

ORDINANCE NO. 164

AN ORDINANCE RELATING TO THE CITY DUMP GROUNDS OF THE TOWN OF GRANTIE FALLS; PROVIDING FOR FENCING CERTAIN BORDERS THEREOF, PROVIDING A GATE FOR ENTRANCE THERETO, PROVIDING FOR THE PADLOCKING OF SAID GATE, PROVIDING FOR A REPOSITORY FOR KEYS TO SAID PADLOCK, PROVIDING RULES AND REGULATIONS FOR THE USE OF THEY KEY BY PERSONS DESIRING ACCESS TO SAID DUMP GROUNDS AND THE DUMPING OF REFUSE ON SAID GROUNDS, DEFINING TRESPASS ON SUCH GROUNDS, AND PROVIDING PENALTIES FOR TRESPASS.

WHEREAS, it is deemed advisable that the Town of Granite Falls, in the interests of the health and safety of the community, regulate the use of the city dump and control access of all persons thereto,

NOW, THEREFORE, The Town Council of the Town of Granite Falls does ordain as follows:

Section 1. The Town of Granite Falls shall immediately after the passage and publication of this ordinance, or as soon thereafter as practicable, construct a strong fence of such type, materials and construction and on such borders of the dump ground as the council may determine and at a point in said fence designated by the council shall place a strong gate provided with a padlock for securely fastening the same.

Section 2. The cost of materials and labor for constructing said fence and gate and providing a padlock and keys and records for same shall be paid from the current fund of the Town of Granite Falls as an item of health and sanitation.

Section 3. (a) Upon completion of said fence and gate an padlocking of the gate, there shall be provided two keys for said padlock. One key is to be kept in the possession of the city superintendent of streets who is held responsible for its use, and may use it and enter the dump grounds at his discretion. The other key is to be maintained at the office of the city treasurer for the use of persons as hereinafter designated desiring access to the city dump grounds, to be used by such persons as hereinafter provided.

(b) The city treasurer will keep a suitable book for use in maintaining a record of said key. Such record will show to whom the key is loaned for use in gaining entrance to the dump ground; the hour and the day when the key is taken out; the hour and the day when the key is returned; the names of any persons who may accompany the applicant to the dump ground, and the signature of the applicant.

Section 4. The Town Council will cause to be placed at the gate of the dump ground and at other suitable places at its borders if needed notices of instructions for lawful entry to the premises by obtaining the key from the city treasurer, and notices that entry to the dump grounds under any other circumstances shall constitute trespass and stating that trespassers will be prosecuted under ordinance, Section 5 (a). Any person, including the authorized garbage collector, desiring to enter the dump grounds for the purpose of consigning thereto any rubbish or other material for which the ground is provided will first go to the city treasurer's office to obtain the key. He shall state to the treasurer his purpose for entering the dump ground and if in the opinion of the city treasurer such person is legally entitled to enter the dump ground, the applicant shall sign the record for the key and it shall be delivered to him for temporary use for a reasonable time needed for the purpose which he has stated. He shall see that the day and hour he receives the key is properly entered on the record, and that the names of all persons who may accompany him to the dump ground are also entered, and shall then affix his signature to the record.

(b) The applicant will immediately transact his business at the dump ground and while he has the key in his possession shall permit no other person to enter the dump ground except such persons as he has indicated on the record will accompany him on his permit.

(c) The applicant while at the city dump ground will dump refuse only in spots designated for the purpose; he will not dump refuse in roadways in the grounds or outside of the grounds; he shall start no fires to burn rubbish and he shall be responsible for all acts that transpire at the dump ground during his possession of the key to the premises.

(d) Upon leaving the dump ground, the applicant will see that the gate is securely closed and locked; that all persons accompanying him have left the grounds; he shall at

once return the key to the city treasurer and remain until the city treasurer has indicated on the record of his receiving the key that the same has been returned and the hour and day returned designated on such record.

Section 6. (a) Any person entering the city dump grounds except as herein provided, or any person making false statements to obtain the key to the dump grounds, or any person receiving the key and violating any of the provisions as set forth herein for the use of the key or dump grounds shall be deemed a trespasser and shall be liable to prosecution under this ordinance in Justice Court.

(b) Any person convicted in Justice Court as a trespasser in the city dump ground shall be liable to a penalty of a fine of not less than Three Dollars and no more than Five Hundred Dollars, or a maximum of six months imprisonment or both.

Section 7. All previous ordinances or regulations pertaining to the dump ground of the Town of Granite Falls in conflict with this ordinance are hereby repealed.

Section 8. This ordinance shall take effect and shall be in force from and after its passage, approval and publication as provided by law.