

ORDINANCE NO. 1992

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO AMENDING SECTION 4.82.010 (c) OF THE GOLDEN MUNICIPAL CODE PERTAINING TO THE CITY OF GOLDEN'S RESIDENTIAL WASTE COLLECTION SERVICES PROGRAM

WHEREAS, Residential Waste Collection Services, Chapter 4.82 of the Golden Municipal Code was enacted to implement the City's single hauler residential waste collection services programs, which includes all residential properties except for multi-family residences containing eight (8) or more units and those that are part of a Homeowner's Association in existence as of May 13, 2010; and

WHEREAS, waste collection service providers for the aforementioned excluded properties and commercial establishments are governed by "Collection Garbage, Trash, Junk and Recyclable Materials," Chapter 4.80 of the Golden Municipal Code (the "Code"); and

WHEREAS, the City has amended Chapter 4.80 of the Code to in part, update its definitions and terminology and impose additional service and reporting requirements upon waste haulers; and

WHEREAS, Chapter 4.82 of the Code must also be amended to ensure that consistent terms are used in the Code regarding waste collection services.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Section 4.82.010 (c), "Definitions" of the Golden Municipal Code is amended to provide as follows:

(c) *Residential waste* means solid waste, as such terms are defined in Section 4.80.010 of the Code, which are generated from residential sources and other discarded goods subject to collection in accordance with the city's residential waste collection services program.

Section 2. If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof is hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the Municipal Code of the City of Golden by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 5. This ordinance is deemed necessary for the protection of health, welfare and safety of the community.

Section 6. Violations of this ordinance shall be punishable as set forth in Section 1.01.110 of the Golden Municipal Code.

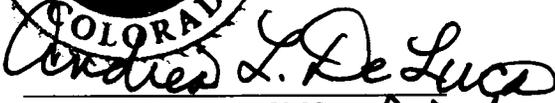
Introduced, read, passed and ordered published the 23rd day of October, 2014.

Passed and adopted upon second reading and ordered published this 13th day of November, 2014.





Marjorie N. Sloan
Mayor



Andrea L. De Luca, CMC
City Clerk

APPROVED AS TO FORM:



David S. Williamson
City Attorney

I, Andrea L. De Luca, Deputy City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced on first reading and read and a public hearing was held at a regular business meeting of the City Council of said city, held on the 23rd day of October, 2014, and was published as a proposed ordinance in the Golden Transcript, legal newspaper, as the law directs seven days or more prior to its passage. A public hearing was held on the 13th day of November, 2014, and the said proposed ordinance was read on second reading. The ordinance was passed by the City Council and ordered published in the aforesaid newspaper, as the law directs on the 13th day of November, 2014.

Witness my hand and official seal of the City of Golden, Colorado, this 14th day of November, 2014.



ATTEST:



Andrea L. De Luca, CMC, Deputy City
Clerk of the City of Golden, Colorado