

**ORDINANCE NO. 018-264**

**AN ORDINANCE REQUIRING A FENCE AROUND DUMPSTERS WITHIN THE CITY OF SHEPHERDSVILLE.**

BE IT ORDAINED by the City of Shepherdsville, Bullitt County, Kentucky:

SECTION ONE: Ordinance 996-385 enacted on September 23, 1996, relating to Erecting a Fence around Garbage Dumpsters is hereby repealed in its entirety.

SECTION TWO: DEFINITIONS

a) The term garbage when used herein means every refuse accumulation of animal, fruit, or vegetable matter, liquid or otherwise, that attends the preparation, use, cooking, dealing in, or storing of, meat, fish, fruit, or vegetables.

b) The term rubbish when used herein means waste material and refuse of every character collected or accumulated within the City, except garbage, and shall include, but is not limited to, grass, leaves, sticks, tree branches, stone, concrete, boards, glass, used furniture or household appliances, cans, paper, cardboard, and packing material.

SECTION THREE: DISPOSAL

No person shall dispose of or dump garbage or rubbish upon the streets of the City of Shepherdsville or upon any public or private premises other than those duly designated for such purpose unless by special permission of the City Council.

SECTION FOUR: CONTAINERS

No person shall fail to place garbage and rubbish in plastic garbage bags to assist in the reduction of odors and unwanted pests before such garbage and rubbish is placed in containers of the type and size as may be necessary to ensure that such garbage and/or rubbish cannot be blown by the wind so as to be scattered or cause clouds of dust or particles. No person shall permit the escape of soot, ashes, or other solid products or results of combustion so as to allow such to be wind-blown or scattered.

SECTION FIVE: DUMPSTERS

No person or business that on a weekly basis disposes of garbage and/or rubbish in quantities of greater than four 96-gallon carts shall fail to use a dumpster of appropriate size.

SECTION SIX: FENCES

No person shall fail to enclose a dumpster within a fence which completely obstructs it from public view except when a gate in the fence is open during normal dumping into or collection from the dumpster.

Such fence must be:

1. An evergreen hedge with a chain link fence not less than six (6) feet in height; or
2. A fence of non-deteriorating material not less than six (6) feet; or
3. A masonry wall not less than six (6) feet in height; or
4. A treated wood privacy fence not less than six (6) feet in height that is well maintained.

SECTION SEVEN: CIVIL OFFENSE

Violation of this Ordinance shall constitute a civil offense.

SECTION EIGHT: PENALTY

Any person violating any provision of this Ordinance shall incur a civil penalty if the citation is uncontested of Seventy-Five Dollars (\$75.00) for a first offense, One Hundred Fifty Dollars (\$150.00) for a second offense, and Three-Hundred Dollars (\$300.00) for a third or greater offense. A separate offense shall be deemed committed each day on which a violation occurs or continues.

If the citation is contested, the maximum civil penalty for a first offense is One Hundred Fifty Dollars (\$150.00), for a second offense Three-Hundred Dollars (\$300.00), and Six-Hundred Dollars (\$600.00) for a third or greater offense. A separate offense shall be deemed committed each day on which a violation occurs or continues.

SECTION NINE: This Ordinance shall take effect upon publication. A person with a dumpster upon the effective date of this Ordinance which is not enclosed so as to meet the requirements of Section Six of this Ordinance shall be allowed up to six (6) months from the effective date of this Ordinance to comply with the requirements of Section Six.

SECTION TEN: Any part of any ordinance in conflict with this Ordinance or any part of this Ordinance is repealed.

SECTION ELEVEN: Should any section, clause, line, paragraph, or part of this Ordinance be held unconstitutional or invalid for any reason, the same shall not affect the remainder of this Ordinance.

Given first reading at a regular meeting of the City Council of the City of Shepherdsville. Bullitt County, Kentucky on the 11<sup>th</sup> day of June 2018. Given second reading, voted upon and passed at a regular meeting of the City Council of the City of Shepherdsville, Bullitt County, Kentucky, on the 9<sup>th</sup> day of July 2018.

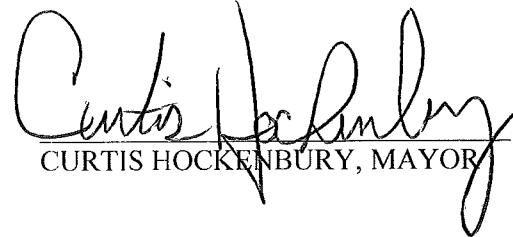
Votes For: 5;

Votes Against: 1;

Abstentions: 0.


Donna Burke	x
Lisa Carter	
Stacey Cline	x
Bonnie Enlow	x
Mike Hibbard Sr.	x
Gloria Taft	x

x



CURTIS HOCKENBURY, MAYOR

ATTEST:



TAMMY RICHMOND, CITY CLERK

Approved as to form and legality:

By: \_\_\_\_\_  
WALTER A. SHOLAR  
SHEPHERDSVILLE CITY ATTORNEY