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SUSAN MARLER



FEE #: 2008 - 30522

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FEES: 3.00 4.00 1.00 .00 .00
REQ BY: CITY OF SAN LUIS
REC BY: Margie Gamache

WHEN RECORDED MAIL TO:

**CITY OF SAN LUIS
ATTN: CITY CLERK
P.O. BOX 1170
SAN LUIS, AZ 85349**

RECEIVED OCT 28 2008

Clerks office

CAPTION HEADING:

Ordinance No. 258



Ordinance

ORDINANCE NO.258

OFFICE OF THE
MAYOR
CITY OF SAN LUIS

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SAN LUIS, ARIZONA AMENDING CHAPTER 6 BUILDING, ARTICLE 6-1 BUILDING CODE OF THE CODE OF THE CITY OF SAN LUIS, ARIZONA BY ADDING SECTION 6-1-3 CONSTRUCTION DEBRIS; PROVIDING FOR PENALTY FOR VIOLATION THEREOF; REPEALING ANY CONFLICTING PROVISIONS; AND PROVIDING FOR SEVERABILITY

Whereas the construction of new housing has created a problem of construction debris littering nearby properties in neighborhoods in which the construction activity is occurring;

Whereas the City has experienced an increase in dumping construction debris and trash from construction activity on open lands in and near City limits; and

Whereas the City Council of the City of San Luis desires to take action to mitigate against such activity;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of San Luis, Arizona as follows:

Section 1: That Chapter 6 Building, Article 6-1 Building Code, of the Code of the City of San Luis, Arizona is hereby amended by adding Section 6-1-3 Construction Debris as follows:

Sec. 6-1-3 Construction Debris

A. Each property or lot upon which a residential unit for either a single family home or duplex is to be constructed, reconstructed, remodeled, or to which an addition is to be built, shall have on-site a receptacle or container for the collection of debris that is a minimum of three yards in size, and arrangements shall be made for the collection and removal of debris from the construction site by a commercial hauler of solid waste authorized to do business in the City of San Luis. The Building Official may waive this requirement if the building site already has established solid waste disposal service and the amount of debris anticipated to be generated by the construction activity can be handled by the established service.

B. Prior to the issuance of a building permit, the applicant for the permit shall show proof to the Building Official of arrangements for the delivery and placement on site of a receptacle or container for collection of debris as required by Section A above.

C. The applicant for the building permit for construction, reconstruction, or remodeling of a single family residence or duplex, or the addition to a single family residence or duplex, the owner, and/or any person in control of the property upon which said construction, reconstruction, remodeling is occurring, is responsible to keep the site clean of litter, rubbish, trash, filth, or debris, and shall at all times maintain the site or property upon which such construction activity is occurring in a condition such that construction materials, litter, rubbish, trash, filth, or debris will be prevented from being carried or deposited by the elements upon any other adjoining property or properties in the neighborhood.

D. The applicant for the building permit for construction, reconstruction, or remodeling of a single family residence or duplex, or the addition to a single family residence or duplex, the owner, and/or any person in control of the property upon which said construction, reconstruction, remodeling is occurring, is responsible to ensure that no placement of concrete, earth, rock, gravel, mortar, bricks, block, or other heavy material in the receptacle or container for collection of debris shall occur which would prevent removal of debris from the container by the solid waste hauler who provided said container.

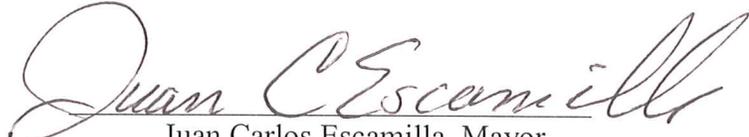
E. No receptacle or container for debris required by this Section shall be used for disposal of concrete, earth, rock, gravel, mortar, bricks, block, or other material which would prevent removal of debris from the container by the solid waste hauler who provided said container.

F. Violation of this section, or any part hereof, is a civil offense, punishable pursuant to the provisions of Article 1-8 of the City Code, subject to a minimum fine of \$100.00 for the first offense and \$500.00 for each subsequent offense. Each day a violation continues is a separate offense.

Section 2: In the event of a conflict between the provisions of this Ordinance and any other ordinance, resolution, regulation, or policy of the City of San Luis, the conflicting provisions are hereby repealed, superseded, and replaced, and the provisions of this ordinance shall govern.

Section 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the City of San Luis, Arizona
this 10th day of September, 2008.

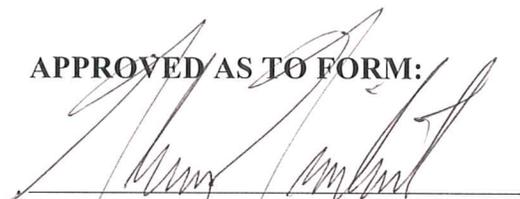

Juan Carlos Escamilla, Mayor

ATTEST:



Sonia Cuello, City Clerk

APPROVED AS TO FORM:



Glenn Gimbut, City Attorney