

ORDINANCE NO. 1774

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AMENDING
LODI MUNICIPAL CODE TITLE 13 – PUBLIC SERVICES – CHAPTER 13.16,
“SOLID WASTE,” BY REPEALING AND REENACTING SECTION 13.16.050 (A)
RELATING TO PLACEMENT OF GARBAGE CONTAINERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

Section 1. Lodi Municipal Code Title 13 – Public Services – Chapter 13.16, “Solid Waste,” is hereby amended by repealing and reenacting Section 13.16.050(A) relating to placement of garbage containers and shall read as follows:

- A. Residential. Residential customers utilizing refuse carts shall place containers at the curb or other areas as approved by the Public Works Director. All containers must be placed in a location readily accessible to the contractor, free of obstacles. Containers shall be maintained in accordance with Lodi Municipal Code Title 17 – Zoning – Chapter 17.57, “General Regulations and Exceptions,” Section 17.57.180, “Refuse Container Storage and Collection Areas.” Failure to meet any of these conditions shall constitute cause for the contractor’s refusal to perform collection services. The contractor shall, after collection, return containers/carts to the location from which they were collected.

Section 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 3. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 4. This ordinance shall be published one time in the “Lodi News Sentinel,” a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect 30 days from and after its passage and approval.

Approved this 1st day of March, 2006.

Attest:



SUSAN J. BLACKSTON
City Clerk



SUSAN HITCHCOCK
Mayor

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1774 was introduced at a regular meeting of the City Council of the City of Lodi held February 15, 2006, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held March 1, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Johnson, Mounce, and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hansen

ABSTAIN: COUNCIL MEMBERS – None

I further certify that Ordinance No. 1774 was approved and signed by the Mayor of the date of its passage and the same has been published pursuant to law.



SUSAN J. BLACKSTON
City Clerk

Approved as to Form:



D. STEPHEN SCHWABAUER
City Attorney