

ORDINANCE NO. 140, FOURTH SERIES.

AN ORDINANCE DEFINING GARBAGE, RUBBISH AND WASTE MATTER AND PROVIDING FOR THE REGULATIONS, KEEPING, GATHERING, RECEIVING, DISPOSING AND DESTRUCTION THEREOF; PROVIDING FOR THE COLLECTION AND DISPOSITION THEREOF BY THE CITY OF SACRAMENTO; FIXING THE FEES TO BE PAID FOR SAID SERVICE; MAKING IT UNLAWFUL TO SPILL OR THROW GARBAGE, RUBBISH OR WASTE MATTER OF ANY KIND UPON THE STREETS, ALLEYS, PUBLIC PLACES OR VACANT LOTS OF THE CITY OF SACRAMENTO; PRESCRIBING THE HOURS WHEN THE BURNING OF RUBBISH MAY BE DONE WITHIN THE LIMITS OF THE CITY OF SACRAMENTO; MAKING A VIOLATION OF THE PROVISIONS OF THIS ORDINANCE A MISDEMEANOR, AND PROVIDING A PENALTY THEREFOR; REPEALING ORDINANCE NO. 17, FOURTH SERIES, PASSED SEPTEMBER 22nd, 1921, ORDINANCE NO. 50, FOURTH SERIES, PASSED JANUARY 12th, 1922, ORDINANCE NO. 57, FOURTH SERIES, PASSED FEBRUARY 14th, 1922, AND ORDINANCE NO. 82, FOURTH SERIES, PASSED JUNE 29th, 1922.

WHEREAS, THE proper sanitation of the City of Sacramento and the preservation of the health of the inhabitants thereof require that an ordinance be enacted providing for the collection and disposal of garbage by the City of Sacramento as a municipal work, and also providing for and regulating the gathering, removing, disposing, burning and destroying of all garbage and rubbish and waste matter,

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1. GARBAGE, as the said word is made use of in this ordinance, consists of dead animals, of not more than ten pounds weight each, and of every accumulation of animal, vegetable and other matter that attend the preparation, consumption, decay or dealing in, or storage of, meats, fish, fowls, birds, fruits or vegetables. The term "garbage" does not include dish water or waste water.

RUBBISH, as the word is made use of in this ordinance

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consists of wood, leaves, dead trees or the branches thereof, chips, shavings, woodenware, dodgers, printed matter, paper, paste-board, grass, rags, straw, boots, shoes, hats and all other combustible matter not included in this ordinance under the term "garbage".

WASTE MATTER, as the word is made use of in this ordinance, consists of natural soil, earth, sand, clay, gravel, loam, manure, stones, bricks, brick-bats, plaster, Portland cement, crockery, queensware, glass, glass-ware, ashes, cinders, shells, metals and all other noncombustible materials.

SECTION 2. It shall be the duty of every tenant, lessee or occupant of any private dwelling house and of the keeper of every hotel, restaurant, eating house, boarding house or other building where meals are furnished and of the owner of every furnished flat or apartment house, and of every other person having garbage, to provide without expense to the City of Sacramento, and at all times to keep within said building or on the lot on which said building is situated, suitable and sufficient watertight cans or receptacles with suitable bales or handles, and each having a tight fitting cover, for receiving and holding without leakage, or escape of odors, and without being filled to within four inches of the top, all the garbage which would ordinarily accumulate on said premises in one week's time; and all such cans shall be placed at least four inches above the ground, and shall be so placed as to be readily accessible for removing and emptying the material therefrom by the collectors, and where they will not be a public nuisance or in any degree offensive. Such garbage cans or receptacles must be emptied by the collectors at least once each week. Cans or receptacles for garbage, from private dwelling houses, from each flat and from

each apartment house, shall each have a capacity of not less than ten gallons, nor more than thirty gallons, and cans or receptacles for garbage at all other places shall each have a capacity of not less than ten gallons, nor more than sixty gallons. No can or receptacle for receiving garbage, rubbish or waste matter, shall be placed on or in any street, alley, sidewalk, footpath or any public place whatsoever, except in accordance with rules and regulations established under this Ordinance for the collection of the same. It shall be unlawful to keep, place or deposit garbage, rubbish or waste matter on any private grounds or premises whatsoever, except in cans or receptacles as designated in this Ordinance.

SECTION 3. It shall be unlawful for any person in the City of Sacramento to throw or deposit any garbage, rubbish or waste matter, or to cause the same to be thrown or deposited, upon any street, alley, gutter, park, or other public place, or to throw or deposit the same in or upon any vacant lot, or back yard, or to store or keep the same otherwise than in cans or receptacles, as required by Sections 2 and 4 of this ordinance; and it shall be unlawful to have, store, deposit or keep garbage where rats can have access thereto, or feed thereon. Each day's violation of this section shall be treated and considered, and the same shall be a separate and distinct offense.

SECTION 4. It shall be the duty of every tenant, lessee and occupant of every private dwelling house and of the keeper of every hotel, restaurant, eating house, boarding house, apartment house or other building where rubbish will accumulate, to provide boxes, barrels, or other proper receptacles to be kept on said premises sufficient to hold the rubbish which would ordinarily accumulate on such premises in one week's time, and

all rubbish accumulating on such premises shall be placed in such boxes, barrels or other receptacles. Said boxes, barrels or receptacles shall be so placed as to be readily accessible to the collectors for the removal of rubbish therefrom. No one of said boxes, barrels or receptacles shall have a capacity exceeding one hundred gallons. The Health Officer, with the approval of the City Manager, shall be the exclusive judge of the sufficiency of such boxes, barrels or receptacles.

SECTION 5. It shall be unlawful to deposit any garbage or rubbish within the City limits or within four hundred yards thereof, except at the garbage crematory or other place designated by the Health Officer and approved by the City Manager for the purposes of destruction. Waste matter, as defined by this ordinance, if not removed beyond the City limits, may be made use of upon receiving written permission from the Health Officer with approval by the City Manager for filling in on low lots within the City limits.

SECTION 6. It shall be unlawful for any person, firm or corporation, other than the the Sacramento City Garbage Collectors, or such other collectors as may be designated by the City of Sacramento, under contract therefor, or its, or his agents or employees, to collect, dispose of, transport, carry or convey through the streets, alleys, or public thoroughfares, of the City of Sacramento, any garbage, rubbish, or other matter offensive to the sight, or to collect or dispose of the same, except waste paper and waste matter, as the word is used in this ordinance.

Such employees of the City of Sacramento, or its agents duly authorized so to do, shall collect and remove such garbage, rubbish or offensive matter, between the hours of 9 o'clock p.m. of any one day and 12 o'clock noon of the next succeeding day, and then only in water-tight cans or in carts

or wagons having water tight beds or boxes with proper covers, so that the garbage, rubbish, or other matter shall not be offensive; the garbage and rubbish shall be so loaded that none of it shall fall, drip or spill to the ground; and every such cart or wagon shall be kept clean and well painted on the outside and said carts or wagons shall be numbered with the number of each painted on the outside thereof, so as to be plainly seen. Each garbage collector shall when at work, wear a numbered badge in plain sight upon which shall be the words, "SACRAMENTO GARBAGE COLLECTOR."

SECTION 7. It shall be unlawful for any person, firm or corporation to drive, or to cause to be driven upon or along any street, alley, highway, place, court or other public place within the limits of the City, any wagon, cart or other vehicle loaded with rubbish or waste matter, as said terms are defined by this ordinance, unless such wagon, cart or other vehicle be provided with side and end boards, not less than twenty inches high, and be so loaded that such rubbish or waste matter will not spill out upon the streets, alleys, highways and other public places of the City.

SECTION 8. It shall be unlawful for any person to burn, or to cause to be burned, in or on any street, alley, highway, public or private lot or park, or in any place within the limits of the City of Sacramento, any garbage, rubbish or waste matter, except as provided in Section 5 of this ordinance; provided, however, that the provisions of this section shall not apply to the burning of rubbish outside of the Fire Limits of the City of Sacramento, between the hours of nine o'clock in the morning and two o'clock in the afternoon of any day; but in no event shall rubbish be burned on any bitumen or asphalt street, alley or highway, or in any street or alley or highway which

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has been macadamized or oiled.

SECTION 9. It shall be unlawful for any person to throw or deposit, or to cause to be thrown or deposited, any rubbish or waste matter, as said terms are defined by this ordinance (except bricks, brick-bats, cement, plaster, stones and gravel, and these only under a building permit) in or upon any vacant lot or in any back yard, or on or upon any street, alley, gutter, highway, park or other public place in the City of Sacramento; or to deposit or place or keep any rubbish or waste matter except in the manner prescribed in Section 4 of this ordinance.

SECTION 10. It shall be unlawful for any person to throw, deposit or distribute, or to cause to be thrown, deposited or distributed, in or on any street, alley, gutter, highway, park, vacant lot or other place in the City of Sacramento, or in any vehicle parked or standing upon any such place, any dodgers or other similarly written or printed matter.

SECTION 11. It shall be the duty of the Garbage Department of the City of Sacramento, which department is hereby created, under the direction of the City Manager, to gather, collect and dispose of by dumping, burning, distribution, or sale, all garbage, rubbish and waste matter except as hereinafter provided within said City. The City Council may authorize and empower the City Manager to dispose of the same in such manner as it may deem proper for the best interests of said City and in compliance with the rules and regulations of the Health Department of said City. It shall be the duty of the Garbage Department to collect all garbage in said City, at least once each week and at such other times as the necessities of the particular case require.

SECTION 12. For the purpose of said collection the Garbage Department may divide the City into as many districts as may be deemed necessary for the convenient collection of garbage, rubbish and waste matter, and may fix a day or days on which the same shall be collected in said districts.

SECTION 13. The City Manager is hereby authorized and directed to employ all foremen, laborers, clerks, route men and collectors necessary for the collection and disposal of garbage, rubbish or waste matter by the City and is hereby further authorized and empowered to purchase or lease, or to recommend the purchase or leasing, under the provisions of the Charter of the City of Sacramento, of all necessary horses, wagons, trucks, trailers, or other vehicles, supplies or other equipment, land and real or personal property, necessary for carrying into effect the provisions of this ordinance relative to the collection and disposal of garbage, rubbish and waste matter by the Garbage Department of the City.

SECTION 14. Any person from whom garbage, rubbish and waste matter is collected under the provisions of this ordinance, shall pay the City of Sacramento, through the City Controller, the following fees for said service:

1. For the collection of garbage, rubbish and waste matter, once each week, where the amount collected from the person paying the fee does not exceed twenty gallons at one collection, the sum of fifty (50) cents per month; where the amount of garbage exceeds twenty gallons per collection, there shall be an additional charge of twenty-five cents (25c) per month for each additional twenty gallons or fraction thereof, and for more than one collection per week, the charge shall be twenty-five (25) cents per month for each additional weekly collection.

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