

ORDINANCE NO. 2061

**AMENDING CENTRAL POINT MUNICIPAL CODE SECTION 8.38.010
REGARDING GARBAGE REMOVAL REQUIRED**

RECITALS:

- A. Pursuant to CPMC, Chapter 1.01.040, the City Council, may from time to time make revisions to its municipal code which shall become part of the overall document and citation.
- B. Upon review, the staff and city attorney for the City of Central Point determined that amendment to Chapter 8.38.010 Garbage Removal Required is advisable to clarify that owners of property may require tenants to subscribe to garbage removal service via a written lease agreement.
- C. Words ~~lined through~~ are to be deleted and words **in bold** are added.

THE PEOPLE OF THE CITY OF CENTRAL POINT DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8.38.010 is amended in part as set forth below and incorporated herein by reference.

**Chapter 8.38
GARBAGE REMOVAL**

Sections:

8.38.010 Garbage removal required.

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A. The owner of any dwelling used for human habitation shall remove all garbage and rubbish accumulated or stored at such dwelling on at least a weekly basis, either by subscribing to and paying for weekly garbage removal with a city of Central Point refuse collection franchise holder, or by some other lawful means of removing and disposing of such garbage and rubbish.

B. The owner of any dwelling who rents, leases or lets dwelling units for human habitation shall provide, in a location accessible to all dwelling units, one thirty-five-gallon (or greater) receptacle for each dwelling unit, or, if a multiple-family unit, a receptacle with a

combined capacity of thirty-five gallons per dwelling unit, into which garbage and rubbish from the dwelling units shall be emptied for storage between days of collection. The owner, **tenant, or person in control** of the rented or leased units **on a day to day basis** shall subscribe to and pay for weekly garbage removal service for the receptacles with a city of Central Point refuse collection franchise holder. **In the event that a conflict exists between the owner and the tenant or other person in control of the property on a day to day basis, the owner shall be responsible for compliance with this code.**


C. Receptacles and lids shall be watertight and provided with handles. All receptacles shall be maintained free from holes and covered with tight-fitting lids at all times.

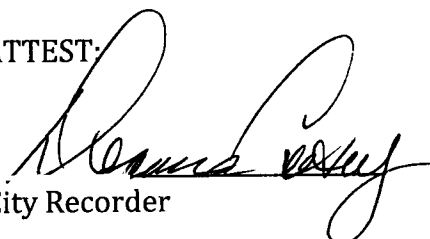
D. When a dwelling for human habitation is unoccupied for a period over two weeks no refuse service will be required, until the dwelling is reoccupied.

SECTION 2. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Recitals A-C) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 3. Effective Date. The Central Point City Charter states that an ordinance enacted by the Council shall take effect on the thirtieth day after its enactment. The effective date of this ordinance will be the thirtieth day after the second reading.

PASSED by the Council and signed by me in authentication of its passage this 24th day of October 2019.


Mayor Hank Williams

ATTEST:

City Recorder