

PASSED: December 14, 2015
BY: Hattenbach

ORDINANCE NO. 2015-20

ORDINANCE TO AMEND SERVICE FEE FOR
SOLID WASTE COLLECTION AND RECYCLING

WHEREAS, Council enacted Resolution 2012-53 approving a new contract with Rumpke Waste, Inc. to continue providing waste and recycling services to the Village and its residents, which included a three-year term with mutual options for additional one-year terms;

WHEREAS, Council determines it is in the best interests of the Village and its residents to exercise the option for a one-year renewal of the contract with Rumpke Waste at the rate of \$12.03 as set forth in the contract, in addition to the normal five percent collection fee;

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, seven (7) members elected thereto concurring:

SECTION 1: Section 52.02 of the Municipal Code of Ordinances is amended to read as follows:

52.02 Solid Waste Collection Fee

(A) "Dwelling unit" means a room or group of rooms located within a structure intended for residential use and forming a single habitable unit with living, sleeping, cooking, eating and sanitary facilities used or intended to be used by one family.

(B) All residential dwelling units are required to utilize the solid waste collection and recycling services of the vendor or provider selected by the Village.

(C) ~~All residential dwelling units shall be charged \$12.03 per month as the base rate for combined solid waste and recycling collection, plus a five percent service fee to the service provider, for a total of \$12.39 per month.~~ All residential dwelling units shall be charged a fee for such services as may be determined by Council by ordinance from time to time.

(D) The fee provided for by this section shall be included and collected on the water bill for the respective dwelling unit and shall be due when the water charges are due. A service charge of up to 5% may be charged on each bill by the billing provider to be paid by each respective dwelling unit. If a water bill is unpaid, in whole or in part, it shall constitute a violation of this section. Upon said violation, any or all services provided for and collected through the water bill, including but not necessarily limited to solid waste collection, recycling, water, sewer, and storm water management, may be terminated by the Village or the provider of the respective service.

(E) A dwelling unit shall be exempt from the fee provided for in this section upon sufficient evidence provided by the property owner, or other person responsible for

paying the fee, to the Village Manager that the dwelling unit is unoccupied and is not generating any solid waste, garbage, refuse, or recycling. Said exemption shall be effective for six months but may be renewed upon a showing that the dwelling unit continues to qualify for the exemption.

SECTION 2: Beginning January 1, 2016, all residential dwelling units in the Village shall be charged \$12.03 per month as the base rate for combined solid waste and recycling collection, plus a five percent service fee to the service provider, for a total of \$12.63 per month.

SECTION 3: The Council hereby authorizes the Village Manager to execute any and all contracts or other documents necessary to implement the imposition of the waste collection and recycling fee as set forth herein, including but not limited to the proposed Addendum to the Rumpke contract which is attached hereto as Exhibit A and incorporated herein, to extend the contract with Rumpke Waste for one additional year through 2016, and to carry out the intent of the Council.

SECTION 4: If any section, paragraph, subsection, clause or provision of this ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole, or any other part hereof.

SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare, and it shall have immediate force and effect. The reason for such emergency is to ensure that solid waste and recycling services continue without interruption, which would otherwise affect the health and safety of Village residents, to protect property values, and to reflect the new rates to take effect January 1, 2016 under the contract with the service provider.

Passed this 14th day of December, 2015.

Mayor Thomas C. Muething

Attest:

Nicole Browder, Clerk of Council

Ordinance Vote:

Moved: Hattenbach Second: Conway

Muething	Aye
Wolf	Aye
Bardach	Aye
Conway	Aye
Doering	Aye
Hattenbach	Aye
Warren	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of December 2015, the forgoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council