

ORDINANCE NO. 1079

AN ORDINANCE OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO MANDATING THAT RESIDENTIAL TRASH-HAULING COMPANIES PROVIDE RECYCLING SERVICES

WHEREAS, the Board of Trustees has evaluated whether or not it is in the best interests of the citizens of the Town of Berthoud to require all owners of residential properties to participate in a mandatory recycling program which would be provided by one trash collection entity; and,

WHEREAS, the Board of Trustees has determined that it is in the best interests of the community to promote and preserve free enterprise by allowing multiple commercial trash-hauling entities to operate within the Town of Berthoud as long as they include recycling services to their residential customers; and,

WHEREAS, the Board of Trustees has determined that residential recycling is in the best interests of the community.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO:

Section 1: Mandatory Recycling

Any company providing residential trash-hauling services within the Town of Berthoud is required to include, at a minimum, weekly recycling services for paper, cardboard, glass, plastic, aluminum and steel cans as part of their trash-hauling services, unlimited in volume for residential customers.

Section 2: Documentation as to Participation

On or before December 31, 2007 each trash-hauling company providing services to the Town of Berthoud's residences shall provide documentation as to the following:

1. the nature of the recyclables they will accept, if greater than those mandated in paragraph 1.
2. whether the recyclables need to be sorted, and if so, how and whether containers will be provided; and,
3. the rate for the bundled trash pickup and recycling for residential homes, duplexes and apartments.
4. This information shall be provided by each trash-hauler annually with their renewal applications.

Section 3: Commencement

The effective date for including recycling by residential trash-hauling companies shall be no later than January 1, 2008.

Section 4: Penalty

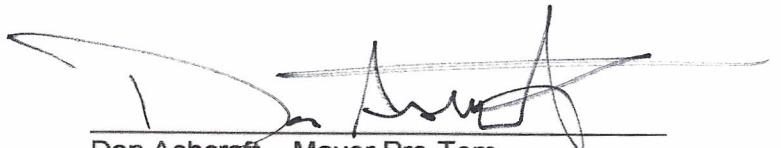
The penalty for hauling trash for residential customers in the Town of Berthoud if the trash-hauling company fails to participate in including recycling services, as provided herein, shall be a fine of up to \$300 per day per contracted residence for which these recycling services are not included in that resident's trash hauling services. Each day and each residence constitutes a separate offense.

Section 5: Effective Date:

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty days after publication.

At its meeting on November 27, 2007, this Ordinance was read, passed and ordered published by the Board of Trustees.

TOWN OF BERTHOUD



Don Ashcraft – Mayor Pro-Tem

ATTEST

Mary K. Cowdin
Mary K. Cowdin – Town Clerk

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