

ORDINANCE NO. 140

AN ORDINANCE regulating the business of collecting and removing garbage in the Town of Beaux Arts Village, and authorizing use of licensed collectors in certain instances, providing for liens for the cost thereof, and prescribing certain penalties, and repealing Ordinance No. 76.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF BEAUX ARTS VILLAGE, WASHINGTON, as follows:

Section 1. License for refuse collection. No person, association or corporation shall engage in the regularly scheduled business of hauling or transporting garbage, refuse, rubbish, cans or discarded bottles within the Town of Beaux Arts Village or in gathering the same within said Town for disposal at some point or area outside of the Town without obtaining a license therefor; no license shall be required for garbage, etc., which is hauled or gathered under the supervision of the Town Engineer.

Section 2. Application and fees. License fees for the calendar year December 1 through November 30 shall be equal to the total of \$1.00 for each of the average number of single family residences served by license during the last calendar quarter of the last preceding year, within the Town; or such other payment as is satisfactory to the Town Council; such sums shall be payable in equal quarterly installments on or before the first day of December, March, June and September of the year to which such fee is applicable.

Section 3. Equipment; containment of refuse. An application for a license shall describe the type of trucks and equipment to be used by the licensee and, before issuing such license, the Town Engineer shall investigate the trucks and equipment proposed to be used, and such Town Engineer 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 responsible use thereof will protect the health and welfare of the inhabitants of the Town and will not lead to the loss or distribution of garbage or refuse, etc., within such Town..

Section 4. Use of approved equipment. No licensee shall use, to collect or haul garbage, any trucks or equipment not so approved by the Town Engineer for regular use within the Town or for temporary use in cases of emergency without special permission therefor being granted by said Town Engineer.

Section 5. Revocation. Such license may be cancelled or revoked by order of the Town Engineer upon the willful or repeated violation of Town Ordinances or health regulations by the licensee after a hearing before the Town Engineer in which charges of such violation are sustained.

Section 6. Police power reserved. The Town Council shall have the authority to make and require enforcement of reasonable rules and regulations to modify and change the same from time to time, regulating the manner of collecting, removing and hauling garbage, etc., within the Town of Beaux Arts for the purpose of safeguarding the health, safety, and welfare of the inhabitants and the visitors of such Town.

Section 7. Observance of regulations and tariffs. Such licensee shall observe all regulations of the Town of Beaux Arts Village, together with all State laws relative to public health, and shall observe and conform to any tariff schedules

which may be set or approved by the Washington Public Service Commission for nearby unincorporated areas adjacent to the Town of Beaux Arts Village or tariff schedules adopted by the Town Council of the Town of Beaux Arts Village not inconsistent with the schedules and regulations set or approved by the Washington Public Service Commission.

Section 8. Abatement, refuse accumulation. In the event that any owner or occupant of property in the Town of Beaux Arts Village fails to comply with Town regulations regarding the accumulation of refuse, garbage, rubbish or the like, the Town Engineer may direct any licensee under this act to remove such refuse, etc. and to render a statement of the charges therefor, determined in accordance with then approved schedule of fees, to such owner or occupant, and such licensee may thereafter file with the Town Clerk and the Auditor of King 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 charge 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.

Section 9. Severability. If any section, provision or part of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision, or part thereof not adjudged invalid.

Section 10. Violation. The violation of any of the provisions of this Ordinance shall be punishable by a fine of up to \$500 or imprisonment for ninety days or less, or both such fine and imprisonment.

Section 11. Ordinance No. 76 is hereby repealed.

Section 12. Effective date. This Ordinance shall take effect five days after its passage, approval, and publication.

PASSED by the Town Council on the 11th of September, 1979 and signed in authentication of its passage the 14 of September, 1979.

David W. Kunkle
MAYOR

ATTEST:

Gail D. D'Alencio
TOWN CLERK

I HEREBY CERTIFY that copies of the above and foregoing Ordinance were duly posted as required by law, in three of the most public places in the Town of Beaux Arts Village on the 14 day of September, 1979.

Gail D. D'Alencio
CLERK OF THE TOWN OF BEAUX ARTS VILLAGE, WN.



WESTERN ACADEMY OF BEAUX ARTS 1908—INCORPORATED AS A TOWN 1954

BEAUX ARTS VILLAGE

BELLEVUE, WASHINGTON

September 14, 1979

Mr. Nelson A. Johnson
General Manager
Eastside Disposal Company, Inc.
P. O. Box 828
Bellevue, Washington 98009

Dear Mr. Johnson:

Attached is a copy of the new Beaux Arts Village garbage franchise ordinance. In it is a provision enabling the Council to accept the dumpsters in payment of your licensing fee.

At its regular meeting of September 11, 1979, the Town Council agreed to accept, until further notice, 2 dumpsters, on 2 consecutive weekends, twice a year, as you outlined in your letter to Mrs. Helen Lewis. I am presuming that Mrs. Lewis has already been in touch with you about the dates for our Fall clean-up.

Thank you for your consideration. We are looking forward to our new service.

Sincerely,

Harold Kunkle
Mayor
Town of Beaux Arts Village

HK:gd
Enclosure