

ORDINANCE 345

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF ELKINS, WEST VIRGINIA, AMENDING CITY CODE CHAPTER 50: GARBAGE, SPECIFICALLY §50.05 REGARDING THE RATES FOR CITY SERVICE; DESIGNATED

WHEREAS, the Common Council of the City of Elkins has previously adopted ordinances regarding the collection of garbage by the Sanitation Department of the City of Elkins; and

WHEREAS, these ordinances were codified in Chapter 50: Garbage, with specific reference to §50.05; and

WHEREAS, the Elkins Sanitation Fund is burdened by the amount of trash collected that may not be generated solely by residential customers and in an effort to deter illegal dumping and to avoid raising the current sanitation rates, the Common Council deems it just and necessary to amend said Chapter and Section; and

WHEREAS, the Common Council has determined that by making these amendments to said Chapter it is in the best interests of the citizens of the City.

NOW THEREFORE, BE IT ORDAINED and ENACTED by the Common Council of the City of Elkins that City Code, Chapter 50: Garbage, be revised and amended as follows, with the amendments and additions being underlined and shown below:

§ 50.05 RATES FOR CITY SERVICE; DESIGNATED; BAG LIMITS

(A) The Council shall, from time to time, establish the charges that will be imposed for garbage and refuse collection services. A current list of such charges shall be maintained in the office of the City Clerk where it shall be available for public inspection during normal city office hours.

(B) At no time, however, shall rates which are disclosed to be producing less revenue than is required to meet all obligations and costs involved in rendering such service be continued.

[C] All trash shall be placed in the type of plastic bags as described below with the following limits per household per week of either category (1), (2) or (3).

(1) Twelve (12) kitchen type trash bags which are the maximum size of 13-gallons or;

(2) Six (6) larger trash bags which are the maximum size of 30-gallons or;

(3) Three (3) contractor bags which are the maximum size of 55-gallons.

(4) No trash bag shall weigh more than 30 lbs.

5) Any bags beyond the specified limits for each category described above shall not be collected by the Sanitation Department on the weekly day of service.

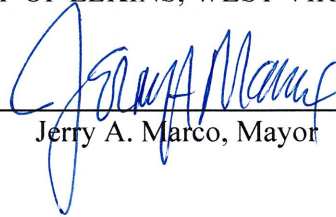
If any portion of this Ordinance shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and Common Council determines that it would have adopted this Ordinance without the invalid provision.

This Ordinance shall become effective on September 1, 2025.

PASSED AND APPROVED ON FIRST READING: June 12, 2025.

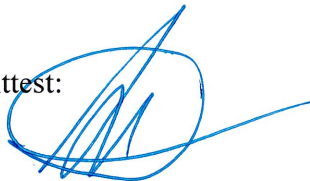
PASSED AND APPROVED ON SECOND READING: June 26, 2025.

CITY OF ELKINS, WEST VIRGINIA



Jerry A. Marco, Mayor

Attest:



Sutton Stokes, City Clerk