

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 6
SERIES OF 2017**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
SECTION 7-2-110 OF THE RIFLE MUNICIPAL CODE TO PROHIBIT
DUMPING IN THE CITY AND DEAUTHORIZE THE ISSUANCE OF ANY
PERMIT FOR THE PURPOSE OF MAINTAINING A DUMP.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, pursuant to the Rifle Municipal Code and C.R.S. § 31-15-401, the City is authorized to declare what is a nuisance and provide for the abatement of the same, including the imposition of fines and the attachment of liens upon any property where a nuisance is maintained or abated; and

WHEREAS, Chapter 7 of the Rifle Municipal Code sets forth the City’s nuisance code; and

WHEREAS, Section 7-2-110 of the Rifle Municipal Code declares the dumping or disposal of any garbage, trash, litter, rubbish, offal, filth, excrement, discarded building materials, or combustible materials of any kind to be a nuisance, excepting in circumstances in which a permit for such dumping or disposal has been issued; and

WHEREAS, the City has not and does not issue such dumping or disposal permits, and believes that such exception to the prohibition of dumping or disposal was intended for use when the City contemplated the existence of a public or private dump within the City limits, which dump is no longer planned or useful; and

WHEREAS, the Rifle City Council finds and declares that it is in the interest of the public health, safety, and welfare to remove the permit exception to the prohibition on dumping or disposal in Section 7-2-110 of the Rifle Municipal Code.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth in full.

2. Code Amendment. Section 7-2-110 of the Rifle Municipal Code is hereby amended as follows, with ~~strike-through language deleted~~:

Sec. 7-2-110. - Dumping on property.

~~It is unlawful for any person to use any land, premises or property within the City for the dumping or disposal of any garbage, trash, litter, rubbish, offal, filth, excrement, discarded building materials or combustible materials of any kind, without first having made application for and receiving a permit to do so. The application therefor shall be filed with the City Clerk and shall state the location of the land, premises or property, the manner in which the dumping or disposal is to be accomplished and the means and methods by which the applicant proposes to secure the same against the danger of disease, fire and other menaces to the public health and to provide for the suppression of rodents, mosquitoes and other insects. Upon such investigation and a finding that the proposed dumping will not cause any danger to the public health, the City Clerk shall issue such a permit upon the payment of a fee as set forth in Appendix A to this Code with the approval of the City Council.~~

INTRODUCED on May 3, 2017, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on May 17, 2017, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 3rd day of May, 2017.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk