

INCORPORATED COUNTY OF LOS ALAMOS CODE ORDINANCE 02-279

AN ORDINANCE AMENDING CHAPTER 32, SECTION 32-7,

REGARDING SOLID WASTE MANAGEMENT

AND THE PLACEMENT AND MAINTENANCE OF CONTAINERS

BE IT ORDAINED BY THE GOVERNING BODY OF THE INCORPORATED COUNTY OF LOS ALAMOS:

Section 1. Section 32-7 of the Code of the Incorporated County of Los Alamos is amended to read as follows:

Sec. 32-7. Placement and maintenance of ~~containers~~ **roll-carts**.

(a) It shall be the responsibility of every person owning or controlling any building, house or grounds or any other place of habitation or business to have and maintain in reasonably good repair one or more solid waste, ~~and/or recycling,~~ **and/or brush roll-carts** of the kind and character prescribed or furnished by the county.

(b) **Roll-carts** provided by the county are the property of the county and shall not be removed from the property to which the ~~container~~ **roll-cart** was assigned by the county.

(c) Solid waste roll-carts shall be stowed in a secure location. The solid waste roll-cart shall be stored in an enclosed structure sufficient to prevent the entry of wildlife common to the area such as bears, raccoons, foxes, coyotes and/or crows.

~~(e)~~**(d)** Roll-carts are to be removed from streets and sidewalks and neatly stowed by the end of the day of collection and set out for collection no earlier than ~~5:00 a.m.~~ **4:30 a.m.** the day ~~prior to~~ **of** scheduled collection.

(e) Penalties: Upon conviction for a first violation of this ordinance within in a five year period as measured from dates of offense, the fine imposed by the Municipal Court shall not exceed \$50.00. Upon conviction of a second or subsequent violation of this ordinance in a five year period as measured from the dates of offense, the fine imposed by the Municipal Court shall not exceed \$200.00.

~~(d)~~**(f)** Screening and storage of commercial solid waste collection.

(1) Designation of areas. The solid waste division shall designate where commercial solid waste collection containers are to be located on all sites that have trash collection in commercial (dumpster or roll-off) containers.

(2) Appearance of collection points. Solid waste containers shall be properly maintained and shielded from view from public on three sides by a solid six-foot high wall or fence. All sign shield shall be approved by the community development department and shall be in compliance with the requirements of the County Development Code.

Section 2. Effective Date. This Code Ordinance shall become effective upon adoption with the amended rates being applied at the next billing following the effective date.

Section 3. Severability. Should any section, paragraph, clause or provision of this Code Ordinance, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

Section 4. Repealer. All ordinance or resolutions, or parts thereof, inconsistent herewith are hereby repealed only to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

ADOPTED this ____ day of September, 2017.

**COUNCIL OF THE INCORPORATED
COUNTY OF LOS ALAMOS**

**David Izraelevitz
Council Chair**

ATTEST: (SEAL)

**Naomi D. Maestas
Los Alamos County Clerk**