

CITY AND BOROUGH OF SITKA

ORDINANCE NO. 2013-12

**AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AMENDING SITKA
GENERAL CODE 9.08.025 ENTITLED "GARBAGE SERVICE" TO USE TERMS
CONSISTENT WITH SITKA GENERAL CODE SECTION 15.06.025 ENTITLED
"SOLID WASTE TREATMENT AND REFUSE COLLECTION," AND MAKE IT
CLEAR BUSINESSES CANNOT OPT OUT OF GARBAGE SERVICE**

1. **CLASSIFICATION.** This ordinance is of a permanent nature and is intended to become a part of the Sitka General Code ("SGC").

2. **SEVERABILITY.** If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and application to any person or circumstance shall not be affected.

3. **PURPOSE.** Both SGC Title 9 entitled "Health and Sanitation" and SGC Title 15 entitled "Public Utilities" identifies who must have garbage or solid waste service. The two sections use different terms to refer to the same groups, with SGC 9.08.025 referring to "consumer" while SGC 15.06.025 refers to "residential unit and business." Based on the clarification in this ordinance and consistency of terms, businesses will no longer be able to opt out of garbage services, which has been the current practice inspite of SGC provisions which appear to require use of garbage services by residential and business customers.

4. **ENACTMENT.** NOW, THEREFORE, BE IT ENACTED by the Assembly of the City and Borough of Sitka that SGC 09.08.025 is amended as follows (new language underlined; deleted language stricken):


9.08.025 Garbage service.

A. Every residential unit and business ~~consumer~~ served through an electrical meter, except vacant buildings, shall use and pay for the garbage service provided by the municipality.


* * *

5. **EFFECTIVE DATE.** This ordinance shall become effective 30 days after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the Assembly of the City and Borough of Sitka, Alaska this 26th day of March, 2013.


Mim McConnell, Mayor

ATTEST:


Colleen Ingman, MMC
Municipal Clerk