

ORDINANCE NO. ____-2025

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CITY
CODE REGARDING GARBAGE AND WASTE COLLECTION
REQUIREMENTS; MAKING CERTAIN AND NECESSARY LANGUAGE
CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND
ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.**

Section 1. Recitals:

WHEREAS, West Haven City (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the City may revise, codify and compile from time to time and to publish in book, pamphlet, or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

WHEREAS, West Haven City has adopted and promulgated City ordinances and rules regarding requirements of garbage collection and disposal in the West Haven City Code Chapter 51: Garbage, Collection, and Disposal; and,

WHEREAS, the City Council finds that the City now wishes to have certain changes to the City Code Chapter 51 be made; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, UTAH that:

1. West Haven Code Chapter 51: GARBAGE, COLLECTION, AND DISPOSAL” shall be amended, which changes to the language are in red and are attached as Attachment “A” to this Ordinance.
2. The foregoing Recitals are fully incorporated herein.

Section 2. Repealer of Conflicting Enactments:

All orders, ordinances, and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with the

provisions of this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 3. Prior Ordinances and Resolutions:

The body and substance of any prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative, or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative, or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

Section 5 - Date of Effect:

BE IT FURTHER ORDAINED this Ordinance will become effective on the _____ day of November 2025 and after publication or posting as required by law.

DATED this _____ day of November 2025.

WEST HAVEN, a municipal corporation

by: _____
Mayor Rob Vanderwood

Attested and Recorded

Emily Green, City Recorder

Mayor Rob Vanderwood	Yes _____	No _____
Councilmember Carrie Call	Yes _____	No _____
Councilmember Kim Dixon	Yes _____	No _____
Councilmember Nina Morse	Yes _____	No _____
Councilmember Ryan Saunders	Yes _____	No _____
Councilmember Ryan Swapp	Yes _____	No _____

RECORDER'S CERTIFICATION

STATE OF UTAH)
 : ss.
County of Weber)

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. ____-2025, entitled “AN ORDINANCE OF WEST HAVEN CITY, UTAH, AMENDING THE CITY CODE REGARDING GARBAGE AND WASTE COLLECTION REQUIREMENTS; MAKING CERTAIN AND NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES,”** adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on November ___, 2025 which appears of record in my office, with the date of posting or publication being November ___, 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this ____ day of _____ 2025.

Emily Green
City Recorder

(city seal)

ATTACHMENT “A”

Attached to Resolution ____-2025

AMENDMENTS TO CHAPTER 51: GARBAGE, COLLECTION, AND DISPOSAL

CHAPTER 51: GARBAGE, COLLECTION, AND DISPOSAL

§51.01 GENERALLY.

Due to the potential health, safety, and welfare hazards posed by garbage and other refuse, the city is authorized, and shall have power to develop and enforce, ordinances, rules, and regulations governing the disposal and collection of garbage.
(Prior Code, § 8.07.010) (Ord. 39-2020, passed 11-4-2020)

§51.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates, or requires, a different meaning.

COMMERCIAL HAULER. Any person or entity who, in the regular course of business or for a fee, collects, transports, and disposes of commercial waste.

COMMERCIAL PROPERTY.

(1) Any premises or property:

(a) Used primarily in connection with the supply of goods or services on a regular basis or in the regular course of business, or for which a business license is required by any state law or local ordinance;

(b) Containing a structure hooked to power and water, and used for human habitation on an overnight or other temporary rental basis of less than 30 consecutive days; or

(c) Containing a structure with more than eight dwelling units hooked to power and water, and used for human habitation on a rental basis.

(2) **COMMERCIAL PROPERTY** shall include, but shall not be limited to, business establishments, hotels, motels, recreational vehicle developments, and apartments.

COMMERCIAL WASTE. Any garbage, rubbish, trash, and the like, produced by businesses or resulting from normal activities on, or use of, commercial property or premises.

CONTAINER. A waste receptacle approved by the city, with a capacity of 94 gallons and equipped with a tightfitting, permanently-attached lid and wheels for easy movement, and which is specifically designed for automated, or semiautomated, pickup.

DUMPSTER. Any container constructed of metal, of two yards' volume or more, and designed to be compatible with mechanical collection equipment.

PRIVATE HAULER.

(1) Any person or entity who, as the owner, tenant, or other occupant of property or premises classified as commercial, collects, and disposes of, solid waste generated by the use of said property; and

(2) Any person or entity who collects, and disposes of, construction debris.

RESIDENTIAL UNIT. Shall include, but shall not be limited to, ~~single homes, mobile homes, townhomes, condominiums and apartments not contained in, or a part of, an apartment complex of more than eight units, but shall exclude hotels, motels, recreational vehicle developments, and apartment complexes with structures containing more than eight dwelling units.~~ **detached dwellings (single-family homes) and mobile homes.** A residential unit shall also include attached dwelling units (multi-family homes) consisting of, but not limited to, townhomes, condominiums, and apartments, unless the City Manager determines otherwise. A residential unit shall exclude hotels, motels, and recreational vehicle developments. Each attached dwelling unit shall be considered a separate residence for purposes of billing.

A residential unit shall also exclude a dwelling unit for which the occupants have vacated the premises and requested, and the City has approved, discontinuation of Residential Solid Waste services for that residential unit.

RESIDENTIAL PROPERTY. Any property or premises containing a structure hooked to culinary water and power, and which is intended, or used, for human habitation, but excluding:

(1) Property or premises containing a structure hooked to power and water, and used for human habitation on an overnight or other temporary rental basis of less than 30 consecutive days;~~;~~ **and**

~~—(2) Property or premises containing a structure with more than eight dwelling units which is hooked to power and water, and used for human habitation on a rental basis.~~

RESIDENTIAL WASTE. Garbage, rubbish, trash, bulky waste, and other waste produced by, or resulting from, the normal activities on, or use of, a residential property or premises.

RESIDENTIAL WASTE does not include hazardous waste, special waste, or stable matter.

SOLID WASTE. Shall have the same meaning as specified in UCA § 19-6-502(10). (Prior Code, § 8.07.020) (Ord. 39-2020, passed 11-4-2020)

§51.03 RESIDENTIAL CURBSIDE COLLECTION.

(A) *General.* Each residence or residential unit within the city shall have its solid waste removed by the city or the city's contracted service provider.

(B) *Approved containers provided.* All solid waste to be collected and disposed of by the city from residential users must be placed only in approved containers provided by the city or its service provider. Ownership of containers is retained by the city or its service provider. Containers are to remain on the premises. Every resident, or owner, issued a container shall be responsible for containers issued to his or her account.

(C) *Issuance.* Occupants of ~~single-family dwellings not exceeding eight independent units a~~ **residential unit** shall be issued one container per ~~residence or~~ **residential** unit. Additional containers will be provided upon request. The cost for additional containers will be as set forth in the city's fee schedule.

(D) *Placement for collection; removal.* Containers holding residential solid waste to be collected and hauled by the city, or its contractor, are to be set out for collection not earlier than

24 hours before the designated collection day. All empty containers must be removed from the street the same day they were emptied.

(E) *Closure*. All garbage must be placed in containers that shall, at all times, be kept securely closed and kept in such place and in such manner as to prevent offensive odors in the neighborhood.

(F) *Ashes*. No hot ashes shall be deposited in the same vessel or container with combustible garbage. No hot ashes shall be placed out for collection or removal.

(G) *Care and maintenance*. Containers shall be kept free from destructive or decorative markings, shall maintain the original color, and shall keep the inside of the container clean and free from buildup of fungus, bacteria, or any other contamination which causes odors or facilitates the deterioration of the container. Any damage to the container, or malfunctioning, must be reported to the Public Works Department of the city.

(Prior Code, § 8.07.030) (Ord. 39-2020, passed 11-4-2020) Penalty, see § [10.99](#)

§51.04 EXEMPTIONS TO RESIDENTIAL CURBSIDE COLLECTION.

(A) A resident, or the owner of a residential unit, may elect to opt out of city-provided collection service; provided that the opt-out election is communicated to the City Recorder using the city-approved form, and only if collection of residential waste may be accomplished by use of dumpsters in these instances:

(1) Apartments, or other high-density residential developments, of more than eight units as approved by the city.

(2) Residential lots of eight-tenths acres, or larger, in size with these restrictions:

(a) In neighborhoods with curbs and gutters, dumpsters must be mobile in nature and kept off the street, except on the designated collection day; and

(b) In neighborhoods without curbs and gutters, dumpsters, whether stationary or mobile, must be placed and maintained on the resident's property outside of the city's right-of-way.

(3) Residential lots with a city-licensed business.

(B) Review and determination of all opt-out requests will be decided by the City Manager. Residents may appeal the City Manager's decision, in writing, to the City Council.

(C) Accessory dwelling units (ADU), as defined in § [157.455](#), are exempt from the requirement to have an individual trash container.

(Prior Code, § 8.07.040) (Ord. 39-2020, passed 11-4-2020) Penalty, see § [10.99](#)

§51.05 BILLING.

(A) Fees for residential waste collection provided by the city shall be billed, and must be paid, monthly.

(B) These fees shall be included as a part of regular billing for other municipal services supplied by the city, including, but not limited to, sanitary sewer system, storm sewer system, culinary water system, and the like.

(C) Failure to timely pay any portion of the utility bill shall be subject to all collection procedures for other utility services provided by the city.

(Prior Code, § 8.07.050) (Ord. 39-2020, passed 11-4-2020) Penalty, see § [10.99](#)

§51.06 COLLECTION OF COMMERCIAL WASTE.

Nothing in this chapter shall preclude the owner or lessee of any commercial property or premises from transporting his or her own commercial waste to the landfill, transfer station, or contracting for its removal with a commercial hauler properly licensed, and authorized, to conduct business within the city.

(Prior Code, § 8.07.060) (Ord. 39-2020, passed 11-4-2020)

§51.07 COMMERCIAL OR PRIVATE HAULERS.

No private or commercial hauler may collect, or dispose of, commercial solid waste generated by businesses or through the use of commercial property within the city without having first obtained a license to operate as a private or commercial hauler.

(Prior Code, § 8.07.070) (Ord. 39-2020, passed 11-4-2020) Penalty, see § [10.99](#)

§51.08 COLLECTION VEHICLES.

All trucks or other vehicles used by any private or commercial hauler to collect or transport solid waste within the city shall:

- (A) Be maintained in a good mechanical condition;
- (B) Have fully enclosed sides and bottom, and otherwise be constructed as to prevent the contents of the vehicle from spilling or blowing while the vehicle is in motion;
- (C) Clearly bear on the outside of the body of the vehicle the name and telephone number of the hauler; and
- (D) Comply with all provisions of all applicable state or federal regulations, or laws, concerning the collection, transportation, or disposal of solid waste.

(Prior Code, § 8.07.080) (Ord. 39-2020, passed 11-4-2020) Penalty, see § [10.99](#)

§51.09 TRANSPORTATION OF WASTE.

All solid waste transported by any private or commercial hauler shall be contained, tied, or enclosed such that leaking, spilling, or blowing are prevented during transportation.

(Prior Code, § 8.07.090) (Ord. 39-2020, passed 11-4-2020) Penalty, see § [10.99](#)