

ORDINANCE NO. 17 - \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF RIDGWAY, COLORADO AMENDING CHAPTER 9 OF THE RIDGWAY MUNICIPAL CODE TO PROVIDE FOR MANDATORY ANIMAL-RESISTANT TRASH CONTAINERS FOR ALL PROPERTIES WITHIN THE TOWN OF RIDGWAY, DEFINING ANIMAL-RESISTANT CANS, CONTAINERS AND DUMPSTERS, AND AMENDING THE SHORT-TERM RENTAL REGULATIONS IN CHAPTER 7-3 TO REFERENCE THE ENTIRE CHAPTER 9-2 FOR TRASH AND RECYCLING UTILITY SERVICES.

**WHEREAS**, the Town Council of the Town of Ridgway desires to ensure the safety of the community and the safety of our wildlife; and

**WHEREAS**, when wildlife has access to trash, it brings them closer to our homes, businesses and public spaces, creating a potentially dangerous situation for animals and people and creating a nuisance for the community by distributing trash; and

**WHEREAS**, the Town Council desires to compel compliance with Town regulations making trash inaccessible to animals; and

**WHEREAS**, the Town has received numerous complaints on bears in town accessing garbage, and birds distributing trash from open trash receptacles into the streets and public places; and

**WHEREAS**, the Town's current regulations in Chapter 9 Section 2 state "Animal resistant cans and containers are preferred"; and

**WHEREAS**, the Town Council has discussed the necessity of requiring animal-resistant cans and containers for a number of years and the past couple of years have seen an increase in wildlife access to garbage throughout the Town; and

**WHEREAS**, the Town of Ridgway Municipal Code Section 2-4 currently provides for Administrative Enforcement of the Ridgway Municipal Code including issuance of Notices of Violation and Citations for violations of the Ridgway Municipal Code including violations of Chapter 9 Section 2, with penalties assessed from \$150 for the first citation and up to \$999 for the third violation; and

**WHEREAS**, the Town Council has determined it is necessary and appropriate to change the Town's regulations for trash to preserve the public health, safety and welfare of the Ridgway community.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF RIDGWAY, COLORADO,**  
as follows:

**SECTION 1.**

Subsection 9-2-1(C) is added, as follows:

\* \* \*

(C) Any trash hauler who provides a refuse container to a town customer shall only provide animal-resistant refuse cans, animal-resistant containers or animal-resistant dumpsters, which meet the requirements set forth herein or is approved by a Town-designated official.

\* \* \*

Subsection 9-2-4(D) of the Ridgway Municipal Code, is amended, as follows:

\* \* \*

(D) All refuse cans and refuse containers shall be animal-resistant. Animal-resistant refuse cans and animal-resistant refuse containers means a fully enclosed container that can be constructed of pliable materials, but must be reinforced to deter access by wildlife. The container must employ a sturdy lid that has a latching mechanism preventing access to its contents by wildlife. Wildlife Resistant Containers must meet the standards of testing by the Living With Wildlife Foundation and a “passing” rating by the Interagency Grizzly Bear Committee (IGBC) as bear resistant for 60 minutes or otherwise be approved by a City-designated official.

\* \* \*

Subsection 9-2-4(H) of the Ridgway Municipal Code, is amended, as follows:

\* \* \*

(H) When common dumpsters are used, they shall be screened by fencing. All common dumpsters shall be animal-resistant. Animal-resistant dumpster enclosure means an enclosed structure consisting of four (4) sides and a secure metal door or cover, which shall have a latching device of sufficient design and strength to prevent access by wildlife.

\* \* \*

Subsection 9-2-4(I) of the Ridgway Municipal Code is added, as follows:

\* \* \*

(I) If a container or enclosure is damaged, allowing access by wildlife, repairs must be made within seventy-two hours after written notification by a Town official.

\* \* \*

**SECTION 2.**

Subsection 7-3-13(l)(3)(d) of the Ridgway Municipal Code regarding Short Term Rentals, is amended as follows:

\* \* \*

(d) Adequate trash and recycle containers shall be provided and information on placement for collection shall be provided in the short-term rental as stated in Ridgway Municipal Code Section 9-2.

\* \* \*

INTRODUCED before the Town Council of the Town of Ridgway, Colorado on the \_\_\_\_ day of \_\_\_\_\_, 2017

TOWN OF RIDGWAY, COLORADO, A HOME-RULE MUNICIPALITY

By \_\_\_\_\_  
John Clark, Mayor

ATTEST:

\_\_\_\_\_  
Pam Kraft, MMC, Town Clerk

Approved As to Form:

\_\_\_\_\_  
BO JAMES NERLIN, Town Attorney

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Ridgway, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2017.

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CERTIFICATE OF TOWN CLERK

The foregoing Ordinance was introduced at a meeting of the Ridgway Town Council on \_\_\_\_\_, 2017, published by title and posted thereafter, and adopted by the Ridgway Town Council on \_\_\_\_\_, 2017.

(SEAL)

\_\_\_\_\_  
Pam Kraft, MMC, Town Clerk