- 8.3 It will be unlawful for any person to use the container of another person, dwelling, business, or facility for the disposal of garbage, refuse, or community waste not generated at the household, or facility owning or possessing the container.

9.0 TIME AND PLACE OF PICKUP.

- 9.1 Garbage containers shall not be put out more than one day in advance of the day that the Town's contracted service provider is to empty the container.
- 9.2 All empty receptacles must be removed from the street as soon as practical after being emptied, and in every case, must be removed from the street the same day they are emptied.

10. EFFECTIVE DATE

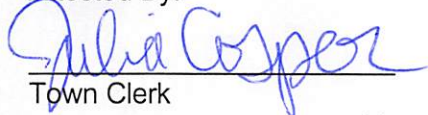
This ordinance will become effective on final passage vote of the Town Council and posting.

11. This ordinance repeals and replaces all prior versions of the ordinance CFO-450-SW-XXXX.

Passed this 5th Day of September 2020, TOWN OF CEDAR FORT


David T. Gustin, Mayor

Attested By:


Town Clerk


Mayor, David T. Gustin

Councilmember Laura Ault

Councilmember Ellen Cibula

Councilmember Wyatt Cook

Councilman Rett Messersmith

Voted Yea 

Voted Yea 

Voted Yea 

Voted ABSENT


Voted ABSENT

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

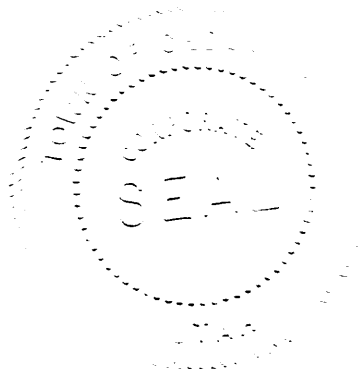
I, JULIA COSPER, Town Clerk of Cedar Fort Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Cedar Fort Town, Utah, on the 5 day of September 2020, entitled

"TOWN OF CEDAR FORT SOLID WASTE (GARBAGE) ORDINANCE"

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Cedar Fort Town Utah this 8 day of September 2020.


JULIA COSPER
Cedar Fort Town Clerk

(SEAL)



AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Julia Cospers, Town Clerk of Cedar Fort Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Cedar Fort Town Council on the 5 day of September 2020 and herein referred to as:

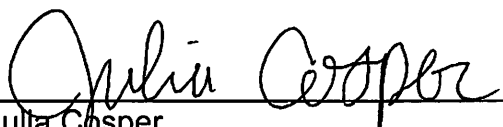
"SOLID WASTE (Garbage) ORDINANCE OF THE TOWN OF CEDAR FORT, UTAH"

SUMMARY:

The above-named ordinance was enacted to define and describe the necessity for garbage collection, the requirements, and restrictions for such garbage collection and fees/penalties associated with garbage pickup/failure to comply.

The three places are as follows:

1. Post Office
2. Town Hall
3. Town Recreation Center



Julia Cospers
Cedar Fort Town Clerk

Date of Posting Sept. 8, 2020