

ORDINANCE NO. 28

Series 2008

AN ORDINANCE AMENDING SECTION 5-2-3-1 OF THE BRECKENRIDGE TOWN CODE
CONCERNING THE PLACEMENT AND REMOVAL OF GARBAGE CANS AND
RECEPTACLES

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE,
COLORADO:

Section 1. Section 5-2-3-1 of the Breckenridge Town Code is hereby amended so as to read in its entirety as follows:

5-2-3-1: PLACEMENT AND REMOVAL OF GARBAGE CANS AND
RECEPTACLES:

A. Except as provided in subsections B and C of this section, all garbage cans and similar refuse receptacles that do not have a latching mechanism which keeps the lid tightly closed against the can or receptacle and prevents access to the contents of the can or receptacle by wildlife shall be stored inside a home, garage, building, shed, or an approved trash dumpster enclosure as defined in Section 5-6-3 of this Code.

B. Residents, tenants, renters, lessors, or occupiers of property within the town with curbside garbage pickup shall place their garbage cans and similar refuse receptacles at the curb only after 6 A.M. on the day of pickup. After pickup, the garbage cans and similar refuse receptacles must be resecured in accordance with subsection A of this section, by ten o'clock (10:00) P.M.

C. The provisions of subsection A of this section shall not apply to an outdoor refuse receptacle maintained by a business that is: (i) primarily intended as a convenience for use by the customers of the business (and not the business itself); (ii) designed in such a manner as to discourage wildlife from getting into the receptacle; and (iii) emptied on a daily basis.

Section 2. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 3. The Town Council hereby finds, determines and declares that this ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

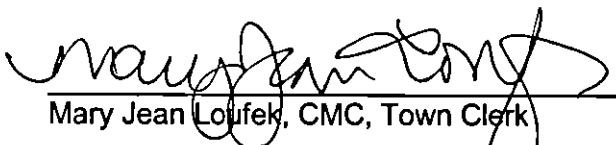
Section 4. The Town Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to the provisions of Section 31-15-401, C.R.S., and the powers possessed by home rule municipalities in Colorado.

Section 5. This ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED
PUBLISHED IN FULL this 10th day of June, 2008. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 24th day of June, 2008, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

TOWN OF BRECKENRIDGE


Mary Jean Loufek, CMC, Town Clerk


John G. Warner, Mayor

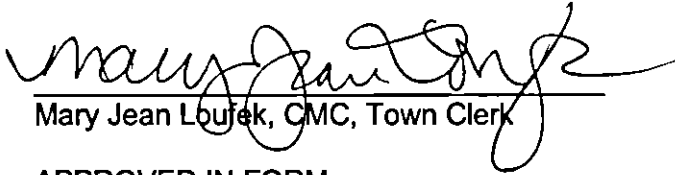
This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on June 20, 2008.

The public hearing on this ordinance was held on June 24, 2008.

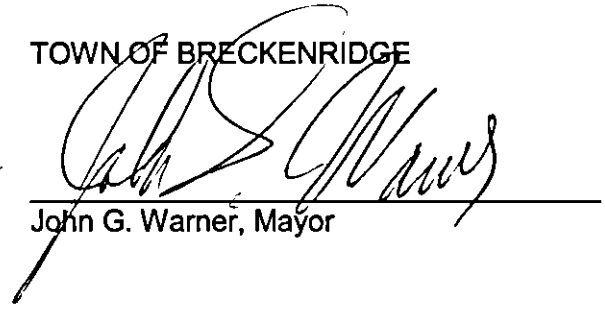
READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY, this 24th day of June, 2008. This ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

TOWN OF BRECKENRIDGE

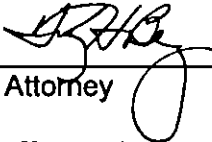


Mary Jean Loufek, CMC, Town Clerk



John G. Warner, Mayor

APPROVED IN FORM



Town Attorney

6/24/08
Date

This ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge on July 4, 2008.