

Chapter 10

GARBAGE, REFUSE AND LITTER*

* **Cross References:** Removal of dead dogs, § 3-33; fire prevention and protection, Ch. 8; food and food products, Ch. 9; health, Ch. 11; public yards and areas surrounding houses to be kept clean, § 12-110; garbage collection from rental housing units, § 12-121(g); junked, dismantled motor vehicles, § 13-21 et seq.; refuse collection fees, § 21-3 et seq.; sanitary landfill fees, § 21-34; use of public right-of-way, § 22-1.

State Law References: Garbage disposal system authorized; annual tax levy for same, M.S.A., § 5.2681; littering, § 28.603(1) et seq.

Art. I. In General, §§ 10-1--10-29

Art. II. Reserved, §§ 10-30--10-39

Art. III. Solid Waste Regulation, §§ 10-40--10-45

ARTICLE I.

IN GENERAL

Sec. 10-1. Short title.

This chapter shall be known and may be cited as the "City of Midland Antilitter Code."

Sec. 10-2. Definitions.

For the purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings given in this section:

Aircraft is any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons.

Authorized private receptacle is a litter storage and collection receptacle as required and authorized in the garbage collection regulations.

Bulky or heavy items are all individual wastes or filled containers weighing more than fifty (50) pounds or having any one (1) dimension greater than three (3) feet and which cannot be loaded into a city collection vehicle by hand. These wastes include, but are not limited to, appliances; furniture; mattresses; carpeting; moving boxes, lumber, drywall, windows, shingles and other building products; bathroom and kitchen fixtures; tires and wheels; scrap metal; asphalt; concrete and other masonry rubble; loose soil; tree stumps; logs; cut tree branches; and brush.

Commercial handbill is any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced originals or copies of any matter of

literature:

- (1) Which advertises for sale any merchandise, product, commodity or thing;
- (2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales;
- (3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind, for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind without a license where such exhibition is or may be required by any law of this state or under any ordinance of this city;
- (4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

Garbage is putrescible animal and vegetable wastes resulting from handling, preparation, cooking and consumption of food.

Handbill distributor shall mean and include any person engaging or engaged in the business for hire or gain of publishing and distributing commercial and noncommercial handbills, other than newspapers distributed to subscribers thereof, any person engaging or engaged in the business for hire or gain of distributing commercial or noncommercial handbills other than newspapers to subscribers thereof, and any person receiving compensation directly or indirectly for the distribution of such handbills.

Household refuse is all putrescible and nonputrescible solid wastes (except body waste, yard wastes, and bulky or heavy items), including garbage; paper; wrapping; cardboards; tin, glass, and plastic containers; bedding; clothing; crockery and similar materials generated by a private premise that can be placed in a container suitable for loading into a city collection vehicle by hand.

Litter is garbage, refuse, rubbish, bulky or heavy items, household refuse, recyclables, and yard wastes as defined in this section, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

Newspaper is any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four (4) issues per year and sold to the public.

Noncommercial handbill is any printed or written matter, any sample, or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced originals or copies of any matter of literature not included in the definition of a "commercial handbill" or "newspaper."

Park is a park, reservation, playground, beach, recreation center or any other public area in the city, owned or used by the city and devoted to active or passive recreation.

Private premises is any dwelling, house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, ground, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public place is any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, and buildings.

Recyclable are those items of household refuse that can be collected separately for reuse or remanufacture. These items include newspapers; magazines; corrugated cardboard; aluminum; tin and aluminum food cans; No. 2 plastic containers and plastic milk jugs; and clear, green or brown glass containers.

Refuse is all putrescible and nonputrescible solid waste (except body waste), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and solid market and industrial wastes.

Rubbish is nonputrescible solid wastes consisting of paper, wrapping, cigarettes, cardboards, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

Vehicle is every device in, upon, or by which any person or property is or may be transported or drawn upon a highway including devices used exclusively upon stationary rails or tracks.

Yard wastes are grass clippings, garden wastes, leaves, twigs and trimmed branches two (2) inches and under in diameter that can be placed into a container suitable for loading into a city collection vehicle by hand. (Ord. No. 807, § 1, 2-19-73; Ord. No. 1276, § 1, 9-20-93)

Sec. 10-3. Application of chapter.

The provisions of this chapter relating to collection shall not be applicable to any person, company or corporation who immediately destroys all garbage by cremation or some method otherwise satisfactory to the health officer.

Sec. 10-4. Preparation for collection.

Garbage and rubbish, but not including ashes shall be prepared for collection by placing the same in metal or plastic vessels or cans of such capacity as will afford storage capacity for all garbage and rubbish as shall be produced or accumulated on such premises.

Sec. 10-5. Obedience to garbage collection rules and regulations.

To be entitled to be served by the city garbage collection service, residents and businesses shall comply with all garbage collection rules and regulations issued by the city manager and approved by the city council. Such rules and regulations shall be published in the manner provided by the city charter for the publication of ordinances.

Sec. 10-6. Interfering with garbage collection system.

It shall be unlawful for any person to interfere with or hinder the collection of garbage or refuse.

Sec. 10-6.1. Anti-scavenging.

(a) *Recyclables.* It shall be unlawful for any person other than the owner or occupant of the premises from which containers or items are placed or an employee of the city or its designee to disturb, collect, remove, pick up or pick over, or cause to be disturbed, collected, removed, picked up or picked over, any recyclable after it has been placed in the public right-of-way fronting said premises for collection.

(b) *Litter.* It shall be unlawful for any person to cause any item, material, container, or the contents thereof, placed in the public right-of-way for collection, to be strewn or scattered upon sidewalks, alleys, streets or other public areas or private premises.

(c) *Emergencies.* When the city manager determines that the collection, removal, picking up or picking over of refuse materials by persons other than employees of the city or its designee could endanger the public's health or safety, the city manager is hereby authorized to declare that the city is under a "city emergency". The city manager shall cause notice of the city emergency, and notice of the end thereof, to be published by all means deemed appropriate. After the notice of a city emergency has been published, it shall be unlawful for any person other than an employee of the city or its designee to disturb, collect, remove, pick up or pick over any containers, items or other materials after they have been placed in the public right-of-way for collection.

(Ord. No. 1359, § 1, 10-14-96)

Sec. 10-7. Litter disposal at approved locations.

No person shall dispose of litter except at locations which have been approved and supervised by the city.

Sec. 10-8. Litter in public places.

No person shall throw or deposit litter in or upon any street, sidewalk or public place within the city, except in public receptacles, in authorized private receptacles for collection, or in official sanitary landfills.

Sec. 10-9. To be placed so as to prevent scattering.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.

Sec. 10-10. Sweeping litter into gutter prohibited.

No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

Sec. 10-11. Throwing litter from vehicles prohibited.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the city, or upon private property nor shall any person drive or move any vehicle or truck within the city, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

Cross References: Traffic, Ch. 24.

Sec. 10-12. Truck loads not to cause litter.

No person shall drive or move any truck or other vehicle within the city unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place.

Cross References: Traffic, Ch. 24.

Sec. 10-13. Dropping litter from aircraft.

No person in an aircraft shall throw out, drop or deposit within the city any litter, handbill or any other object.

Sec. 10-14. Litter in parks.

No person shall throw, deposit, or cause to be deposited litter in any park within the city, except in public receptacles, and in such a manner that the litter shall be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.

Cross References: Parks and recreation, Ch. 17.

Sec. 10-15. Litter in lakes, fountains.

No person shall throw, deposit, or cause to be deposited litter in any fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere within the city.

Sec. 10-16. Litter on occupied private property.

No person shall throw, deposit or cause to be deposited litter on any occupied private property within the city, whether owned by such person or not. The owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

Sec. 10-17. Owner to maintain premises free of litter.

The owner or person in control of any private property shall at all times maintain the premises free of litter. This section shall not prohibit the storage of litter in authorized private receptacles for collection.

Sec. 10-18. Litter on vacant lots.

No person shall throw, deposit, or cause to be deposited litter on any open or vacant private property within the city, whether owned by such person or not.

Sec. 10-19. Clearing of litter from open private property by city.

(a) *Notice to remove.*

The city manager or his duly authorized representative is hereby authorized and empowered to notify the owner of any open or vacant private property within the city, or the agent of such owner, to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by registered mail, addressed to said owner at his last known address.

(b) *Action upon noncompliance.*

Upon the failure, neglect or refusal of any owner or agent so notified, to properly dispose of litter dangerous to the public health, safety or welfare within five (5) days after receipt of written notice provided for in subsection (a) above, or within five (5) days after the date of such notice in the event the same is returned to the city post office department because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the city manager is hereby authorized and empowered to pay for the disposing of such litter, or to order its disposal by the city.

(c) *Charge included in tax bill.*

When the city has effected the removal of such dangerous litter or has paid for its removal, the actual cost thereof, plus accrued interest at the rate of six (6) percent per annum from the date of the completion of the work, if not paid by such owner prior thereto, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the city, and said charge shall be due and payable by said owner at the time of payment of such bill.

(d) *Recorded statement constitutes lien.*

When the full amount due the city is not paid by such owner within thirty (30) days after the disposal of such litter, as provided for in subsections (a) and (b) above, then, the city manager shall cause to be recorded in the office of the city assessor a sworn statement showing the cost and expense incurred for the work, and the date the work was done. The recordation of such sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made. Said costs and expenses shall be collected in the manner fixed by law for the collection of taxes and further, shall be subject to a delinquent penalty of ten (10) percent in the event same is not paid in full on or before the date the tax bill upon which said charge appears

becomes delinquent. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been done properly and satisfactorily, and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

Sec. 10-20. Throwing or distributing commercial and noncommercial handbills and unsolicited newspapers in public places.

No person, firm, organization, association or business shall throw or deposit or cause the throwing or depositing of any commercial or noncommercial handbill or unsolicited newspaper in or upon any sidewalk, street or other public place within the city. No person, firm, organization, association or business shall hand out or distribute or sell or cause the handing out, distributing or selling of any commercial handbill in any public place. It shall not be unlawful on any sidewalk, street or other public place within the city, however, for any person, firm, organization, association or business to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill or newspaper to any person willing to accept it.

(Ord. No. 1147, § 1, 5-9-88)

Sec. 10-21. Commercial and noncommercial handbills and unsolicited newspapers--Placing on vehicles.

No person, firm, organization, association or business shall throw or deposit or cause the throwing or depositing of any commercial or noncommercial handbill or unsolicited newspaper in or upon any vehicle. It shall not be unlawful in any public place within the city, however, for a person, firm, organization, association or business to hand out or distribute or cause the handing out or distributing, without charge to the receiver thereof, of a noncommercial handbill or newspaper to any occupant of a vehicle who is willing to accept the same. *Exception:* Notwithstanding the foregoing, a noncommercial handbill relative to handicapped parking only, expressly approved by the city council which has the approval indicated on the handbill, shall not be subject to the prohibition contained in this section.

(Ord. No. 1147, § 1, 5-9-88; Ord. No. 1208, § 1, 2-4-91)

Sec. 10-22. Same--Depositing on uninhabited or vacant premises.

No person, firm, organization, association or business shall throw or deposit or cause the throwing or depositing of any commercial or noncommercial handbill or unsolicited newspaper in or upon any private premises which are temporarily or continuously uninhabited or vacant.

(Ord. No. 1147, § 1, 5-9-88)

Sec. 10-23. Same--Distributing at inhabited private premises.

No person, firm, organization, association or business shall throw, deposit or distribute or cause the throwing, depositing or distribution of any commercial or noncommercial handbill or unsolicited newspaper in or upon private premises which are inhabited, except by handing or transmitting any such handbill or unsolicited newspaper directly to the owner, occupant or other person then present in or upon such private property. In case of an inhabited private premises which is not posted as provided in section 10-24, however, such person, firm, organization, association or business, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill or unsolicited newspaper in or upon such inhabited private

premises, provided that such handbill or unsolicited newspaper shall be placed or deposited on said premises and at the main entrance thereof in such a manner so as to secure or prevent the same from being carried or deposited by the weather upon other places on said premises or on sidewalks, streets other public places or other private property, and provided further that mailboxes may not be used as a receptacle for the same when prohibited by federal postal law or regulations.

The provisions of this section shall not apply to the distribution of mail by the United States nor any agency thereof, nor to newspapers, except for unsolicited newspapers.
(Ord. No. 1147, § 1, 5-9-88)

Sec. 10-23.1. Distributing newspapers at inhabited private premises.

As to newspapers not subject to the provisions of section 10-23, they shall be placed or deposited upon inhabited private property and at the main entrance thereof, or such other place as shall have been agreed upon by the newspaper distributor and the owner or occupant, in such a manner so as to secure or prevent their being carried or deposited by the weather upon other places on said premises or on any street, sidewalk, other public place or other private property.

(Ord. No. 1147, § 1, 5-9-88; Ord. No. 1152, § 1, 6-6-88)

Sec. 10-24. Prohibiting distribution of handbills or unsolicited newspapers where properly posted.

No person, firm, organization, association or business shall throw, deposit or distribute or cause the throwing, depositing or distribution of any commercial or noncommercial handbill or unsolicited newspaper upon any private premises if requested by anyone on such premises not to do so, or if there is placed on such premises in a conspicuous position near the entrance thereof, a sign bearing the words, "No Trespassing, " "No Peddlers or Agents, " "No Advertisements, " "No Unsolicited Newspapers, " or any similar notice, indicating in any matter that the occupants of such premises do not desire to have their right of privacy disturbed or to have any such handbill or unsolicited newspaper left upon such premises.

(Ord. No. 1147, § 1, 5-9-88)

Sec. 10-25. Violation of chapter declared nuisance.

In addition to the penalty described in section 1-11 for a violation of any provision of this Code, the violation of any provision of this chapter is hereby declared to be a nuisance. Such nuisance may be abated pursuant to the provisions of this Code or state law.

(Ord. No. 1147, § 1, 5-9-88)

Sec. 10-26. Name and address of distributor of handbills.

It shall be unlawful for any person to distribute, deposit, scatter, hand out or circulate any commercial handbill in any place, under any circumstances, which does not have printed on the cover, front or back, or on the first sheet if without cover, thereof, the name and address of the following:

- (1) The person who printed, wrote, compiled or manufactured the same.
- (2) The person who caused the same to be distributed.

- (3) Any local agent of the person who printed, wrote, compiled or manufactured same, or any local agent of the person who caused the same to be distributed if that person resides or has his principal place of business outside the County of Midland.

(Ord. No. 807, § 2, 2-19-73)

Sec. 10-27. Licensing of handbill distributors.

(a) It shall be unlawful for any person to engage in the business of handbill distributor or for any person to distribute commercial or noncommercial handbills for compensation without first obtaining a handbill distributor's license from the city clerk.

(b) Any person desiring to obtain a handbill distributor's license shall make application to and receive from the city clerk a license in the manner and for the period prescribed by the terms of this section. Such applicant shall make written application to the city clerk upon a form or forms provided for such purpose by the city clerk. Such form shall contain, among other things that may be required, the applicant's name, a statement as to whether the applicant is an employee of a licensed handbill distributor, the business address of the applicant or his employer, the residence address of the applicant, a brief description of the nature of the business to be conducted by the applicant if the applicant is other than an employee of a licensed handbill distributor, a statement as to whether the applicant will have agents or employees engaged in distribution, the probable number of agents or employees to be engaged for distribution, together with a request for a license for the period for which the applicant seeks to engage in such business if the applicant is not an employee of a licensed handbill distributor. Such application shall be accompanied by the fee hereinafter provided for in this section.

(c) The city council may revoke any license obtained under an application containing a false or fraudulent statement or for violation of any of the terms of this chapter by the licensee or any agent or employee thereof. No license issued under this section shall be transferable; and if any such license shall be surrendered by the licensee named therein or shall be revoked for cause, neither the licensee named in such license nor any other person shall be entitled to any part of such fee.

(d) License fees under the terms of this section shall be as follows:

If as an employee of a licensed distributor only, a one-time charge of one dollar (\$1.00).

If other than an employee of a licensed distributor:

For a period of one (1) year, the sum of twenty-five dollars (\$25.00).

For a period of three (3) months, the sum of ten dollars (\$10.00).

For a period of one (1) week, the sum of five dollars (\$5.00).

(Ord. No. 807, § 2, 2-19-73)

Cross References: Licenses and business regulations generally, Ch. 15.

Secs. 10-28, 10-29. Reserved.

ARTICLE II.

RESERVED*

* **Editors Note:** Ord. No. 1311, § 1, adopted November 7, 1994, repealed Art. II, § 10-30--10-33, in its entirety. Former Art. II derived from Ord. No. 1174, § 2, adopted August 7, 1989, and pertained to the Midland solid waste advisory commission.

Charter References: City council, § 4.6 et seq.

Cross References: General requirements for members of boards and commissions, § 2-240 et seq.

Secs. 10-30--10-39. Reserved.

ARTICLE III.

SOLID WASTE REGULATION

Sec. 10-40. Unlawful placement--Household refuse and yard waste.

It shall be unlawful for the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city to permit or allow the presence of household refuse or yard waste within the public right-of-way contiguous to such parcel of land earlier than 6:00 p.m. on the day preceding the weekly scheduled collection day. It shall also be unlawful to permit or allow the presence of household refuse or yard waste in the traveled portion of a street or sidewalk; except that leaves may be placed in the street during the city's special fall collection program. It shall also be unlawful to place yard wastes in containers other than kraft paper compost bags or bins for automated collection as approved by the city's director of public services; except that leaves may be placed loose in the street during the city's special fall collection program.

(Ord. No. 1276, § 2, 9-20-93)

Sec. 10-41. Same--Stumps, logs, cut tree branches, cut brush and bulky or heavy items.

It shall be unlawful for the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city to permit or allow the presence of stumps, logs, cut tree branches, cut brush, bulky or heavy items within the public right-of-way contiguous to such parcel of land earlier than the Saturday preceding the city's monthly scheduled collection day. It shall also be unlawful to permit or allow the presence of stumps, logs, cut tree branches, cut brush, bulky or heavy items in the traveled portion of a street or sidewalk.

(Ord. No. 1276, § 2, 9-20-93)

Sec. 10-42. Abatement of nuisance by city--Household refuse or yard waste.

In the event the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city fails, refuses or neglects to comply with the provisions of this article, the city and its authorized representatives are hereby empowered to remove and properly dispose of the improperly placed household refuse or yard waste. The first removal of the improperly placed household refuse or yard waste and the first posting of a notice of violation pursuant to section 10-44 at an individual premises shall be considered as an informational warning to the owner or occupant. Each

subsequent violation at the same individual premises by the same owner or occupant shall mandate that all expenses incurred by the city in the abatement process described in this section, together with a ten-percent administrative charge (with a minimum charge of ten dollars (\$10.00)), be reimbursed by the owner or owners of such parcel of land to the city and, in cases where not paid, the city shall have a lien for the same in the manner hereinafter provided.

(Ord. No. 1276, § 2, 9-20-93)

Sec. 10-43. Same--Stumps, logs, cut tree branches, cut brush, bulky or heavy items.

In the event the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city fails, refuses or neglects to comply with the provisions of this article, the city and its authorized representatives are hereby empowered to remove and properly dispose of the improperly placed stumps, logs, cut tree branches, cut brush, bulky or heavy items. The owner or occupant shall be given a seventy-two-hour period after the notice of violation is posted pursuant to section 10-44 to remove the improperly placed materials. If the materials are not removed within the seventy-two-hour period, then the city's director of public services shall direct city forces to remove the same. All expenses incurred by the city in the abatement process described in this section, together with a ten-percent administrative charge (with a minimum charge of fifty dollars (\$50.00)) for improperly placed stumps, logs, cut tree branches, cut brush, bulky or heavy items, shall mandate that the city be reimbursed by the owner or owners of such parcel of land and, in cases where not paid, the city shall have a lien for the same in the manner hereinafter provided.

(Ord. No. 1276, § 2, 9-20-93)

Sec. 10-44. Specific notice by posting.

It is hereby made the duty of the city's public services division to post a notice of violation of the improperly placed household refuse, yard waste, stumps, logs, cut tree branches, cut brush, bulky or heavy items and to post a duplicate of such notice on an outside entry door of the contiguous premises.

(Ord. No. 1276, § 2, 9-20-93)

Sec. 10-45. Reimbursement to city; assessment of costs.

Whenever the city's public services division or its authorized representatives accomplish abatement of an existing violation pursuant to the provisions of this article, the city's director of public services is hereby authorized and directed to keep an accurate account of all expenses incurred, and, based on the same, to issue a certificate determining and certifying the costs involved for such work with respect to each parcel of property. The director is also authorized to add to such costs a ten-percent administrative charge to cover the cost of administering the work performed, overhead and other contingent expenses. The minimum charge for city forces to accomplish the abatement of household refuse or yard wastes shall be ten dollars (\$10.00) and the minimum charge for city forces to accomplish the abatement of stumps, logs, cut tree branches, cut brush, bulky or heavy items shall be fifty dollars (\$50.00). Within ten (10) days after receipt of such certificate from the director of public services, the city finance director shall forward a statement of the total charges assessed on each parcel of property to the owner as shown by the last current assessment or tax roll, and such assessment shall be payable to the city treasurer within thirty (30) days from the date such statement was forwarded. If not paid within the prescribed thirty-day period, such statement shall be filed by the city finance director with the city assessor, and shall thereupon be assessed against the land in question and become a lien on such property.

The amount so charged may be discharged at any time by the payment of the amount specified in the statement, together with interest at the rate of twelve (12) percent per annum compiled from the time of the filing of such statement with the city assessor by the city finance director.

(Ord. No. 1276, § 2, 9-20-93)