

**CITY OF FAIRWAY, KANSAS
ORDINANCE NO. 1780**

**AN ORDINANCE AMENDING THE FAIRWAY CITY CODE
PERTAINING TO SOLID WASTE STORAGE SITES; AMENDING AND
REPEALING SECTION 12-31 OF THE FAIRWAY CITY CODE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FAIRWAY,
KANSAS:**

SECTION 1. Existing Chapter 12, Article II, Division 1, Section 12-19 of the Fairway City Code is hereby amended to read as follows:

Sec. 12-31. Solid waste storage sites.

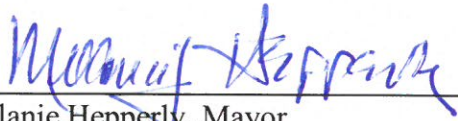
- (a) Except as provided for in FMC 15-171 and other provisions of the City Code, residential solid waste, recyclable, yard waste and compost containers shall be stored upon the residential premises. When stored outside or in open view, the following regulations apply:
1. Residential solid waste, recyclable, yard waste and compost containers, must be stored at or behind the front building line of the residence
 2. Residential solid waste, recyclable, yard waste and compost containers, must be screened and not visible when viewed from the street at the center-point of the lot frontage, except when placed in position for collection. In the case of a corner lot, screened and not visible when viewed from either street at the center-point of the lot frontage. Screening shall be a solid fence or evergreens.
 3. All container lids must be kept closed.
 4. Residential solid waste, recyclable yard waste and compost containers, and any screening must be maintained in sanitary manner.
- (b) Commercial solid waste and recyclable containers shall be stored upon private property, unless the owner shall have been granted written permission from the City to use public property for these purposes. Commercial storage sites shall be well drained and fully accessible to collection equipment, public officers and fire inspection personnel. Commercial storage containers shall be maintained in a sanitary manner screened and not visible from any street or roadway, except when placed in position for collection. The loading dock area of 2706 - 2724 W 53rd St is exempt from the screening requirement.
- (c) No person shall place or store any solid waste, recyclable, yard waste or compost container at any place in front of the building line upon any real property or public rights-of-way in a residential area; except that on the day of collection or within twenty-four (24) hours prior to designated weekly pickup time. Containers shall be placed at or near the street curb for collection; provided that each type of refuse is stored in suitable containers or disposal bags that are constructed and maintained so as to prevent the dispersal of the refuse stored therein. Containers shall be moved back behind the building line within twenty-four (24) hours following collection.

- (d) The above shall not apply to trash or recycling receptacles installed for public use on City property or commercial areas.

SECTION 2. Existing Chapter 12, Article II, Division 1, Section 12-19 of the Fairway City Code is hereby repealed.

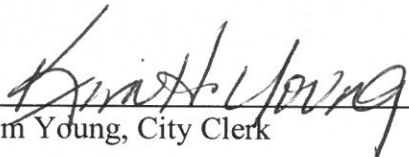
SECTION 3. This Ordinance No. 1779 shall become effective upon adoption and publication in the official City newspaper.

PASSED by the City Council the 13th day of March, 2023. **APPROVED** by the Mayor.




Melanie Hepperly, Mayor

ATTEST:



Kim Young, City Clerk

APPROVED AS TO FORM:



Richard Cook, City Attorney