

ORDINANCE 2017 - _____

AN ORDINANCE TITLED THE "VICKSBURG RECYCLING ORDINANCE" ADOPTED AS CHAPTER 11, ARTICLE 5, DIVISION 5 OF THE CODE OF ORDINANCES OF THE CITY OF VICKSBURG, MISSISSIPPI TO ESTABLISH UNLAWFUL ACTS, INVESTIGATION AND PENALTIES AS IT RELATES TO RECYLING BINS AND FOR OTHER RELATED PURPOSES

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF VICKSBURG, MISSISSIPPI as follows:

SECTION ONE: The following language shall be adopted as Sec. 11-121:

Chapter 11, Article 5, Division 5, Recycling

Sec. 11-121. – Short title.

This division shall be known ad may be cited as the "Vicksburg Recycling Ordinance ".

SECTION TWO: The following language shall be adopted as Sec. 11-122:

Sec. 11-212. – Definitions

The following terms, phrases, words and their derivations shall have the meanings given in this section unless their use in the text clearly demonstrates a different meaning.

Recycling- Recycling is the process of converting waste materials into reusable objects to prevent waste of potentially useful materials, reduce the consumption of fresh raw materials, energy usage, air pollution (from incineration) and water pollution (from landfilling) by decreasing the need for "conventional" waste disposal.

Recyclable material- Raw or processed material that can be recovered from a waste stream for reuse.

Recycle Bin- A container used to hold recyclables before they are taken to recycling centers.

SECTION THREE: the following language shall be adopted as Sec. 11-123:

Sec. 11-123. – Acts Prohibited.

The following acts shall constitute a violation of this ordinance:

- 1) It shall be unlawful to discard any materials other than recyclables in any recycling bin intended for collecting recyclables. Leaving recyclables or non-recyclable material outside the recycling bin shall constitute illegal dumping.
- 2) It shall be unlawful to deposit any contaminated recyclable materials in any City, County or private recycling bin.
- 3) It shall be unlawful to conduct scavenging of materials at any recycling bin intended for collecting recyclable materials.

SECTION FOUR: The following language shall be adopted as Sec. 11-124:

Sec. 11-124 – Investigation.

- a) Upon receipt of any complaint or report of an alleged violation of this ordinance, the Community Development Division Code Enforcement Inspector shall conduct an investigation of such complaint or report. In the event that the Code Enforcement Inspector determines that there is not a violation of this ordinance, but believes that the activity may constitute a violation of our other city ordinances, the Code Enforcement Inspector may forward a copy of the report of investigation to another city agency for further review and investigation.
- b) Items contained in waste materials or recyclable materials, which bear information such as names and addresses, shall be considered as evidence for identifying the owner or generator or the discarded materials and shall constitute rebuttable evidence that the person whose name is found therein has violated this ordinance. Witness accounts or surveillance documentation of any acts prohibited herein shall be considered evidence to identify violators. Any other pertinent evidence, including photographs and identification, by license plate number may be considered to determine whether a violation of this ordinance has occurred.

SECTION FIVE: The following language shall be adopted as Sec. 11-125:

Sec. 11-125 Warnings and Citations

Any person violating any of the provisions of this division shall be deemed guilty of a misdemeanor and, upon conviction therefore, shall be fined in an amount of not less than fifty dollars (\$50.00) and not more than one thousand dollars (\$1,000.00), or be imprisoned in the city jail for a period not exceeding ninety (90) days, or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such under this division.

SO ORDAINED THIS THE _____ DAY OF FEBRUARY, 2017.

The Mayor and Aldermen of the
City of Vicksburg, Mississippi

George Flaggs, Jr., Mayor

Michael A. Mayfield, Sr., Alderman

Willis T. Thompson, Alderman

CERTIFICATE

**I, Walter W. Osborne, Jr., the duly appointed, qualified and acting
City Clerk and lawful custodian of the Minutes of The Mayor and Aldermen
of the City of Vicksburg and Seal of said City, Certify that the foregoing is a
true and exact copy of a Resolution Adopted by the Mayor and Aldermen of
the City of Vicksburg at a Regular Board Meeting held on Monday,
February 6, 2017.**

**WITNESS my signature and official seal of office this 6th day of
February, 2017.**

Walter W. Osborne, Jr., City Clerk