

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
ADDING CHAPTER 9, ARTICLE 37 OF THE FRESNO
MUNICIPAL CODE, RELATING TO UNAUTHORIZED
POSSESSION AND USE OF A CITY, AN AUTHORIZED
CART/BIN COLLECTION AGENT, OR AUTHORIZED ROLL-
OFF COLLECTOR OWNED TRASH CONTAINERS

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Article 37 of Chapter 9 is added to the Fresno Municipal Code to read as follows.

SECTION 9-3701. – PURPOSE AND FINDINGS. The purpose of this article is to protect public health, safety and welfare by regulating the unauthorized removal, theft, or possession of a City, an authorized cart/bin collection agent, or authorized roll-off collector owned trash bin.

SECTION 9-3702. – DEFINITIONS.

(a) "Owner" means the City of Fresno, an authorized cart/bin collection agent or authorized roll-off collector whose name, logo or identification is permanently affixed to the trash bin.

(b) "Trash Bin" means any refuse, recycling or organic waste container, cart, bin or receptacle issued by the City or its authorized waste collection contractor to collect, store and transport solid waste, recycling or organics from a residential or commercial property.

1 of 3

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: ANK

Ordinance No.

SECTION 9-3703. – UNLAWFUL POSSESSION. It shall be unlawful for any person to:

(a) Remove any Trash Bin from commercial property, residential property or curbside, without the consent of the property resident or Owner.

(b) To be in possession of any Trash Bin that has been removed from a commercial property, residential property or curbside, without the consent of the property resident or Owner.

(c) Deface, destroy or otherwise tamper with any Trash Bin issued for public or residential waste collection.

SECTION 9-3704. – PUBLIC NUISANCE. Any violation of this article constitutes a public nuisance, subject to abatement by the City in accordance with Chapter 10, Article 6.

SECTION 9-3705. – PENALTIES.

(a) A violation of this Section is a misdemeanor, and upon conviction punishable by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment in the Fresno County Jail for a period of not more than six months or by both such fine and imprisonment, unless at the discretion of the City Attorney, the violation is reduced to an infraction.

(b) Each Trash bin unlawfully possessed or abandoned shall constitute a separate violation.

SECTION 2. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, MMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Angela M. Karst Date
Senior Deputy City Attorney