

Introduced by: Mayor Hoskins

**AN ORDINANCE AMENDING SECTION 235.040; COLLECTION OF SOLID WASTE;
REFERENCING ITEM (G) STORING, LEAVING, PLACING, OR ALLOWING
GARBAGE OR RUBBISH ON PROPERTY**

Now, Therefore, Be it ordained by the City Council of the City of Berkeley, Missouri, as follows:

Section 1 It shall be unlawful for a real property owner or occupant to store a residential solid waste containers any place visible from the front or side of the structure.

Section 2 Owners are allowed to store containers on the side of property where an enclosure exists.

Section 3 Commercial solid waste containers shall not be stored upon public property, unless the owner shall have been granted written permission from the City to use the public property for such purposes.

Section 4 The storage site of commercial property shall be well drained; fully accessible to collection equipment, public health personnel, and fire inspection personnel.

Section 5 Commercial containers shall be enclosed, and out of sight and as close to the building which they service as practical.

Section 6 Enclosures shall be approved by the Director of Public Works or designee, and constructed under a building permit.

Section 7 In no way does this ordinance provide for anyone to leave containers or loose trash at the curb or stored on front or side of the property.

Section 8 Penalty: Any person violating any of the provisions of this Article or the Code adopted in this Article shall be deemed guilty of a misdemeanor where the court may impose fines or penalties.

Section 9 Codification: This Ordinance shall be codified and made part of the City of Berkeley Code of Ordinances.

Section 10 This Ordinance shall be in full force and effect from and after the date of its passage.

1st Reading this 03rd day of April 2017

2nd Reading this 03rd day of April 2017

3rd Reading, PASSED and APPROVED, this **day of** **2017**

Theodore Hoskins, Mayor

ATTEST:

Deanna L. Jones, City Clerk

Approved As To Form:
Donnell Smith, City Attorney

Final Roll Call:

Mayor Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Hoskins	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Kirkland	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mathison	Aye ___	Nay ___	Absent ___	Abstain ___
Councilman-at-Large McDaniel	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Mitchell	Aye ___	Nay ___	Absent ___	Abstain ___
Councilwoman Williams	Aye ___	Nay ___	Absent ___	Abstain ___