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~~ORDINANCE~~ ORDINANCE

No. 22.

FOR

CITY OF LYNNWOOD

AN ORDINANCE regulating the business of collecting and removing garbage and refuse in the City of Lynnwood, and authorizing use of licensed collectors in certain instances, providing for liens, for the cost thereof, and prescribing certain penalties;

THE CITY COUNCIL OF THE CITY OF LYNNWOOD DO ORDAIN AS FOLLOWS:

Sec. 1. No person, association or corporation shall engage in the business of hauling or transporting garbage, refuse, cans or discarded bottles within the City of Lynnwood or in the gathering the same within said City for disposal at some point or area outside of the City without obtaining a license therefor and complying with the regulations of the Mayor in the pursuit of said business.

Sec. 2. Written application for said license on forms provided by the Clerk shall be for a period of not more than five (5) years. Licensee shall pay an annual license fee to be determined on the basis of One Dollar (\$1.00) per year for each residence or business establishment being served at May 15th of each year, provided that the license fee for any twelve (12) month period shall be at least Five Hundred Dollars (\$500.00).

Sec. 3. No license shall be granted unless the applicant has the proper Public Service Commission Common Carrier permit authorizing the hauling of refuse and garbage for hire in the City of Lynnwood or a portion thereof. Application shall show Common Carrier permit number and describe the area of Lynnwood to be serviced.

Sec. 4. Such application shall also describe the type of trucks and equipment to be used by the licensee and, before issuing such license, the City Health Officer or other person designated by the Mayor shall investigate the trucks and equipment proposed to be used, and such Health Officer or agent shall not approve the same for use under said license unless he shall find that the

use thereof will adequately contain all garbage, refuse, etc., during such hauling, and the reasonable use thereof will protect the health and welfare of the inhabitants of the City and will not lead to the loss or distribution of garbage or refuse, etc., within such city.

Sec. 5. No licensee shall use, to collect or haul garbage, any trucks or equipment not so approved by the City Health Officer or agent for regular use within the City or for temporary use in cases of emergency without special permission therefor being granted by said Health Officer or agent.

Sec. 6. Such license may be cancelled or revoked by order of the City Health Officer or agent upon the wilfull or repeated violation of city ordinances or health regulations by the licensee after a hearing before the City Health Officer or agent in which charges of such violation are sustained, provided that the licensee shall have the right of appeal to the City Council.

Sec. 7. The City Council shall have the authority to make and require enforcement of reasonable rules and regulations and to modify and change the same from time to time, regulating the manner of collecting, removing and hauling garbage, refuse, or like materials, within the City of Lynnwood for the purpose of safeguarding the health, safety, and welfare of the inhabitants and the visitors of such city.

Sec. 8. Such licensee shall observe all regulations of the City of Lynnwood together with all State laws relative to public health, and shall observe and conform to any tariff schedules that may be set or approved by the Department of Public Service for unincorporated areas adjacent to the City of Lynnwood or tariff schedules adopted by the City Council of the City of Lynnwood not inconsistent with the schedules and regulations set or approved by the Department of Public Service.

Sec. 9. If any person shall allow, permit, or maintain any accumulation of ashes, garbage, filth, cans, or rubbish to remain

on property owned or occupied by him such that a condition detrimental to the health and welfare shall be deemed by the City Health Officer or agent to exist, then said Health Officer or agent shall cause written notice thereof to be served on said person, by mailing the same to said person, postage prepaid, at the address of said property.

Sec. 10. If any person, after three (3) days have elapsed from the service of notice as provided in Sec. 9 herein, shall fail to remove said accumulation of ashes, garbage, filth, cans, glass or rubbish, then the City Health Officer or agent may direct any licensee under this ordinance to remove such accumulated materials, and to render a statement of the charges therefor, determined in accordance with the then approved schedule of fees, to such owner or occupant and such licensee may thereafter file with the City Clerk and the Auditor of Snohomish County notice of such service and the fees charged therefor in the manner provided for filing notice of labor and material liens, and thereupon such charges shall become a lien upon the property served and such lien may be subject to collection or foreclosure in the manner of foreclosing labor and material liens under the laws of the State of Washington.

Sec. 11. This ordinance is passed to provide regulation of the business of garbage collection and to provide revenue for the operation of necessary City functions.

Sec. 12. If any section, provision or part of this ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the of the ordinance as a whole or any section, provision or part thereof not adjudged invalid.

Sec. 13. The violation of any of the provisions of this ordinance shall constitute a misdemeanor, punishable by a fine not to exceed One Hundred Dollars (\$100.00).

Sec. 14. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

Passed this 28th day of May, 1959, and signed in authentication of its passage this 28th day of May, 1959.

Jack Russell

Mayor

Approved as to form
J. Gaylord Riach
J. GAYLORD RIACH
City Attorney

ATTEST

L. Russell Haggard

City Clerk



GILBERT BOND
RECORDS FILE