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Presented by: The Manager
Introduced:
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2010-03(b)

An Ordinance Adopting the Refuse Collection System Code to Provide for a System of Mandatory Refuse Collection and Disposal, and Providing for a Penalty.

WHEREAS, Alaska law provides that a municipality may by ordinance provide for the establishment, maintenance and operation of a system of garbage and solid waste collection and disposal for the entire municipality, or for districts or portions of it, and require all persons in the municipality or district to use the system and to dispose of their garbage and solid waste as provided in the ordinance; and

WHEREAS, the Assembly has determined that a system of mandatory refuse collection and disposal will serve to promote and preserve the public health, safety, and welfare, and will enhance the environment of the residents of the City and Borough.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough Code.

Section 2. New Section. A new section CBJ 03.30.070 Refuse collection system fine schedule, is added to CBJ Chapter 03.30, to read:

1 **03.30.070 Refuse collection system fine schedule.**

2
3 **REFUSE COLLECTION SYSTEM FINE SCHEDULE**

4

CBJ	Offense	No. of Offenses	Fine
5 36.05.020	6 Failure to use or 7 subscribe to solid waste collection and disposal system	Any	\$50.00

8
9 **Section 3. Amendment to Chapter.** CBJ 36.05 Refuse Collection System, is
10 amended to read:

11 **Chapter 36.05**

12 **REFUSE COLLECTION SYSTEM (~~RESERVED~~)**

13 **Sections**

14 36.05.010 *Reserved.*

15 36.05.020 Use of refuse collection and disposal service required; exemptions.

16 **36.05.010** *Reserved.*

17
18 **36.05.020 Use of refuse collection and disposal service required; exemptions.**

19 (a) Every person residing in or occupying a building within the City and Borough
20 roaded service area shall use the solid waste collection services being provided under
21 the effective Certificate of Public Convenience and Necessity issued by the Regulatory
22 Commission of Alaska for the area. The Manager or his or her designee may exempt
23 a person from this requirement if the Manager determines that solid waste collection
24 services cannot reasonably be provided on account of the terrain or locale of a person's
25 property and the certificate holder's available resources.

1 (b) Every commercial or non-profit entity within the City and Borough roaded
2 service area, except for those that operate exclusively from within a dwelling unit, shall
3 use the system of solid waste collection services provided under the effective Certificate
4 of Public Convenience and Necessity issued by the Regulatory Commission of Alaska
5 for the area.

6 (c) The Manager may issue regulations pursuant to CBJ 01.60 to implement this
7 section.

8 (d) Violation of this section, CBJ 36.05.020, is an infraction.

9
10 **Section 4. Effective Date.** This ordinance shall be effective 60 days following the
11 issuance of an order by the Regulatory Commission of Alaska transferring the
12 Certificate of Public Convenience and Necessity for refuse service from Alaska Pacific
13 Environmental Services - Juneau, LLC, to the City and Borough.

14
15 Adopted this day of 2010.

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18 _____
Bruce Botelho, Mayor

19 Attest:

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21 _____
Laurie J. Sica, Clerk