

ORDINANCE NO. 6-11
CITY OF CENTERVILLE, OHIO

Sponsored by Council Member Bretta Compton on the 21st day of February, 2011.

**AN EMERGENCY ORDINANCE AMENDING SECTION 1060.05
FEES OF THE CENTERVILLE MUNICIPAL CODE TO
PROVIDE A FEE FOR USE OF A SECOND TOTER FOR
MUNICIPAL WASTE COLLECTION SERVICES.**

PREAMBLE AND PURPOSE

WHEREAS, The City of Centerville has enacted regulations in the Centerville Municipal Code for garbage and trash collections system for residents of the City; and

WHEREAS, The City of Centerville has previously declared its exclusive right to provide residential garbage and trash collection services and has set fees for such use; and

WHEREAS, the City has been implementing a changeover of the refuse collection routes to utilize automotive trash collection and as part of that procedure has issued either a 96-gallon or 64-gallon toter to each resident on the automotive refuse collection routes; and

WHEREAS, the City encourages recycling and limiting trash to the one toter; and

WHEREAS, the City will allow residents to now receive a second toter; but only in the 64-gallon size; and

WHEREAS, The City intends to set the rates for garbage collection services and provide a fee for the second toter.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendments to Section 1060.05 of the Centerville Municipal Code is hereby enacted as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

1060.05 FEES.

(a) Effective January 1, 2006, the fee for residential refuse collection service shall be eighteen dollars (\$18.00) per month; however, there shall be an additional charge of twenty-five dollars (\$25.00) for the first half-hour of each special pick-up and/or chipper service and ten dollars (\$10.00) for each additional 15 minutes thereafter. *The fee for a second toter shall be two dollars (\$2.00) per month. Said additional toter shall be limited to one 64-gallon size.* The fee for residential refuse collection may be adjusted periodically to reflect any fees charged by the County for refuse disposal. The adjustment shall become effective upon approval by Council. The fee for residential refuse collection service shall be paid by all residential customers, and the City

may bill in advance for a quarter-annual period. The City may bill for special pick-ups and chipper service following completion of the work and shall be paid by the customer within the period provided in, and subject to the provisions of, subsection (d) hereof.

(b) Residential customers may pay in advance for four quarters of service and shall be entitled to a discount of five percent for prepayment.

(c) The fee per pick-up for commercial/industrial service shall be six dollars (\$6.00) per cubic yard or fraction thereof, based on the capacity of the refuse container in service and adjusted periodically to reflect any fees charged by the County for refuse disposal.

(d) Fees shall be paid by all users of the service. Customers shall be billed on a regular basis. A second billing shall be made to customers whose bills are unpaid for a period of thirty days or more and a twenty percent penalty shall be added thereto and paid by the customer. If bills remain unpaid by the end of the quarterly service period, the service may be discontinued by the City and/or the City may proceed as set forth in division (e) of this section.

(e) If a householder fails to pay the second billing provided for in division (d) of this section by the end of the quarterly service period, the householder or any other person, firm or corporation receiving said service by failing to pay therefore may be duly prosecuted as provided in Section 1060.99; or have said charges along with the penalty become a lien as provided in Section 1060.09; or have said charges be collectible by a civil suit as other debts of like amount are recoverable together with any interest, penalty, collection costs and attorneys' reasonable fees incurred by the City with regards to the collection. The service period shall be the quarter to which the second billing, provided in division (d) of this section, applies.

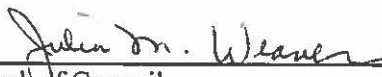
Section 2. This Ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public health, safety and welfare is hereby declared to exist by virtue of the fact that requests are already being received and fees need to be assessed for the new toters.

PASSED THIS 21st day of February, 2011.



Mayor of the City of Centerville, Ohio

ATTEST:



Asst. Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 6-11, passed by the Council of the City of Centerville, Ohio on the 21st day of February, 2011.



Assistant Clerk of Council

Approved as to form,
consistency with existing
ordinances, the charter
and constitutional provisions:

Department of Law
Scott Liberman
Municipal Attorney