

ORDINANCE NO. 2018-1401

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING VARIOUS SECTIONS OF CHAPTER 10 (HEALTH AND SANITATION) OF THE GOODYEAR CITY CODE AND PROVIDING FOR PENALTIES, REPEAL OF CONFLICTING ORDINANCES AND CODES, CORRECTIONS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the amendments to Chapter 10 of the Goodyear City Code will ensure that the utility services provide for Health and Sanitation are consistent with current practices and other Chapters in the City Code; and

WHEREAS, the Mayor and Council of the city of Goodyear, Arizona believe that it is in the best interest of the city to amend various section Chapter 10 (Health and Sanitation) of Goodyear City Code;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. CHAPTER 10, SUBSECTION 10-2-2(G) OF THE GOODYEAR CITY CODE, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

10-2-2 RATES, FEES AND DEPOSITS.

(G) Unscheduled or Excessive Bulk Collections. Additional fees may be assessed for unscheduled or excessive volume pickup and disposal of bulk refuse. Bulk collection will be considered excessive when it exceeds five cubic yards of material per collection. The rates and charges for such services will be added to the monthly bill.

SECTION 2. CHAPTER 10, SUBSECTIONS 10-3-2 (A)(B) AND (C) OF THE GOODYEAR CITY CODE, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

10-3-2 REFUSE COLLECTION SERVICES, LOCATION FOR PICKUP.

(A) Containers used for residential automated collection shall be placed for collection in an unobstructed passage, street, or curbside in accordance with the requirements of this article.

(B) Reserved.

(C) Containers shall be placed at the curb in front of the premises except at a corner lot where containers may be placed at the curb of the side street. Refuse and recycling containers may not be placed on sidewalks or curbing in any manner as to interfere with or be hazardous to pedestrians or vehicles. If more than one container is placed out for collection, the containers must have at least three feet of separation in order to accommodate automated collection. Containers should not be located closely to a parked vehicle, mailbox, fence, fire hydrant,

plant materials, or other such restrictive objects in order to facilitate safe and efficient automated collection.

SECTION 3. CHAPTER 10, SUBSECTIONS 10-3-3 (B) AND (E) OF THE GOODYEAR CITY CODE, IS HEREBY DELETED AND REPLACED AS FOLLOWS:

10-3-3 BULK COLLECTION SERVICES, LOCATION FOR PICKUP.

(B) Bulk. Bulk service shall only be provided to residential accounts that have an active sanitation account. This service is provided and included in the monthly rate for this service. Collections shall include items that cannot be placed inside a container due to size or content. Material placed out for bulk collection shall not exceed five cubic yards per each collection. Bulk material shall be placed out for collection only when designated by the city for the pickup of the specific material.

(E) Manner of Placement. Bulk collection piles shall be placed in neat stacks no farther than four feet from the sidewalk or curb edge; or on the street parallel to the curb line and in such a manner that does not obstruct vehicle or pedestrian traffic. All piles shall be a minimum of five feet away from fences, cable junction boxes, electrical junction boxes, gas meters, water meter boxes, fire hydrants, mailboxes or any structure that may lead to property damage or injury.

SECTION 4. CHAPTER 10, SUBSECTION 10-4-2(C) OF THE GOODYEAR CITY CODE, IS HEREBY DELETED AND REPLACED TO READ AS FOLLOWS:

10-4-2 REFUSE PROHIBITIONS.

(C) Bulk Refuse. It is unlawful for customers to knowingly place bulk refuse curbside more than seven calendar days prior to the customer's scheduled bulk collection day.

SECTION 5. PENALTIES

Any person found to have violate any prohibition or requirement imposed by this Ordinance shall be subject to the criminal and civil penalties and enforcement provisions, including abatement, collections, and liens, pursuant to Article 1-8 and Article 18-1 of the Goodyear City Code.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES OR CODE

All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed upon the effective date of this ordinance.

SECTION 7. CORRECTIONS

The City Attorney, City Clerk, the codifiers of the ordinance and their respective designees are authorized to make necessary clerical corrections to this ordinance,

including but not limited to, the correction of scrivener's/clerical errors, references, numbers, sections/subsection numbers and any references thereto.

SECTION 8. SEVERABILITY

If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 9. EFFECTIVE DATE

This ordinance shall become effective as prescribed by law. The provisions of any ordinance, regulation, or requirement of the city of Goodyear being amended by this ordinance shall remain in full force and effect until the effective date of this ordinance.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2018-1401 is a true, correct and accurate copy of Ordinance No. 2018-1401, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____, 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this _____ day of _____, 20____.

seal

City Clerk