



## Legislation Text

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**File #:** 00677, **Version:** 1

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### **Fiscal Note**

No appropriation required.

### **Title**

Creating new Section 10.18(13) of the Madison General Ordinances to set aside and declare unenforceable covenants in deeds and various other agreements which govern the storage, placement, location or use of carts required by the City for recycling and trash and renumbering current Sections 10.18(13) and (14) to Sections 10.18(14) and (15), respectively.

### **Body**

The Common Council of the City of Madison do hereby ordain as follows:

1. New Subsection (13) entitled "Storage of Carts Used for Automated Recycling and Refuse Collection" of Section 10.18 entitled "Collection of Refuse and Recycling of Waste" of the Madison General Ordinances is created to read as follows:

"(13) Storage of Carts Used for Automated Recycling and Refuse Collection.

In furtherance of public health and welfare concerns, covenants in deeds, and covenants or provisions in condominium owner's agreements, homeowner's association agreements, leases, and all other private agreements, to the extent such covenants or provisions apply to the storage, placement, location or use of carts required by the City to be used for automated collection of recyclables and trash are set aside and declared unenforceable as against public policy. This subsection applies to all such covenants and provisions, including those created prior to the enactment of this ordinance."

2. Current Subsections (13) and (14) of Section 10.18 entitled "Collection of Refuse and Recycling of Waste" of the Madison General Ordinances are renumbered to Subsections (14) and (15), respectively.