

ORDINANCE NO. 175

An Ordinance amending Sections 6, 7 and 8 of Ordinance No. 162 entitled: "An Ordinance defining garbage, providing for and regulating the keeping, collecting and disposing thereof; making it unlawful to spill or deposit garbage in public places or upon public streets and alleys; fixing rates for collection of garbage; providing for the letting of an exclusive contract for the collection of garbage; providing a penalty for the violation of any of the provisions of this ordinance; and repealing all ordinances in conflict herewith," passed and approved August 23, 1920, and as amended by Ordinance No. 167, passed and approved May 1, 1922.

The Board of Trustees of the Town of San Anselmo Do Ordain as Follows:

SECTION 1. Section 6 of Ordinance No. 162, being an ordinance entitled, "An ordinance defining garbage, providing for and regulating the keeping, collecting, and disposing thereof; making it unlawful to spill or deposit garbage in public places or upon public streets and alleys; fixing rates for collection of garbage; providing for the letting of an exclusive contract for the collection of garbage; providing a penalty for the violation of any of the provisions of this ordinance; and repealing all ordinances in conflict herewith," passed and approved August 23, 1920, and as amended by Ordinance No. 167 passed and approved May 1, 1922, is hereby amended to read as follows:

SECTION 6. At or before its first regular meeting in the month of June, 1923, and at or before its first regular meeting in the month of June in each third year thereafter, the Board of Trustees shall award a contract to collect garbage in the Town of San Anselmo for a period of three years from the 1st day of January succeeding to the person, corporation who shall be the successful bidder therefor as herein after described. Said successful bidder and contractor shall, during the term of said contract, be known as the official garbage collector and shall collect garbage on the terms and conditions and at the rates for collection hereinafter fixed and established.

SECTION 7. Section 7 of said ordinance is hereby amended to read as follows:

SECTION 7. The Town Clerk shall on or before the 15th day of May, 1923, and on or before the 15th day of May in each third year thereafter, cause to be published once in some newspaper printed and published in said Town a notice inviting sealed proposals for the exclusive right of collecting garbage in said Town for the term of three years in accordance with the provisions of this ordinance. Such proposal shall offer to pay to said Town a stated amount payable in thirty-six equal installments on or before the first of each calendar month for the exclusive right of collection of garbage in said Town for said period of time.

SECTION 8. Section 8 of said ordinance is hereby amended to read as follows:

SECTION 8. The award of the contract to collect garbage shall be made to the highest responsible bidder, determined by the Board of Trustees, and such contract shall confer upon such bidder and contractor the exclusive right to collect such garbage for said period of time and transport the same through and over the streets and alleys of said Town and to dispose of any garbage so collected.

Should the person to whom said contract is awarded fail to properly perform the same said contract may be terminated by the Board of Trustees at its election and in the event of such termination the Board of Trustees may direct the Clerk to advertise for bids for the right of collecting garbage in said Town for the balance of said term of three years or the Board of Trustees may, at its election, after rejecting any bids that may have been received therefor, or without advertising for bids, award the contract for the collection of garbage during the said period to any other person or cause the work of collection of garbage to be done under its direction, in which latter event the charges paid to such person appointed by it shall be by him paid to the Town Treasurer.

SECTION 4. This is an ordinance for the protection of the public peace, health and safety and one of urgency and shall take effect and become operative from and after its passage and approval. The facts constituting the urgency in this instance are that garbage is collecting in said Town in and upon various premises therein and is not being promptly removed or disposed of owing to the inability of procuring its removal upon a contract extending over a brief period of time, thereby endangering the health of the residents of said Town, and it is necessary for the proper protection and preservation of the health of said residents that this ordinance be passed and go into effect immediately upon its passage and approval. I hereby approve the foregoing Ordinance this 7th day of May, 1923.

Joe Clark
President of the Board of Trustees of the Town of San Anselmo.

ATTEST: *Arthur W. Hudley*
Town Clerk.

I, the undersigned, hereby certify that the foregoing Ordinance was duly and regularly introduced in the Board of Trustees of the Town of San Anselmo at a regular meeting thereof held on the 30th day of April, 1923, and thereafter finally adopted at a regular adjourned meeting of said Board held on the 7th day of May 1923, by the following vote:

Ayes: Trustees Pinkham, Carl Luttrell, Deysner and Clark.
Noes: None; Absent: None.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Town this 7th day of May 1923.

Attest:

Arthur W. Hudley
Town Clerk.

Published May 11th.

amended 1922