

**CITY OF RUSSELLVILLE, KENTUCKY  
ORDINANCE 2008-14**

AN ORDINANCE AMENDING ORDINANCE 85-15, "AN ORDINANCE DEFINING, AND PROVIDING FOR THE CONTROL OF GARBAGE, REFUSE, AND LITTER; PROVIDING FOR PRIMA FACIE EVIDENCE OF VIOLATIONS OF PROVISIONS OF THIS ORDINANCE IN CERTAIN SITUATIONS; PROVIDING FOR ACTION BY CITY AT EXPENSE OF OWNER, TENANT, OR PERSON IN CONTROL OF PREMISES, AFTER FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDINANCE; WITH A PENALTY CLAUSE, A REPEALER CLAUSE, AND A SEVERABILITY CLAUSE" BY LIMITING THE SERVICE OF LIMB PICKUP TO HOMEOWNERS AND TENANTS; WITH A SEVERABILITY CLAUSE, REPEALER CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE

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WHEREAS, the City Council encourages homeowners and tenants to keep their properties neat and clean and in fact this is required by Ordinance; and

WHEREAS, the City of Russellville, as a matter of good public policy, often provides for free pickup of limbs at the curbside; and

WHEREAS, it is now necessary to provide legislation for this continued free service, subject now to the following limitations:

**I. ARTICLE ONE – AMENDMENT TO DEFINITIONS**

Section 1 of Ordinance 85-15 is hereby amended as follows:

- A. "Garbage" means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food;
- B. "Refuse" means all putrescible and non-putrescible solid waste (except body waste) including, but not limited to garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and market and industrial wastes; and
- C. "Litter" means refuse which is not contained or disposed of in accordance with the provisions of this Ordinance.
- D. "Tree limbs and debris" means any all limbs, branches and any debris relating to trees, shrubs or bushes.

**ARTICLE TWO – SUBSTANTIVE AMENDMENT**

Section 6 of Ordinance 85-15 is hereby amended as follows:

- a. As a service to the citizens of Russellville, the Street Department will pick up natural materials such as tree limbs and brush. It will also pick up yard waste and leaves if placed in translucent bags (which may be supplied by the City of Russellville during fall months) and placed curbside. The City will not collect limbs, branches and brush that have been cut by a professional tree/ landscape service. Anyone age 65 or

physically handicapped can call the mayor's office to schedule pick up of refuse, debris and tree limbs.

- b. Owners of private dwellings and lots, and their lessees, shall maintain those dwellings and lots so as to prevent litter from circulating in areas immediately surrounding the dwellings and lots up to adjacent streets or roads or property of others. Owners of private dwellings and lots, and their lessees, may place tree limbs not to exceed six (6) feet in length, and related tree debris, on the public curb for City of Russellville Street Department pickup.
- c. Any owner or lessees of a private dwelling or lot who hires a contractor for yard work, tree trimmings or work following adverse weather shall not allow that contractor to place any tree limbs or debris on the public curb for pickup. The contractor shall dispose of the tree limbs and debris in some other lawful way, and not by placing limbs and debris on the public curb.
- d. A contractor will be in violation of this ordinance if the contractor places limbs, brush or natural materials curbside.

**ARTICLE THREE - SEVERABILITY CLAUSE.** The provisions of this Ordinance are severable. If any sentence, clause or part of this Ordinance or the application thereof to any particular set of facts is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or parts of this Ordinance, it being the legislative intent of this body to ordain and enact each other.

**ARTICLE FOUR - REPEAL OF EXISTING ORDINANCES.** All ordinances or parts of ordinances in conflict herewith now in effect, to the extent of said conflict, are hereby repealed.

**ARTICLE FIVE - EFFECTIVE DATE.** This ordinance shall become effective upon passage and publication as required by law.

**FIRST READING** conducted on the 19<sup>th</sup> day of August, 2008.

**SECOND READING and passage** on the 2<sup>nd</sup> day of September, 2008.

  
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**GENE ZICK, MAYOR**

ATTEST:

  
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BOB RIGGS, CITY CLERK

**Ayes:** Jones, Russell; Philips, Chuck; Whipple, Jack; Zick, Gene

**Nays:** McPherson, Lanny; Stratton, Mark; Davenport, Jimmy

**Absent:** none.

**Abstaining:** none.