

4-2-2: PROHIBITIVE ACTS, EMERGENCY ORDERS AND CONDEMNATION:

A. Prohibited Acts: Except as otherwise provided by law, it shall be unlawful for any person:

1. To dispose of any solid waste in any place except at a facility or site that has been approved by the city.
2. To operate a facility or site or engage in the business of waste contractor without a valid permit from the city, unless specifically exempted elsewhere in this chapter.
3. To deposit any solid waste upon any public or private property without the consent of the owner and approval of the city.
4. To construct, alter, operate or change the operating procedure of a site or facility without the corresponding permit or approval from the city.
5. To scavenge at a site.
6. To feed farm or domestic animals on an existing site, unless approved by the city.
7. To dispose of any solid waste in a way prohibited by any applicable laws.
8. To open burn, except as provided by law.
9. To create or operate an open dump.
10. To accumulate litter, store, collect, transport, transfer, treat, process, utilize, reclaim, recover, recycle, consolidate, incinerate or dispose of any solid waste contrary to this chapter or orders of the city.
11. To create, cause or allow insect or rodent propagation, conditions for transmission of disease, any unsanitary condition, or any other safety or public health hazards.
12. To accumulate litter, store, collect, transport, transfer, treat, process, utilize, reclaim, recover, recycle, incinerate or dispose of any solid waste in such a way that a nuisance is created.
13. To dispose of used oil, except through a used oil collector.
14. To discharge used oil into sewers, drainage systems, surface waters, ground waters or watercourses or deposit used oil on land, unless authorized under other provision of law.
15. To mix or commingle used oil with solid waste that is to be disposed of in landfills or otherwise by trash collection.
16. To apply used oil to road oiling, dust control, weed abatement or other similar uses that have the potential to release used oil into the environment.

- B. Emergency Orders: Whenever the city finds that an emergency exists requiring immediate action to protect the public health, safety or well-being, the mayor may issue an order declaring the existence of an emergency and requiring that remedial action be taken. The order shall be effective immediately, but on application to the city, the recipient of the order shall be granted a hearing within forty eight (48) hours before the mayor. On the basis of the hearing, and not more than twenty four (24) hours after adjournment of the hearing, the mayor shall revoke, modify or continue such order in effect.
- C. Prohibition Of Waste At Threatened Sites: The mayor shall prohibit waste from being accepted at any site or facility if there is a threat to the health, safety or welfare of the employees, the users of the site or facility, or the public.
- D. Condemning Or Closing A Facility Or Site:
1. Any facility or site that fails to meet the requirements of this chapter and has been found to be a threat to the public health, safety or welfare, may be condemned and closed by the city and designated by a placard posted in a conspicuous place.
 2. The city shall give notice in writing to the owner or operator of the facility or site condemned and closed.
 3. No facility or site that has been condemned, closed and placarded shall accept solid waste or be used for the accumulation, storage, treatment, handling, processing or disposal of solid waste until written approval is received from the city. The city shall remove the placard whenever, or if, the violation upon which condemnation, closing, and placarding were based has been remedied.
 4. No person shall deface or remove a placard from any facility or site that has been condemned and closed by the city.
 5. Any owner or operator affected by the condemning, closing and placarding of a facility or site may request a hearing within ten (10) calendar days of such action. The hearing shall be held before the city council within ten (10) calendar days after the request. Within ten (10) calendar days after the hearing, the city recorder shall send written notice to all parties of the decision of the city council and the reasons therefor. (Ord. 8-13-02, 8-13-2002, eff. 8-13-2002)

