

CHAPTER 10 HEALTH AND SANITATION

Article 10-1 GARBAGE AND TRASH COLLECTION ¹ ²

Article 10-1 was repealed in its entirety and is superseded by the provisions of new Chapter 21.

¹ REPLACED ARTICLE 10-1 & 10-2
² REPEALED ARTICLE 10-1

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Article 10-2 PREPARATION OF REFUSE FOR COLLECTION ¹ ²

Article 10-2 was repealed in its entirety and is superseded by the provisions of new Chapter 21.

¹ REPLACED ARTICLE 10-2
² REPEALED ARTICLE 10-2

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Article 10-3 OTHER METHODS OF GARBAGE AND TRASH REMOVAL¹

Article 10-3 was repealed in its entirety and is superseded by the provisions of new Chapter 21.

¹ ~~REPEALED ARTICLE 10 3~~

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Article 10-4 SANITARY LANDFILL¹

Article 10-4 was repealed in its entirety and is superseded by the provisions of new Chapter 21.

¹ ~~REPEALED ARTICLE 10.4~~

Article 10-5 REGULATION OF LITTER

- 10-5-1 Definitions
- 10-5-2 Littering on Public Property
- 10-5-3 Posting Notices
- 10-5-4 Distribution of Handbills
- 10-5-5 Owner to Maintain Premises
- 10-5-6 Procedure to Compel Removal of Litter
- 10-5-7 Notice to Remove
- 10-5-8 Service of Notice
- 10-5-9 Appeal to Council
- 10-5-10 Removal by City
- 10-5-11 Lien for Removal
- 10-5-12 Placement of Debris

Section 10-5-1 Definitions

In this chapter unless the context requires otherwise:

- A. "Aircraft" means any contrivance now known or hereafter invented, used or designated for aerial navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons, free flying, or tethered.
- B. "Authorized private receptacles" means a litter storage and collection receptacle.
- C. "Commercial handbill" means any printed or written matter, any sample of device, dodger, circular, leaflet, pamphlet, booklet, paper, or any other printed or otherwise reproduced original and copies of any matter of literature:
 - 1. Which advertises for sale any merchandise, product, commodity, or thing; or
 - 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; or
 - 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. 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 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. 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 license is or may be required by law of this state or under this code; or

4. Which, while containing reading matter other than advertising matter, is predominately and essentially an advertisement and is distributed or circulated for advertising purposes or for private benefit and gain for any person so engaged as advertiser or distributor.
 5. Any newspaper or similar publication containing substantial amounts of matter advertising articles or thing for sale or any businesses or services for profit which newspaper or similar publication is in normal course distributed without charge and without subscription therefore by the recipients.
- D. "Litter" means any rubbish, trash, weeds, filth, and debris which shall constitute a hazard to public health and safety and shall include all putrescible and nonputrescible solid wastes including garbage, trash, ashes, street cleanings, dead animals, abandoned automobiles, glass ,and solid market and industrial wastes; any deposits accumulation, pile, or heap of brush, grass, debris, weeds, cans, cloth, paper, wood, rubbish, or other unsightly or unsanitary matter of any kind whatsoever; and any growth of weeds, brush, grass, or other vegetable growth to a height of over six (6) inches.
- E. "Newspaper" means 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 the Federal statutes or regulations, any newspaper filed and recorded with any recording officer as provided by general law, and in addition thereto, shall mean and include any newspaper, periodical, or current magazine regularly published with not less than for issues per year and sold to the public.

- F. "Noncommercial handbill" means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the definitions herein of a commercial handbill or newspaper.
- G. "Private premises" means any dwelling, house, building, or other structure, designated or used wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, grounds, walk, driveway, porch, steps, or vestibules belonging or appurtenant to such dwelling, house, building, or other structures.
- H. "Public place" means any and all streets, sidewalks, boulevards, alleys, or other public ways, and any and all public parks, squares, spaces, grounds, and buildings.
- I. "Vehicle" means 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.

Section 10-5-2 Littering on Public Property

- A. It is unlawful for any person to throw or deposit or be responsible for the accumulation of litter in or upon any street, sidewalk, or other public place, except in public receptacles or in authorized private receptacles for collection. 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.
- B. It is unlawful for any person to 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.
- C. It is unlawful for any person in an aircraft to throw out, drop, or deposit any litter or handbills within the city.
- D. It is unlawful for any person to drive or move any truck or other

vehicle within the city unless said truck is so constructed, loaded, or covered to prevent any loaded contents or litter from being blown or deposited therefrom upon any public street, alley, public place or private premise.

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Section 10-5-3 Posting Notices

It is unlawful for any person to post or affix any notice, poster or other paper or device, calculated to attract the attention of the public to any lamp post, public utility pole or shade tree or upon any public structure or building, except as may be authorized or required by law, or upon any private structure or building, without the consent of the owner or person in control thereof.

SECTION 10-5-4 Distribution of Handbills

- A. It is unlawful to deposit, place or scatter or cast any commercial or noncommercial handbill in or upon any sidewalk, street or other public place or private premises if requested not to do so. It is also unlawful to distribute, deposit, place, throw, scatter, or cast any commercial or noncommercial handbill in or upon any automobile or other vehicle.
- B. Handbills may be placed or deposited on inhabited private premises if such handbill is so placed or deposited so as to be reasonably secure or as to prevent such handbill from the possibility of being blown or drifted about such premises, sidewalks, streets, or other public places.

Section 10-5-5 Maintenance of Property

It shall be unlawful for an owner, lessee, or occupant of property to maintain said property of contiguous sidewalks, streets or alleys with litter or dilapidated structures which constitute a hazard to public health and safety.

Section 10-5-6 Procedure to Compel Removal of Litter

Any officer or employee of the City of Coolidge shall enforce the provisions of section 10-5-2 through 10-5-5 hereby by prosecuting violators of said sections in the magistrate's court pursuant to the criminal provisions of this code. If such prosecution fails to secure compliance with the provisions of said sections, or in the event of inability to prosecute violators by reason of failure to secure jurisdiction over their persons, any officer or employee of the City

or refuses to remove from such property any litter or dilapidated structures, the city is authorized and directed to cause the same to be removed and disposed of at the expense of the persons notified, including any lien holders of record, at the cost as stated in the notice including five percent (5%) for additional inspection and other incidental costs in connection therewith.

Section 10-5-11 Lien for Removal

The cost of removal, abatement or legal actions seeking injunctions to abate the litter or dilapidated structures shall be an assessment lien upon recording by the City with the Pinal County Recorder a statement of an assessment including the date and amount of the assessment, the legal description of the property and the name of the city.

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Assessments that are imposed are due and payable as provided in A.R.S. Section 9-499 E, as amended, and the provisions of subsections F, G and H are applicable as if set forth herein.

Section 10-5-12 Placement of Debris

Any person, firm, or corporation who shall place any rubbish, trash, filth, or debris upon any private or public property not owned or under the control of said person, firm, or corporation shall be guilty of a misdemeanor and, in addition to any fine which may be imposed for violation of any provisions of this section, shall be liable for all costs which may be assessed pursuant to this article for the removal of said rubbish, trash, filth, or debris.

Article 10-6 HEALTH HAZARDS

The city manager is authorized to obtain assistance from Pinal County in the event that any health hazard is found which cannot be corrected or controlled by provisions of this code.

Article 10-7 ADOPTION OF PINAL COUNTY SANITARY CODE*

That certain document known as the "Pinal County Sanitary Code", adopted July 26, 1982, and made a public record by Resolution 87-15 is hereby adopted by reference and made a part of this chapter the same as though said code was specifically set forth herein; except that Chapters IV, V, VI, VIII, and X thereof are specifically excluded in the code hereby adopted and at least three (3) copies of said code, noting the exclusions aforesaid, shall be filed in the office of the City Clerk and kept available for public use and inspection.

Article 10-8 NO SMOKING POLICY FOR CITY BUILDINGS AND VEHICLES

10-8-1 Definitions

10-8-2 General Provisions

Section 10-8-1 Definitions

- A. "Building" means any building owned, leased or occupied by the City of Coolidge and used for city services. This definition shall not apply to buildings that are leased by the City of Coolidge to private companies or agencies.
- B. "City Vehicle" means any vehicle or motorized piece of equipment owned or leased by the City of Coolidge and used for city services.
- C. "Smoking" means burning or carrying any lighted cigarette, lighted tobacco or any other lighted weed or plant or placing any burning tobacco, weed or plant in an ashtray or other receptacle and allowing smoke to diffuse into the air. This definition shall not include the burning of incense.

Section 10-8-2 General Provisions

Smoking shall be prohibited in all buildings and vehicles owned, leased, or occupied by the City of Coolidge. This Ordinance shall not apply to buildings that are leased by the City of Coolidge to private companies or agencies.

Any person who smokes in violation of this Ordinance shall be cited for a civil offense, punishable by a fine not to exceed \$100 for the first offense, \$200 for the second offense and \$300 for the third offense.