

ORDINANCE RECORD

No. 723 ★ ★ ★ K-B PRINTING Co. ★ ★ ★ OMAHA

CITY HALL LEXINGTON, NEBRASKA

The Mayor and Council of the City of Lexington, Dawson County, Nebraska, met in regular special session in the City Hall at 8 o'clock P.M., on June 1st, 1943. Mayor Cook presided and City Clerk Egenberger recorded the proceedings of this meeting.

The Mayor instructed the Clerk to call the roll. The Clerk called the roll and the following Councilmen were present: Stewart, Morganson, Seaman, Lincoln, Reynolds and Beisner.

Absent: None.

Whereupon the Mayor announced that the introduction of ordinances was now in order, and the matter now coming before the Mayor and Council was the passage and approval of Ordinance No. 379 of the City of Lexington, Nebraska.

This ordinance was introduced by Councilman Stewart and is in words and figures as follows, to wit:

ORDINANCE NO. 379

AN ORDINANCE PROVIDING RULES AND REGULATIONS GOVERNING THE HANDLING, CARE, AND DISPOSAL OF GARBAGE, DEFINING THE SAME, TO PROVIDE FOR THE APPOINTMENT OF A GARBAGE COLLECTOR; TO PROVIDE FOR THE REMOVAL AND DISPOSITION OF GARBAGE AND ANY AND ALL OTHER OFFENSIVE MATTER DANGEROUS TO THE HEALTH AND WELFARE OF THE CITY OF LEXINGTON, NEBRASKA, TO PROVIDE FOR THE LICENSING OF ALL GARBAGE COLLECTORS; TO PROVIDE A PENALTY FOR VIOLATION THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA:

Section 1. Garbage:

Garbage for the purpose of this Ordinance consists of and is hereby defined to mean, food wastes from kitchens, shops and stores, including peelings, vegetable tops, wastes from meats, fish, and poultry and such leftovers as are not suitable for keeping and using, spoiled fruits, vegetables and meats, and other perishable wastes that attend the preparation, use, cooking, or the dealing in or storage of meats, fish, fowl, fruits and vegetables.

Section 2. Care and Disposal of Garbage:

(a) Garbage may be disposed of by the householders by feeding to poultry or livestock, or may be disposed of by removing to a suitable place outside of said city for incineration, reduction or feeding to livestock, or other standard satisfactory methods which will not cause a nuisance or become dangerous to the health or comfort of the people.

(b) Garbage or other refuse shall not be deposited at the city dump, except at places so designated at said dump, nor shall garbage be thrown or permitted to fall on the ground or into the streets and alleys and shall not be allowed to accumulate, except as herein provided. All garbage not disposed of as hereinbefore provided, shall be deposited in suitable, covered, fly-proof cans as herein-after provided and garbage from the business section of said city shall be removed every day during the months of May, June, July,

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August, September and October, and at least twice a week during the period from November 1st to May 1st, and all garbage in the residence section of said city shall be moved at least once a week during the months of May, June, July, August, September and October, and once each two weeks during the rest of the year. Provided, however that garbage in the business section and the residence section shall be removed as often and at such times as the Mayor of said city may direct or the Board of Health of said city shall deem necessary.

Section 3. Garbage Can Capacity and Regulations:

(a) It shall be the duty of every housekeeper or occupant of any building in the city of Lexington, and the proprietor of any restaurant, cafe, boarding-house, eatinghouse, or commission-house, and grocery stores to place and deposit their garbage in a suitable, watertight, sheet iron or galvanized can, with handles, of not more than 10 gallons capacity with tight covers, said can and cover to be provided at their own expense, and to place such receptacle near the alley in the rear of their premises or at some other place reasonably accessible to the collector of garbage. (Provided, however, that the Mayor and the Council may, at their discretion, relax this requirement during the duration of the War for the reason that said receptacles may not be available, and may make such other and further requirements as are practical and available during said time.)

(b) Provided that where the owner or lessee of the premises rents a portion thereof to two or more families, or occupants, he shall provide a suitable receptacle for garbage, as provided herein to be used by all such tenants or occupants and be placed on such portion of the premises as will not create a nuisance. And, it shall be unlawful for any person, or persons, to place in such garbage can or receptacle as by this Ordinance provided, any ashes, refuse, waste, tin cans, broken glassware, or crockery, or any refuse other than garbage, but said refuse shall be placed in a separate receptacle and set along the side of the garbage can.

(c) That said can shall be thoroughly cleansed both inside and out at such times as may be necessary to keep the same in a sanitary conditions, by said owner, occupant or proprietor.

Section 4. Garbage Collector:

(a) Immediately after passage, approval and publication of this Ordinance, the Mayor by and with the consent of the Council, shall appoint a garbage collector for a term of one year at such reasonable compensation as may be agreed upon at the time of such employment, and said garbage collector may be removed by the Mayor and the majority of the members elected to the City Council at any time, with or without a Hearing as to the cause for such removal.

(b) All persons, firms or corporations desiring to collect garbage either in the residence section or the business section of this city shall make application to the City Clerk of said city for a license to haul garbage. Said license shall be conditioned that said garbage collector shall collect and remove any garbage in good order, proper and lawful manner and in compliance with the Ordinance and rules and regulations of the City of Lexington, governing the same, and may be cancelled by the Mayor without Notice for any violation of this Ordinance by said garbage collector.

Section 5. Conveyance:

Any person, firm or corporation employed to collect and remove garbage shall provide themselves with a sufficient number of conveyances to properly handle and dispose of any and all garbage that may be offered. All wagons and conveyances used by anyone for the purpose of hauling garbage shall be kept in a sanitary and sightly condition and shall have attached thereto, on both sides, a sign with the words: "Licensed Garbage Collector" painted thereon. Said wagons and conveyances shall be water-tight and covered and shall be cleansed with sufficient frequency so as not to cause offense to the eye or the nose.

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Section 6. Disposition of Garbage:

The person, firm or corporation collecting garbage shall call at least once a week during the months of May, June, July, August, September and October of each year, and at least once every two weeks between the first of November and the first of May of each year, at all places where garbage accumulates within the city of Lexington, and oftener if the Mayor or the Board of Health shall deem it necessary.

(b) All garbage thus collected shall be conveyed by the person, firm or corporation collecting it to some such place as directed by the Mayor and Board of Health.

Section 7.

The Mayor and Board of Health shall have authority to require the owners, managers or renters of restaurants, hotels, meat markets, stores, retail businesses and other places where garbage accumulates in quantities, to furnish sufficient number of receptacles to take care of such accumulations.

Section 8. Penalty:

Every person, persons, firm or corporation violating any of the provisions and rules of this Ordinance or obstructing or interfering with the execution thereof, shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in any sum not exceeding \$100.00 for each offense and shall stand committed to jail until such fine and the costs of prosecution are paid.

Section 9.

Passed and approved this 1st day of June, 1943.
(SEAL)

E. A. Cook

Mayor.

ATTEST:

W. R. Egerberg
City Clerk.

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No. 728—THE K-B PRINTING CO., OMAHA. COMPILED BY MANN & WHITTEN, ATTORNEYS FOR NEBRASKA ORDINANCE REFERENCE BUREAU, LINCOLN.