

TOOELE CITY CORPORATION

ORDINANCE 2026-24

AN ORDINANCE OF TOOELE CITY AMENDING TOOELE CITY CODE SECTION 8-3-3 REGARDING GARBAGE COLLECTION FOR PRIVATE ACCESS DWELLINGS.

WHEREAS, Utah Constitution, Article XI, Section 5 directly confers upon Utah's charter cities, including Tooele City, "the authority to exercise all powers relating to municipal affairs, and to adopt and enforce within its limits, local police, sanitary and similar regulations not in conflict with the general law"; and,

WHEREAS, Utah Code Section 10-8-84 enables Tooele City to "pass all ordinances and rules, and make all regulations . . . as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city"; and,

WHEREAS, Tooele City Code Chapter 8-3 regulates garbage collection and solid waste management in Tooele City; and,

WHEREAS, private access roads are typically not designed for municipal garbage collection, and the City has found that those residences are not suited for the City's municipal garbage collection process, due to logistical and safety concerns; and,

WHEREAS, it is appropriate to amend TCC Section 8-3-3 regarding garbage collection, to limit City garbage collection services to those residences whose access is directly by public right-of-way, unless otherwise provided by a separate agreement with the City, as shown in Exhibit A; and,

WHEREAS, the City Council has considered the potential impact that this Ordinance may have on family health, stability, and formation;

NOW, THEREFORE, BE IT ORDAINED BY THE TOOELE CITY COUNCIL that Tooele City Code Section 8-3-3 is hereby amended as provided in Exhibit A.

This Ordinance is necessary for the immediate preservation of the peace, health, safety, and welfare of Tooele City and its residents and businesses and shall become effective upon passage, without further publication, by authority of the Tooele City Charter.

IN WITNESS WHEREOF, this Ordinance is passed by the Tooele City Council this 2nd day of September, 2026.

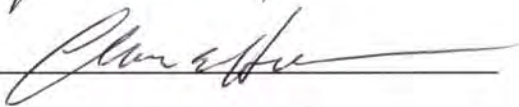
TOOELE CITY COUNCIL

(For)

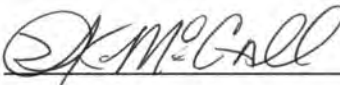
(Against)



Justin Brasby



Alan Miller



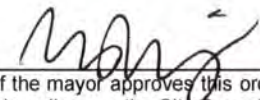
D. McGall

ABSTAINING: _____

MAYOR OF TOOELE CITY

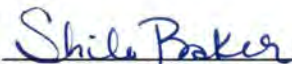
(Approved)

(Disapproved)



(If the mayor approves this ordinance, the City Council passes this ordinance with the Mayor's approval. If the Mayor disapproves this ordinance, the City Council passes the ordinance over the Mayor's disapproval by a super-majority vote (at least 4). If the Mayor neither approves nor disapproves of this ordinance by signature, this ordinance becomes effective without the Mayor's approval or disapproval. UCA 10-3-704(11).)

ATTEST:



Shilo Baker, City Recorder

SEAL



Approved as to Form:



Matthew C. Johnson, City Attorney

EXHIBIT A

Proposed Amendments to
Tooele City Code § 8-3-3

8-3-3. Residential collection.

(1) Mandatory Public Right-of-Way Collection. Except as provided for herein, all occupied residences within Tooele City whose primary vehicular access is directly by public right-of-way shall be provided with mandatory solid waste collection, removal and disposal services and approved garbage containers by the City or its designated agent. All residential solid waste generated within the City shall be transported and delivered to a City-designated and approved solid waste disposal facility. The City may impose reasonable fees for the collection services described in this Subsection.

(2) Private Access Dwellings. For residences not directly accessible by public right-of-way, residential users shall collect and remove their own residential solid waste, either directly or by employing the services of a City-licensed contractor. Upon City approval, residential users under this subsection may participate in the City's solid waste collection system, provided that the residential user transports approved garbage containers to a public right-of-way, or that access to the garbage containers on private property is determined by the City to be feasible and safe. The City may impose reasonable fees for those residential users under this Subsection who participate in the City's solid waste collection system. Nothing in this Subsection obligates the City to approve City solid waste collection services for a residence not directly accessible by public right-of-way.

(3) Unlawful Transportation and Self-Hauling Exceptions. Except as otherwise expressly permitted by this Section or by written agreement with the City, no residential solid waste shall be moved, hauled away or transported upon the streets or public ways within the City except by the City or ~~its~~their designated agents. It is hereby -declared to be unlawful for any person, except as permitted in this Section, to haul or remove residential solid waste within or from the City. Nothing contained in this Section shall, however, preclude residential users~~persons~~ from hauling their own residential solid waste over the streets or public ways within the City to a City-designated solid waste disposal facility, ~~provided that person is regularly paying the City for collection services.~~