

ORDINANCE NO. 2011-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMOORE
AMENDING TITLE 4 CHAPTER 1 SECTION 4-1-2, 4-1-4 AND 4-4-3
OF THE LEMOORE MUNICIPAL CODE
RELATING TO GARBAGE AND REFUSE**

REGULATIONS

THE CITY COUNCIL OF THE CITY OF LEMOORE DOES ORDAIN AS FOLLOWS:

Section 1. Amending Section 4-1-2 of the Lemoore Municipal Code to include the following definition:

4-1-2: DEFINITIONS:

CONTAINER: Any city provided refuse, recyclables, or greenwaste carts or other receptacle. When referring to the storage of such carts, the term "container" refers to all of the aforementioned carts.

Section 2. Amending Section 4-1-4 of the Lemoore Municipal Code to read as follows:

4-1-4: REFUSE STORAGE REGULATIONS:

A. Use Of Containers Required: Every owner, tenant, lessee, occupant or other person in possession, charge or control of any place in or from which refuse is created, accumulated or produced, shall use city provided refuse containers capable of holding all refuse which would ordinarily accumulate on such premises between the times of successive collections.

It shall be the duty of each occupant to place in such refuse containers all refuse created or accumulated upon the premises occupied by him or her between times for the removal of the refuse.

B. Container Specifications: Said refuse containers shall be city automated refuse carts, and the loaded weight of each such cart shall not exceed the maximum amount that is written on the cart lid. When approved by the director of public works,

containers as described in section [4-1-2](#) of this chapter for "containerized service" may be provided by the customer.

C. Placement Of Containers:

1. Placement during times of collection: Refuse containers shall be located at the curbside or other location designated by the public works director, where they are readily accessible for emptying, up to twenty-four (24) hours prior to collection, but not later than five o'clock (5:00) A.M. on the day of collection.
2. Storage of Containers: Other than times of collection, as described in section [4-1-4C-1](#), refuse containers, and any other receptacles, must be properly stored on the same day as collection is made by using any of the following methods:
 - a. Back yard, behind fence, or
 - b. Front yard, if screened from direct view from street, or
 - c. Side yard, if screened from direct view, or adjacent to the main building structure and placed in a manner that only one can is directly visible, or
 - d. Alley, adjacent to fence or building structure (removed from designated pick-up area).

Section 3. Amending Section 4-4-3J of the Lemoore Municipal Code to read as follows:

4-4-3: PROPERTY STANDARDS:

J. City-provided refuse containers or other receptacles stored in front of the front elevation of the building structure (front yard), unless screened; stored behind the front elevation of the building structure (side yards), unless screened or stored adjacent to the building structure and placed so that only one can is directly visible; or on the street, except when placed in locations of collection at times of collection. Containers may be placed for collection up to twenty-four (24) hours prior to collection and must be properly stored on the same day as collection is made, as described in section [4-1-4C](#).

Section 4. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Lemoore, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code Section 36933. Any summary of this Ordinance must be approved by the City Attorney before its publication.

The City Clerk is further directed to cause this Ordinance to be codified after its adoption.

Section 5. This Ordinance shall take effect thirty (30) days after its adoption.

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The foregoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the 15th day of November, 2011 and was passed and adopted at the Regular Meeting of the City Council held on the 6th day of December, 2011 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Willard J. Rodarmel, Mayor

ATTEST:

Nanci C.O. Lima, MMC
City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) SS
CITY OF LEMOORE)

I, Nanci C.O. LIMA, City Clerk of the City of Lemoore do hereby certify the forgoing Ordinance was introduced at a Regular Meeting of the City Council of the City of Lemoore held on the 15th day of November, 2011 and was passed and adopted at a Regular Meeting of the City Council held on the 6th day of December, 2011.

Date: December 7, 2011

Nanci C. O. Lima, MMC
City Clerk