

ORDINANCE NO. 678

AN ORDINANCE MODIFYING CERTAIN PORTIONS OF PART 17, CHAPTER 5 OF THE WATONGA CITY CODE RELATED TO REFUSE COLLECTION; MODIFYING PROVISIONS TO ACKNOWLEDGE CHANGES IN SERVICES PROVIDED DUE TO CONTRACTING OF SERVICE; PROVIDING FOR NEW RATES FOR REFUSE COLLECTION; CREATING APPENDIX TO WATONGA CITY CODE FOR PLACEMENT OF FINES AND FEES RELATED TO REFUSE COLLECTION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF WATONGA, OKLAHOMA:

SECTION 1. **Amendatory Language.** Part 17, Chapter 5, Section 17-506 of the Watonga City Code shall completely repealed and replaced with the following language:

Sec. 17-506. – Containers.

- A. Residential Customers. Each residential customer for refuse collection shall be provided with one poly cart. Residential customers can request additional poly carts if needed. However, during each collection period, a maximum of one (1) 95 gallon poly cart can be used for brush or bulky waste. Poly carts will only be collected one time per week.
- B. Commercial Customers.
 - 1. Each commercial customer will be given the option of selecting an appropriately sized dumpster and pick up schedule to fit their business needs. The determination of size and schedule will be determined after consultation with the contractor providing the refuse collection service.
 - 2. Small commercial customers may choose to obtain a poly cart instead of using a dumpster if said customer would not ordinarily fill an entire dumpster. Poly carts will only be collected one time per week.
- C. All poly carts and dumpsters shall be maintained in good working order and in a sanitary condition.
- D. Any damage to poly carts to dumpsters, other than normal wear and tear, shall be the responsibility of the customer.
- E. All poly carts that are placed at the curb for collection maybe placed at the curb for 24 hours prior to the designated collection time and 24 hours after the designated collection time. At all other times poly carts shall be kept in an area that does not block or inhibit movement in a public right of way. Similarly, all dumpsters shall be placed in an area and manner so as not to block or inhibit movement in a public right of way.

SECTION 2. **Amendatory Language.** Part 17, Chapter 5, Section 17-507 of the Watonga City Code shall be repealed and replaced with the following language.

Sec. 17-507. – Collecting period and fees.

- A. The City Manager, in cooperation with the contractor supplying refuse collection services, shall determine and publish the schedule for refuse collection.
- B. The rates and fees for refuse collection shall be in an amount set by the City Council and shall be placed in the Fines and Fees Schedule in Appendix A, Part II of the Watonga City Code.

SECTION 3. **Amendatory Language.** Part 17, Chapter 5, Section 17-509 of the Watonga City Code shall be repealed and replaced with the following language.

Sec. 17-509. – Placing items in containers.

- A. It shall be unlawful and an offense for any person to place or cause to be placed in any container, the use of which is intended to be utilized in the City refuse collection system, any:
 - 1. Hazardous material;
 - 2. Carcass of dead or dying animal, reptile or fowl;
 - 3. Storage battery;
 - 4. Automobile or motorcycle part;
 - 5. Rock or stone;
 - 6. Barbed wire or other fencing material;
 - 7. Fence posts;
 - 8. Furniture or appliance;
 - 9. Air conditioner or water cooler;
 - 10. Object or combination of related objects the weight of which is in excess of 300 pounds;
 - 11. Item the length, width or girth of which exceeds the capacity of the container and thereby prevents closure thereof;
 - 12. Nonhazardous industrial solid waste such as:
 - i. Unusable industrial or chemical products;
 - ii. Solid waste generated by a manufacturing or industrial process;
 - 13. Used motor oil;
 - 14. Junked roofing materials;
 - 15. Raw dirt;
 - 16. Rainwater;
 - 17. Liquid refuse properly disposable through the sanitary sewer system;
 - 18. Sand or gravel;
 - 19. Broken concrete;
 - 20. Demolition wastes;
 - 21. Explosives;
 - 22. Pathological wastes;
 - 23. Herbicides or pesticides or the wastes thereof.
- B. Leaves, plants, and grass clippings must be bagged. Limbs and bushes must be bundled with degradable string or twine and no items shall be over four

(4) inches in diameter or four (4) feet in length. Such bags and bundles shall be securely tied and placed in to the designated container. One (1) poly cart per collection cycle may contain this type of refuse.

C. To be collected, all refuse must be placed inside the appropriate containers.

D. Items of refuse prohibited from placement in the containers as required herein may at the discretion of the City or its contrators, be removed by agreement with the customer at the expense thereof by special arrangement.

SECTION 4. **Amendatory Language.** Part 17, Chapter 5, Section 17-511 of the Watonga City Code shall be repealed and replaced with the following language.

Sec. 17-511. – Penalty.

Fines for violations of this Chapter of the Watonga City Code that are not specifically stated elsewhere in this Chapter are to be in an amount section by the City Council and shall be placed in the Fines and Fees Schedule in Appendix A, Part I of the Watonga City Code.

SECTION 5. **New Language.** There is hereby created an Appendix A to the Watonga City Code called “Appendix A: Fines and Fees Schedule”. The Appendix shall consist of two parts. Those parts shall be “Part I: Fines” and Part II: Fees”

SECTION 6. **New Language.** The following language shall be added to Appendix A, Part I: Fines.

Code	Title	Maximum	Minimum	Notes
17-511	Penalty for Refuse Collection Violations		\$50.00 plus court costs for first offense	Second or subsequent offense within two years minimum \$100.00 and maximum of \$200.00

SECTION 7. **New Language.** The following language shall be added to Appendix A, Part II: Fees.

Code	Type	Frequency	Rate/Month
17-507			
	Refuse Collection Admin Fee	1 charge per account per month	\$2.00
Residential	First Poly Cart	1x per week	\$15.25
	Each Additional Poly Cart	1x per week	\$6.50
Commercial	Small Commercial Poly Cart	1x per week	\$15.25

	2-yard dumpster	1x per week	\$60.00
		2x per week	\$85.00
		3x per week	\$110.00
		4x per week	\$135.00
		5x per week	\$160.00
		Additional Pickup	\$25.00
	4-yard dumpster	1x per week	\$85.00
		2x per week	\$110.00
		3x per week	\$135.00
		4x per week	\$160.00
		5x per week	\$185.00
		Additional Pickup	\$30.00

SECTION 8. Repealer. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

SECTION 9. Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Watonga, Oklahoma, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 10. Emergency. It being necessary for the protection of the public peace and the health and safety of the citizens of Watonga, Oklahoma, an emergency is declared to exist, and this ordinance shall become effective on January 23, 2023.

PASSED, APPROVED, AND ADOPTED this 17th day of January, 2023.

THE CITY OF WATONGA, OKLAHOMA

By

Bill Seitter, Mayor

ATTEST:

Deborah McGee, City Clerk

APPROVED AS TO FORM:

Jared Harrison, City Attorney