

ORDINANCE NO. 98-10

AN ORDINANCE ESTABLISHING THE REQUIREMENTS TO ERECT A FENCE AROUND GARBAGE CONTAINERS LOCATED IN MULTIFAMILY, COMMERCIAL AND/OR INDUSTRIAL AREAS WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF HEBRON ESTATES.

BE IT ORDAINED, by the City Council of the City of Hebron Estates, Bullitt County, Kentucky as follows:

SECTION ONE: DEFINITIONS

a) The term garbage as herein used shall mean every refuse accumulation of animal, fruit or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in, or storing of meat, fish, fruit or vegetables.

b) The term rubbish as herein used shall mean waste material and refuse of every character collected or accumulated within the city, except garbage, and shall include by way of enumeration but not by way of limitation grass, leaves, sticks, tree branches, stone, concrete, boards, glass, used furniture or household appliances, tin cans, paper, cardboard, and packing material.

SECTION TWO: DISPOSAL

It shall be unlawful for any person, firm or corporation to dispose of or dump garbage or rubbish upon the streets of the City of Hebron Estates or upon any public or private premises other than those duly designated for such purpose unless by special permission of the City Council.

SECTION THREE: CONTAINERS

All garbage and rubbish shall be placed in closed containers to assist in the reduction of odors and unwanted pest before being placed in garbage cans or dumpsters of the type and size as may be necessary to insure that it cannot be blown by the wind so as to be scattered or cause clouds of dust or particles; and it shall be unlawful to permit the escape of soot, ashes, or other solid products or results of combustion so as to be wind-blown or scattered.

SECTION FOUR: DUMPSTERS

Any multifamily housing (i.e. duplex, apartment building, condominium building) business, commercial or industrial location that disposes, on a regular basis, quantities greater than four (4) garbage cans of refuse shall be required to use a dumpster of appropriate size.

SECTION FIVE: FENCES

A fence meeting the following minimum requirements:

1. An evergreen hedge with a chain link fence not less than six (6) feet in height; or
2. A fence six (6) feet in height of non-deteriorating material; or
3. A masonry wall six (6) feet in height.

with an appropriate means of access shall be constructed to completely enclose the dumpster from public view in all multifamily, commercial and/or industrial areas in the City of Hebron Estates when said garbage container is located between the front of the building and the street located in the front of the building.

All dumpster enclosures must comply with applicable fire safety code regulations.

SECTION SIX: PENALTY

Any person, firm or corporation violating any provision of this Ordinance shall incur a civil penalty of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00) for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION SEVEN: EFFECTIVE DATE

This Ordinance shall take effect upon publication. Any existing multifamily, commercial, and/or industrial business which do not meet the requirements of this Ordinance upon its passage shall be permitted six (6) months from publication to comply with the requirements of this Ordinance. Any dumpster fence existing at the time of passage of this Ordinance which is four (4) feet or less in height need not be immediately replaced; however, when repair and/or replacement becomes necessary it must be performed in compliance with the terms of this Ordinance.

SECTION EIGHT: REPEALER

Any ordinances or parts of ordinances in conflict with this Ordinance or any part of this Ordinance are repealed.

SECTION NINE: INVALIDITY

Should any section, clause, line, paragraph, or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not effect the remainder of this Ordinance.

Given first reading at a regular meeting of the City Council of the City of Hebron Estates, Bullitt County, Kentucky, on the 25th day of Dec., 1998. Given second reading, voted upon and passed at a regular meeting of the City Council of the City of Hebron Estates, Bullitt County, Kentucky, on the 23rd day of February, 1999.

Votes for 4; Votes against 0; Not Voting 0.

Herschel Ricketts Jr.
HERSCHEL RICKETTS JR., MAYOR

ATTEST:

Martha Ferguson
MARTHA FERGUSON, CITY CLERK