

Town of Arriba, Colorado
Proposed Ordinance #

Whereas, The Town of Arriba (the “Town”) is a municipal corporation and body politic organized under the laws of the State of Colorado and possessing the maximum powers, authority, and privileges to which it is entitled under Colorado law;

Whereas, Section 31-15-103, C.R.S., authorizes the Board of Trustees of the Town of Arriba, (the “Board”) to make and publish ordinance which are necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of the Town and the inhabitants thereof;

Now Therefore, be it ordained by the Board of Trustees of Arriba, Lincoln County, Colorado, that:

Section 1. Purpose. The purpose of this Ordinance is to regulate the placement of trash dumpsters on property.

Section 2. Definitions. Dumpster – any large trash receptacle

Section 3. Dumpster(s) shall be placed near alley ways on private property where they can be accessible by trash haulers. **Dumpsters are allowed to be placed on private property that is set back from the street.**

Section 4. Dumpster(s) shall not be allowed to be placed on Town right of way. **Dumpsters shall not be placed on the street in front of residential homes and / or on the street in front of a business.**

Section 5. Exceptions. Temporary Roll-Off dumpster(s) used in construction and or cleaning of a property and / or house are excluded.

Section 6. PENALTIES Any person, firm, or corporation violating any of the provisions of this ordinance shall, upon conviction in the Municipal Court for the Town of Arriba, Colorado, be assessed according to the following schedule of fines:

Any person, firm, or corporation, violating any of the provisions of this code, upon conviction thereof, shall be fined in an amount of not less than fifty Dollars (\$50.00) and not more than Five Hundred Dollar (\$500.00). Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder. Additional cost may be assessed if property damage occurs as result of the infraction.

Section 7. Conflicting Provisions Repealed

All acts, orders, resolutions, ordinances or parts thereof, of the Town of Arriba, Colorado that are inconsistent or in conflict with any of the provisions of this ordinance are hereby repealed.

Section 8. Unconstitutionality Clause.

If any section or any part of portion of this ordinance is held invalid by any Court or competent jurisdiction, the remainder of said ordinance, and the application of its provisions, shall not be affected thereby.

It is the opinion of the Board of Trustees of the Town of Arriba, Colorado that this ordinance is necessary for the immediate protection and preservation of the public health, safety, and welfare and is enacted for that purpose and shall be in full force and effect after final passage and publication.

Introduced, read in full, adopted and ordered posted by the Board of Trustees of the Town of Arriba Colorado this _____ day of _____.

Mayor

SEAL

Attest:

Town Clerk