

**Ordinance Number 120**

**An ordinance amending Title 7 Health and Welfare, Chapter 4 Garbage Sections 30 Containers for and Disposal of Garbage adding mattresses under items and Section 50 Fees by changing each person who shall be connected with the water system to each property owner who shall reside within town limits be required to pay garbage collection fee.**

**Be it ordained by the Bainville Town Council of the Town of Bainville, Montana:**

**7.04.030 Containers for and Disposal of Garbage.**

Only town residents are authorized to use the town’s contract garbage service and dumpsters only to their design capacity. No other containers are allowed. Requests for increased or decreased dumpster capacity are to be filed in writing with the Town Clerk before being conveyed to the contract carrier in order to monitor the public health, welfare and safety of the garbage service.

Ashes from stoves shall be placed in separate containers from all other garbage or refuse. Such ashes may be picked up after they have cooled.

Items of unusually large size, such as tree limbs or boards, mattresses and old sheds, shall be removed by the owner or occupant of the premises, or a person hired by the owner or occupant to remove such items

**7.04.040 Repealed.**

**7.04.050 Fees.** A schedule of fees shall be adopted by the town council for the collection and disposal of garbage, trash and refuse, which schedule shall be filed with the clerk and which may be amended or altered by the town council from time to time. Each property owner, Landlord, Tenant, Lessor, Lessee or such others as reside or occupy a residence or other structure within town limits without limitation be required to pay garbage collection fee, which shall be due and collectable in the same manner as the water and sewer accounts.

**Effective Date:** This ordinance shall be effective 30 days after second reading and final adoption.

**Severability.** If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, phrase, and words thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words have been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the remaining ordinance provisions will be in full force and effect.

First reading on the 15<sup>th</sup> day of November, 2017, by a vote of 3 Ayes, 0 Nays, 0 Abstain, and 0 Absent

Second reading and final adoption on the 8<sup>th</sup> day of December, 2017, by a vote of 2 Ayes, 0 Nays, 0 Abstain, and 1 Absent

ATTEST

APPROVED

/s/Nikki Rogers  
Nikki Rogers, CMC  
Clerk-Treasurer

/s/Dennis Portra  
Dennis Portra  
Mayor