

**CITY OF CLARKSTON
CITY COUNCIL AGENDA
829 5th Street
MONDAY, November 28, 2016**

- 1. CALL TO ORDER: 7:00 P.M.**
- 2. PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. APPROVAL OF MINUTES:
November 14, 2016 Regular Meeting**

- 5. COMMUNICATIONS:**
 - A. From the Public (Please limit comments to 3 minutes)**
 - B. From the Mayor**
 - C. From Staff or Employees**

- 6. COMMITTEE REPORTS:**
 - A. Finance – Audit Report on Current Bills**
 - B. Public Safety – November 15**
 - C. Public Works – November 15**
 - D. Administrative/Intergovernmental – November 28**
 - E. Community Development – November 17**
 - F. Outside Organizations – Health District, EMS Council, Valley Vision, PTBA, SEWEDA, MPO, Regional Stormwater, Lodging Tax Advisory**

- 7. PUBLIC HEARING:
Public Hearing on the 2017 Budget**

- 8. UNFINISHED BUSINESS:**

- 9. NEW BUSINESS:**
 - A. Authorize Traffic Safety Grant Application**
 - B. Ordinance No. 1575, 2016 Budget Amendment, 1st Reading**
 - C. Resolution No. 2016-13, Property Tax Levy**
 - D. Ordinance No. 1576, Sewer Rates, 1st Reading**
 - E. Ordinance No. 1577, Sanitation Rates, 1st Reading**

- 10. COUNCIL COMMENTS**

- 11. ADJOURN:**

Time limits for addressing the council have been established by council direction. Presentations are limited to 15 minutes and public comments are limited to 3 minutes per person, per topic.

CLARKSTON CITY COUNCIL MINUTES
November 14, 2016

ROLL CALL: Belinda Campbell, John Murray, Kelly Blackmon, Skate Pierce, Terry Beadles, Brian Kolstad; Beauchamp was excused on a motion and second by Blackmon/Kolstad. Motion carried...

STAFF:

Chief Cooper, Chief Hastings, PWD Martin, City Attorney Richardson, Clerk Storey

AGENDA CHANGES: Remove DOE Award Presentation. Add grant application approval for Fire Dept. to New Business.

APPROVAL OF: Minutes of the October 24, 2016, Regular Meeting were approved as presented.

COMMUNICATIONS:

A. From the Public:

B. From Mayor:

Mayor Lawrence announced that the annual Christmas parade is on December 3. She will be judging. Mayor Lawrence shared that we had our annual WCIA audit. They reviewed contracts and had a few suggestions, but no mandatory requirements.

Mayor Lawrence announced that there will be a workshop on November 15 at 7:00 to discuss fire department organization & staffing.

A budget workshop will be held on November 17 at 7:00.

From Staff:

COMMITTEE REPORTS

Finance: Councilmember Beadles reported the bills were reviewed and approved for payment. Total expenditures for October 31, 2016 of \$645,338 and for November 14, 2016 of \$488,471.70. MOTION BY BEADELES/KOLSTAD to approve the bills as read. Motion carried.

Public Safety: Councilmember Beadles reported on the November 1 meeting. Chief Hastings said Halloween was reasonably quiet for the department. Chief Hastings presented the STOP grant application. Committee recommends approval and it is on the agenda for consideration.

Chief Cooper presented a memo regarding future Fire Department Organization, Staffing and Services Options. There was discussion of the document.

The Fire Dept. will be testing for volunteers in the near future.

Public Works: Councilmember Pierce reported on the November 1 meeting.

Committee is compiling information on curbside recycling. This process will take some time.

The engineering agreement with TD&H for Grantham School Safety project is under legal review.

PWD Martin is meeting with the other entities responsible for the Southway Bridge to explore funding.

The City has received a request for a new streetlight at the north end of 5th Street from Eye Care Specialists because of concerns for employee safety in their parking lot. PWD Martin advised them they should consider installing lighting in their parking lot.

Discussion on updating our transportation plan in order to access TBD funds for projects and maintenance. PWD Martin is working on a draft.

Discussion on the skate park and potential liability issues. Committee is considering doing a survey through the high school to determine the level of use.

Discussed the possibility of moving the Farmer's Market to Vernon Park.

Admin Committee: Councilmember Blackmon said committee met this evening and discussed a grant for the fire department which has been added to the agenda for consideration. Committee discussed decreasing the gambling tax for card rooms and the possibility to recoup the revenue through an increase to the business license fees

Community Development: No meeting.

Outside Organizations:

UNFINISHED BUSINESS:

A. Ordinance No. 1573, Repeal CMC 2.44, Personnel Rules, 2nd Reading for Action

Ordinance No. 1573 was read by title. MOTION BY BLACKMON/PIERCE to adopt Ordinance No. 1573. Motion carried.

NEW BUSINESS:

A. Michelle Peters, Tourism Update

Michelle Peters, Visit Lewis Clark Valley, updated the council on tourism results for the year. Peters provided a report showing visitor spending and volume for 2015. She said tourism continues to grow each year. She said about 10% of the workforce in Asotin County is employed in the hospitality industry. The visitor bureau operates with funding from lodging tax revenue from City of Clarkston and Asotin County, private funding and advertising sales in the visitor guide. The cruise boat industry is continuing to grow with another boat added this year. Peters said lodging tax revenue is up about 11% over last year.

B. Lodging Tax Committee Recommendation for Funding

Councilmember Campbell said the committee met on October 17 and reviewed two applications for funding. The first application was from the Rotary Club for the Rivers and Ridges Ride. The funding request was for \$3,750 and was recommended for funding by the committee.

The second request was from Visit LC Valley for \$85,000. The committee recommended this amount for funding.

C. Authorize Street Closures for Christmas Parade

PWD Martin asked council to approve the request for street closure for the annual Christmas parade on December 3. MOTION BY CAMPBELL/BEADLES to authorize street closure once staff has received the hours and traffic plan. Motion carried.

D. Resolution No. 2016-12, Joint Powers Agreement for MPO

Mayor Lawrence explained that when the MPO was formed the council at that time approved the joint powers agreement by motion, but there was no resolution formalizing the action. This resolution will formalize the agreement that was approved in 2005. MOTION BY BEADLES/CAMPBELL to approve Resolution No. 2016-12. Motion carried.

E. Authorize STOP Grant Application

Chief Hastings said this is the same grant the City has been receiving for several years that funds the Victim Witness Advocate. The grant is for \$15,150. The City's match is in the form of office space, equipment and supervision. MOTION BY CAMPBELL/BAEDLES to approve the grant application. Motion carried.

F. Authorize Grant Application to Replace SCBA's

Chief Cooper explained the grant would purchase new breathing apparatus and air bottles for firefighting. It requires a 5% match. MOTION BY BLACKMON/KOLSTAD to authorize the grant application. Motion carried.

COUNCIL COMMENTS:

EXECUTIVE SESSION:

Council went into executive session at 7:40 p.m. to discuss union negotiations. Anticipated length of session is ten minutes. Action is expected as a result of the session.

Council returned to open session at 7:51 p.m.

MOTION BY PIERCE/KOLSTAD to approve the proposed settlement agreement with the Public Works bargaining unit. Motion carried.

ADJOURNMENT:

Meeting adjourned at 7:53 p.m.

Vickie Storey, City Clerk

Monika Lawrence, Mayor

Total Fund Expenditures, 10/31/16	Ck # 62705, 20161002-03	\$645.38
Total Fund Expenditures, 11/14/16	Ck #62706-10, 62749-62836	\$212,054.09
Payroll, 10/31/16	Ck # 62711-62748	\$276,417.61

DRAFT

Public Safety Committee

November 15, 2016

Attendance: Chief Hastings, Chief Cooper, Mayor Lawrence, Skate Pierce, Terry Beadles

Chief Hastings:

- Discussed applying for Traffic Safety Grant (helps purchase police equipment). Committee recommends approval. *Agenda item for Council action.
- Described the effectiveness of traffic calming devices.
- Discussed the awareness of protests in the area.
- The department will hire an officer soon.
- The position of Evidence/Animal control has been filled.

Chief Cooper:

- Discussed the request for a (non-city) WI-FI connection at the fire station.
- Recapped the major points for the upcoming evening meeting "Future Fire Department Organization, Staffing and Services Options Review".

Public Works Committee
Nov. 15, 2016

Attendees: Skate Pierce, Monika Beauchamp, Elaine Goodner, Jim Martin

- 1) Curbside Recycling Investigation: Nearly completed draft Request for Proposals for review by staff to go out soon.
- 2) Grantham School Safety Project: Attorney review of contract complete, will be asking for Mayor's signature to begin design.
- 3) Rotary Shelter: No word on progress.
- 4) Stormwater Program 2017 Budget ready for adoption. Asotin County has approved and will be adopting in December. The City of Asotin approved it as their last Council meeting. We will not be increasing fees at this time and have recognized an expense reduction of \$90,321.00 (11% discount) and have a few minor adjustments.
- 5) Transportation Benefit District: To better address our anticipated needs, we will possibly be working with Asotin County to identify and adopt a proper transportation plan that will address our local needs. Working with the County will allow us a greater overview of what will be in our collective best interests. The process also helps greatly when working to acquire funding for transportation projects through the MPO.

Notes: Further discussion of the possibility of requiring landlords to be issued business licenses.

Joel Hastings

From: waspc@memberclicks-mail.net on behalf of Deb Gregory [waspc@memberclicks-mail.net]
Sent: Monday, October 31, 2016 2:33 PM
To: jhastings@clarkstonpolice.org
Subject: WASPC GTWO: Traffic Safety Grants Now Available for FFY 2017

x

WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS

GET THE WORD OUT (GTWO)

October 31, 2016

Effective October 1, 2016, Equipment grants for FFY 2017 are now available to law enforcement agencies.

Applications are to be submitted by using WASPC's online application process by using the links below. One application is required per agency (if you are requesting multiple types of equipment please only submit one application).

Please review the list below for information on maximum amount of awards **per unit** for specific equipment (NOTE: Tax and shipping can be included in the request up to the amount allowed per unit.):

- Lidar: \$3,000
- Radars: \$1,000
- Handheld Radars: \$799
- FST: \$500
- Rear Antenna: \$400
- Digital In-Car Video System: \$2,500
- Scanner (Sector): \$255
- Printer (Sector): \$400
- Speed Feedback Sign (upon approval) \$3,500 (NOTE: Law enforcement agencies must certify that signs will meet federal requirements for signage. Signs must be mobile, rotated a minimum of once a quarter. Signs must also use solar power technology.)

Traffic Safety Equipment Grant Application Form [here](#).

Funding priorities will be given for Traffic Safety equipment requests where traffic safety enforcement is a high priority. **Applications will not be approved if the request is to replace equipment.**

Grant applications will be accepted through **Friday, December 16, 2016**. Applications will be reviewed by WASPC's Traffic Safety Committee in mid-January and award notices will be mailed approximately one week after they meet. Only upon receipt of your approval letter may you purchase authorized equipment. Please remember that WASPC is responsible for the amount of the grant only; any expense incurred in excess of the grant amount is the responsibility of the agency.

ORDINANCE NO. 1575

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, AMENDING ORDINANCE NO. 1550 WHICH ADOPTED THE 2016 BUDGET, AND AUTHORIZING THE NECESSARY ADJUSTMENTS.

WHEREAS, the City Council has determined that the 2016 budget should be amended to take into account variations in actual revenues and expenditures from those projected at the time of adoption of the 2016 budget, now therefore,

THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Budget Amended. Section 2 of Ordinance No. 1550 passed by the City Council on December 14, 2015, shall be increased and amended as follows:

	EXPENDITURES	OTHER FINANCING USES
CURRENT EXPENSE (001)	23,500	
STREET FUND (103)	2,600	
AMBULANCE / EMS (120)	5,200	
SEWER O & M (400)	56,000	
STORMWATER FUND (409)	3,250	
TOTALS	90,550	

Section 2. Duties of City Treasurer. The City Treasurer of the City of Clarkston, Washington, is authorized to make the necessary changes to the 2016 budget on or before December 31, 2016, as set forth in attached Exhibit A.

Section 3. Severability Clause. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective Date. This ordinance shall be in full force and effect upon the signing hereof by the Mayor, attestation by the City Clerk and publication as required by law.

DATED the 12th day of December, 2016.

Authenticated:

Monika Lawrence, Mayor

Vickie Storey, City Clerk

**BUDGET AMENDMENT No 2 - 2016
ORDINANCE NO. 1575**

Account Description	Adopted Bdgt	Amendment	Amended Bdgt	Explanation
GENERAL FUND				
001 000 001 313 11 00 00	\$ 1,600,000	\$ 23,500	\$ 1,623,500	Increase Revenue
TTL REVENUES	\$ 1,600,000	\$ 23,500	\$ 1,623,500	
001 000 090 558 50 24 00	\$ 1,900	\$ 600	\$ 2,500	Rate Increase
001 000 090 558 50 51 00	-	\$ 2,000	\$ 2,000	St Fire Marshall
001 000 110 576 80 26 10	\$ 2,200	\$ 19,800	\$ 22,000	Budget Error
001 000 110 576 80 48 20	\$ 2,000	\$ 1,100	\$ 3,100	Parks
TTL EXPENDITURES	\$ 6,100	\$ 23,500	\$ 4,500	
STREET FUND				
103 000 132 595 20 61 00	-	\$ 2,600	\$ 2,600	Victim evaluation
103 999 130 508 80 00 00	\$ 69,777	\$ (2,600)	\$ 67,177	Adjust End Balance
AMBULANCE FUND				
120 000 084 522 70 51 30	-	\$ 2,200	\$ 2,200	Audit Expense
120 000 084 594 22 64 90	-	\$ 3,000	\$ 3,000	Gurney
120 999 084 508 80 00 00	\$ 212,182	\$ (5,200)	\$ 206,982	Adjust End Balance
SEWER O&M FUND				
400 000 140 535 80 47 30	\$ 60,000	\$ 8,000	\$ 68,000	Increased Expense
400 000 140 535 80 48 10	\$ 3,000	\$ 8,000	\$ 11,000	UV Repair
400 000 140 535 80 48 30	\$ 20,000	\$ 40,000	\$ 60,000	
400 999 140 508 80 00 00	\$ 791,778	\$ (56,000)	\$ 735,778	Adjust End Balance
STORMWATER				
409 000 049 531 10 51 10	\$ 2,500	\$ 2,700	\$ 5,200	DOE Permit
409 000 049 531 10 48 30	-	\$ 350	\$ 350	
409 000 049 594 31 64 20	\$ 3,550	\$ 200	\$ 3,750	Utility software
409 999 049 508 80 00 00	\$ 17,282	\$ (3,250)	\$ 14,032	Adjust End Balance
TOTAL EXPENDITURES	\$	\$ 90,550	\$	

RESOLUTION NO. 2016-13

A RESOLUTION OF THE CITY OF CLARKSTON, WASHINGTON, SETTING THE PROPERTY TAX LEVY FOR 2017.

WHEREAS, the City Council of the City of Clarkston has met and considered its budget for the calendar year 2007; and

WHEREAS, the City Council of the City of Clarkston after hearing and after duly considering all relevant evidence and testimony presented, determined that the City of Clarkston Taxing District requires an increase in property tax revenue from the previous year, in addition to that resulting from the addition of new construction and improvements to property and any increase in the value of state-assessed property, in order to discharge the expected expenses and obligations of the district and in its best interest; now, therefore,

BE IT HEREBY RESOLVED by the City Council of the City of Clarkston, Washington, that an increase in the regular property tax levy, in addition to the increase resulting from the addition of new construction and improvements to property and any increase in the value of state assessed property, is hereby authorized for the 2017 levy in the amount of \$9,715, which is a percentage increase of one (1) percent from the previous year, plus all available banked capacity, estimated at \$34,706.

Further, that the voters approved an excess levy for EMS of \$596,000 for the 2017 tax year.

Adopted this _____ day of November, 2016.

Monika Lawrence, Mayor

ATTEST:

Vickie Storey, City Clerk

ORDINANCE NO. 1576

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 14.06.060 and 14.06.110, WHICH ESTABLISHES SEWER COLLECTION AND DISPOSAL CHARGES

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1.0

Clarkston Municipal Code Chapter 14.06 is hereby amended as follows:

14.06.060 Rates – Sanitary Sewer.

(a) The city council shall establish, by ordinance, rates for sewer service as provided in RCW 35.67.190.

(b) The following rates are hereby established, effective January 1, 2017:

Classification	Monthly Base Charge	Monthly Sewer Charge per 100 Cubic Feet of Water Consumed	Average Monthly Rate by Classification
Residential	\$13.13	\$2.77	\$31.05
Commercial	\$25.28	\$2.77	\$62.10

(c) The following accounts shall be billed at a rate equivalent to the monthly average for their classification:

1. Greenhouses
2. Concrete Processing Plants
3. Schools (in the months of July and August only)
4. Accounts not connected to the public water system.

(d) Automatic car washes shall be charged three (3) times the commercial average.

(e) Properties outside the corporate limits that have not fully participated in a City ULID shall have a rate 50% greater than the rate charged for similar service inside the City's corporate limits.

14.06.110

(1) Owners or managers of residential and commercial properties may apply to the city for suspension of service prior to the time the premises become unoccupied. Suspension of service shall not apply to multi-unit properties served by one water meter, where individual unit water consumption cannot be determined. Application shall be made on

forms provided by the city and approved by the office of the city treasurer. Upon approval, the sewer service shall be suspended and the regular charge for the service shall be suspended and replaced with a service/standby charge until the premises are reoccupied.

(2) No credit for suspension of service shall be given unless the premises remain unoccupied for 30 consecutive days.

(3) Service/standby charges shall take effect the month in which the property owner/manager makes application to the city, provided the property has been vacant for 30 consecutive days. For those properties vacant 15 days or less at the time application is made but anticipated to be vacant 30 consecutive days or more, the effective date shall be the first of the month following application.

(4) Upon re-occupancy, the regular charge shall be re-established. The owner shall notify the city of the re-occupancy.

(5) Service/standby charges for qualifying properties under this section shall be \$5.00 per month for residential properties and commercial properties.

(6) There shall be no suspension of service for the stormwater portion of the fees.

SECTION 2.0

This ordinance shall be in full force and effect as of January 1, 2017 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 12th day of December, 2016.

Monika Lawrence, Mayor

Authenticated:

Vickie Storey, City Clerk

ORDINANCE NO. 1577

AN ORDINANCE AMENDING CLARKSTON MUNICIPAL CODE CHAPTER 14.18, WHICH ESTABLISHES REGULATIONS FOR GARBAGE COLLECTION

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLARKSTON, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1.0

Clarkston Municipal Code Chapter 14.18 is hereby amended as follows:

14.18.060 Rates.

1. The city council shall establish, by ordinance, rates for sanitation service as provided in RCW 35.92.020.

2. The following rates are hereby established, effective January 1, 2017:

(a) The following charges shall apply to properties using City provided garbage carts and serviced one time per week. These carts are numbered and owned by the City. Carts will be assigned to the property address by that number. The following rates shall also permit the pickup of yard waste (grass clippings, vegetation, and leaves) that is placed in a City provided 96-gallon mobile cart. The 96-gallon yard waste container is numbered and owned by the City and will be assigned to the property address by that number. The property owner shall be responsible for damages to the cart (either yardwaste or solid waste) caused by misuse or neglect. Multi-unit residential properties larger than a four-plex, commercial properties with the exception of churches (and only upon written request to the City), and persons providing lawn care service for a fee, as evidenced by a city business license, are not subject to the City's yardwaste program.

Classification	35 Gal Container	64 Gal Container	96 Gal Container	Each additional Yardwaste Container
Residential	\$18.00	\$23.15	\$28.10	\$6.75
Multi-Residential -Per unit	\$18.00	\$23.15	\$28.10	\$6.75
Commercial	\$19.75	\$26.60	\$33.60	N/A
Churches w/yardwaste	\$21.65	\$28.45	\$35.45	\$7.00
Extra Can / Garbage	\$ 7.15	\$12.65	\$19.85	

(b) Dumpster Charges – All accounts using bins of one cubic yard or greater shall be charged according to the following schedule:

SANITATION RATES-DUMPSTERS							
	CHARGE	2X/WK	3X/WK	4X/WK	5X/WK	6X/WK	XTRA P.U.
1 CY	\$38.65	\$77.30	\$115.95	\$154.60	\$193.25	\$231.90	\$8.90
1.5 CY	\$58.00	\$116.00	\$174.00	\$232.00	\$290.00	\$348.00	\$13.35
2 CY	\$77.30	\$154.60	\$231.90	\$309.20	\$386.50	\$463.80	\$17.85
3 CY	\$115.95	\$231.90	\$347.85	\$463.80	\$579.75	\$695.70	\$26.80
4 CY	\$154.60	\$309.20	\$463.80	\$618.40	\$773.00	\$927.60	\$35.70
5 CY	\$193.30	\$386.60	\$579.90	\$773.20	\$966.50	\$1,159.80	\$44.60
6 CY	\$231.90	\$463.80	\$695.70	\$927.60	\$1,159.50	\$1,391.40	\$53.55
10 CY	\$386.60	\$773.20	\$1,159.80	\$1,546.40	\$1,933.00	\$2,319.60	\$89.25

3. Standby Charges:

(a) Owners or managers of residential and commercial properties may apply to the city for suspension of service prior to the time the premises become unoccupied. Application shall be made on forms provided by

the city. Upon approval, the sanitation service shall be suspended and the regular charge for the service shall be suspended and replaced with a service/standby charge until the premises are reoccupied.

(b) No credit for suspension of service shall be given unless the premises remain unoccupied for 30 consecutive days.

(c) Service/standby charges shall take effect the month in which the property owner/manager makes application to the city, provided the property has been vacant for 30 consecutive days. For those properties vacant 15 days or less at the time application is made but anticipated to be vacant 30 consecutive days or more, the effective date shall be the first of the month following application.

(d) Upon re-occupancy, the regular charge shall be re-established. The owner shall notify the city of the re-occupancy.

(e) Service/standby charges for qualifying properties under this section shall be \$5.00 per month for residential and commercial properties.

4. Non-resident Charges. All accounts located outside Clarkston's city limits shall be ~~charges~~ *charged* at a rate of 50% greater than charges for identical service within the city limits.

5. Fees for Transporting Roll-off Containers. The charges for pickup and dumping of commercial roll-off units shall be:

Classification	Charges
Compaction Units	\$180.00 per trip
Demolition Units	\$180.00 per trip
Rent for 20 yd. Roll-off	\$35.00 per week
Rent for containers up to 5 c.yd.	\$25.00 per month
Tipping fees	Actual based on weight tickets

6. No later than November of each year the City Council shall review the rates for all classifications of service and adjust the rates as necessary to ensure that operating expenses of the utility are met. Rate changes shall be set by ordinance and become effective on January 1 of each year.

14.18.090 Suspension of service.

1. Owners or managers of residential or commercial properties may apply to the city for suspension of service prior to the time the premises become unoccupied. Upon approval, the sanitation service shall be suspended and the regular charge for the service shall be suspended and replaced with a serve/standby charge until the premises are reoccupied. *When a property is reported as vacant, any city-owned property, i.e. carts and yardwaste containers will be returned to the city until such time as the property is reoccupied.*

2. Upon reoccupancy, the regular charge shall be reestablished. The owner shall notify the city of reoccupancy.

3. No credit for suspension of service shall be given unless the premises remain unoccupied for 16 consecutive days in any calendar month.

14.18.100 Containers.

~~1. It is the duty of every person in possession, charge or control of any residential or commercial establishment where refuse is created or accumulated to keep or cause to be kept at all times portable containers as defined in this chapter, and deposit or cause to be deposited the refuse therein.~~

~~2.-1. For residential and small commercial accounts, waste containers shall be not less than 20 nor more than 32 gallon capacity, shall be watertight, tapered galvanized steel or unbreakable plastic which will not rust easily and shall have two handles at the sides thereof and a tight fitting lid with a handle. The combined weight of any container and its contents shall not exceed 65 pounds city provided containers will be used for regular garbage collection and for yardwaste collection.~~

~~3.-2. For large commercial or industrial accounts, containers shall be steel dumping containers of one-yard to six-yard capacity or tube compactors or roll-off bins as allowed in CMC 14.18.045 and shall be compatible with the disposal equipment used for collection in accordance with regulations established and published by the city sanitation department. Use and placement of dumpsters must be approved in writing by the city. Customers utilizing dumpsters for sanitation services must provide a hard surface that is level with the roadway on which the dumpster is placed. All dumpsters much be readily accessible by the sanitation crew~~

and maintained in good working order. Commercial dumpsters not maintained will not be serviced until repaired.

3. Residential garbage containers are available in three sizes. The customer may choose the appropriate size. However, frequent (more than 3 consecutive months) of "extra garbage" charges as determined by the sanitation department will result in a city cart exchange to the next larger cart size. The larger cart will remain for a minimum of 90 days. One free cart size exchange is allowed per year per sanitation customer. Additional cart exchanges will be billed at \$15 per request. A cart size exchange is allowed not more than once every 90 days.

~~4. Containers for mixed refuse shall be as in subsection (2) of this section and shall be watertight and shall have fly-tight lids, and such lids shall not be removed except when necessary to place garbage and rubbish therein or take the same therefrom. Containers shall be kept in sanitary condition by the owner thereof with the outside free of accumulated grease or decomposed materials.~~

~~a. No containers shall be kept or stored within the confines of any street or public alley in the residential district. In blocks in which there are no alleys The containers shall be kept on private property without interfering with the reasonable enjoyment of such private property or adjoining property; providing, the containers shall be placed in a readily accessible location to the traveled roadway of the street, near the curb or roadway,~~ *on the street, at the curb* for collection only on the day that refuse is normally collected. *Containers should be removed from the street by end of collection day.*

~~b. Containers that have deteriorated to the extent of being hazardous to the collectors in handling such containers or to the extent the lids will not fit tightly or securely or are so badly damaged and bent they will not allow free discharge of the refuse or do not meet the general specifications of this chapter will be condemned by the sanitation division and notice be given to the owner as outlined in this chapter.~~

~~c. Containers that do not meet specifications as outlined in this chapter will be condemned and must be replaced. Nonconforming or defective containers shall be removed from service after prior notice of 10 days to the occupant by the city sanitation department, and may be hauled away upon request.~~

SECTION 2.0

This ordinance shall be in full force and effect as of January 1, 2017 upon the signing hereof by the Mayor, authentication by the City Clerk and publication as required by law.

DATED this 12th day of December, 2016.

Monika Lawrence, Mayor

Authenticated:

Vickie Storey, City Clerk