

ORDINANCE NO. 2009-012

Adopted by the Sacramento City Council

March 3, 2009

AN ORDINANCE REPEALING SECTION 13.10.160 OF THE SACRAMENTO CITY CODE RELATING TO THE REMOVAL OF RECYCLABLE MATERIALS PLACED FOR CITY SPONSORED PROGRAM AND ADDING SECTION 13.10.160 OF THE SACRAMENTO CITY CODE RELATING TO SCAVENGING FROM SOLID WASTE RECEPTACLES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

BACKGROUND

Section 1.

The City Council hereby finds and declares that:

- A. There is an increasing problem of persons scavenging from solid waste receptacles. Scavenging can result in injuries to the scavengers, waste being strewn about the surrounding areas, containers being left open to emit foul odors and attract animals and pests, theft of recyclable material and identity theft.
- B. Prohibiting the scavenging from solid waste containers benefits the health, safety and welfare of the public by protecting persons from illness and injury, reducing blight and nuisances, and preventing crime.

Section 2.

Section 13.10.160 of the Sacramento City Code is hereby repealed.

Section 3.

Section 13.10.160 of the Sacramento City Code is hereby added to read as follows:

13.10.160 Scavenging from solid waste receptacles

- A. No person shall open, look into, search through or remove any of the contents of any solid waste receptacle.
- B. For purposes of this section, "solid waste receptacle" shall mean any bin, automatic lift container or any other type of receptacle used for the deposit, storage, collection or transport of garbage, litter, junk, debris, refuse, swill,

rubbish, waste matter, putrescible waste, hazardous waste, infectious waste, recyclable materials, or garden refuse.

C. This section shall not apply to the following persons:

1. Any owner, tenant, lessee, or occupant of the property for which the solid waste receptacle is used;
2. Any private collector or any employee or contractor of a private collector, as defined in Section 13.10.310 of this code, that owns or maintains the solid waste receptacle or is responsible for hauling away its contents, who is acting in accordance with their duties as such; or
3. Any employee or contractor of any city, county, state or federal government agency, who is acting in accordance with their duties as such.

D. Any person violating this section is guilty of an infraction.

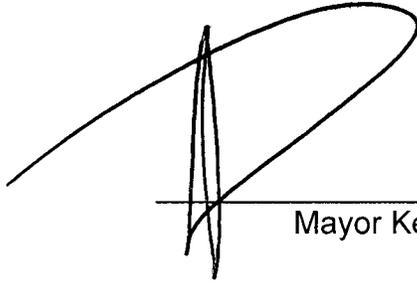
Adopted by the City of Sacramento City Council on March 3, 2009 by the following vote:

Ayes: Councilmembers Cohn, Hammond, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: Councilmembers Fong, McCarty, and Pannell.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:



Shirley Concolino, City Clerk

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