

ORDINANCE # 539

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LINDSAY, GARVIN COUNTY, STATE OF OKLAHOMA AMENDING CHAPTER 16, SOLID WASTE, ARTICLE I, IN GENERAL, SECTION 16-21 UNLAWFUL REMOVAL FROM CONTAINER; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDSAY, OKLAHOMA;

SECTION 1. Chapter 16, Solid Waste, Article I, In General, adding Section 16-21, Unlawful Removal From Container, of the City of Lindsay Code of Ordinance is hereby amended and shall read as below:

Sec. 16-21 – Unlawful removal from container.

- a) It is unlawful for any person, without a permit or license to remove or cause to be removed, any garbage, refuse or rubbish of any kind from any garbage can or other container used for the deposit of same.
- b) It shall be unlawful and an offense for any person, firm or entity to remove recyclable material which has been placed for pickup on the yard or curbside of any property, unless such individual, firm or entity has a contract with the lawful occupant of the property for such removal.
- c) Provided, that this section shall not apply to any employee of any governmental entity or agency for any actions taken within the scope of their employment, nor to any individual, firm or entity under contract with such governmental agency as to actions taken within the scope of the contract.
- d) A violation of this article by the failure to comply with any of its requirement, (including violation of conditions and the violation of safeguards established in connection with conditions) shall constitute a misdemeanor offense, and any person or entity convicted therefore shall be punishable as set forth in the City of Lindsay Code and police fine schedule.
- e) Provided, each instance that such violation occurs will constitute a separate offense; and each day on which a violation occurs or is allowed to remain shall constitute a separate offense.

SECTION 2. Severability

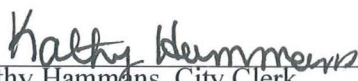
If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction said portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. Emergency

It being immediately necessary for the preservation of the public health, peace and safety of the citizens of the City of Lindsay and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect as from and after is passage and approval as provided by law.

PASSED AND APPROVED this 9th day of December, 2019

ATTEST


Kathy Hammans, City Clerk




Kris Spivey, Vice-Mayor

ORDINANCE # 538

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LINDSAY, GARVIN COUNTY, STATE OF OKLAHOMA AMENDING CHAPTER 16, SOLID WASTE, ARTICLE I, IN GENERAL, ADDING SECTION 16-21 UNLAWFUL REMOVAL FROM CONTAINER; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LINDSAY, OKLAHOMA;

SECTION 1. Chapter 16, Solid Waste, Article I, In General, adding Section 16-21, Unlawful Removal From Container, of the City of Lindsay Code of Ordinance is hereby amended and shall read as below:

Sec. 16-21 – Unlawful removal from container.

- a) It is unlawful for any person without a permit or license to remove or cause to be removed, any garbage, refuse or rubbish of any kind from any garbage can or other container used for the deposit of same.

SECTION 2. Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction said portion shall be deemed a separate, distinct and independent provision and such holdings shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND APPROVED this 12th day of November, 2019

ATTEST

Kathy Hammons
Kathy Hammons, City Clerk



Kris Spivey

Kris Spivey, Vice-Mayor