

ORDINANCE AMENDING SECTION 951.05 OF THE LEWISBURG, OHIO, CODIFIED ORDINANCES DEALING WITH GARBAGE AND REFUSE SERVICE CHARGES AND RATES

That Whereas, due to increased disposal costs and other costs of providing garbage and refuse service, the Village of Lewisburg, Ohio, needs to increase its rates as formerly adopted in Ordinance No. 2011-14;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO, AS FOLLOWS:

Section 1. Section 951.05 of the Codified Ordinances of Lewisburg, Ohio, dealing with garbage and refuse service charges and rates, currently reads as shown on the attached Exhibit "A".

Section 2. Section 951.05 of the Codified Ordinances of Lewisburg, Ohio, dealing with garbage and refuse service charges and rates, is herein amended to read as follows:

951.05 SERVICE CHARGES AND NON-COLLECTION.

(a) Service Charges. The Municipal Manager or other appropriate official or agent or employee of the Village may collect the service charges as set forth in this section as a separate item on the water bill or on a separate bill.

The service charges for the collection of garbage and refuse shall be divided into the following classifications and at the rate hereinafter provided:

RESIDENTIAL CLASSIFICATIONS

- Class 1. One family dwelling within corporate limits, twenty dollars (\$20.00) per month, except that all owners of a residential dwelling they reside in which at least one owner is age 62 or older and who provide sufficient proof of age to the Fiscal Officer and Council shall receive a monthly discount of one dollar (\$1.00)
- Class 2. Two or more family dwellings, including apartments, within corporate limits, twenty dollars (\$20.00) per unit per month

COMMERCIAL CLASSIFICATIONS

<u>Class</u>	<u>Description</u>	<u>Monthly Rate</u>
Dumpster Class I	Up to 2 yards volume collected once/week	\$ 80.00
	Up to 2 yards volume collected twice/week	100.00
Dumpster Class II	Between 2 yards and 3 yards volume collected once/week	100.00
	Between 2 yards and 3 yards volume collected twice/week	150.00
Dumpster Class III	Between 3 yards and 4 yards volume collected once/week	150.00
	Between 3 yards and 4 yards volume collected twice/week	160.00
Dumpster Class IV	3 or more dumpsters irrespective of volume twice/week	180.00
	3 or more dumpsters irrespective of volume three times/week	310.00

Non-Dumpster Class V	Small mercantile and service establishments once/week	25.00
Non-Dumpster Class VI	Large mercantile and service establishments twice/week	50.00

NON-VILLAGE RESIDENTIAL AND COMMERCIAL CLASSIFICATIONS

- Class 1. Residential property units served outside the Village corporate limits shall be assessed the same rate as corresponding Residential property units within the Village corporate limits, except that an additional one hundred percent (100%) will be charged as a fee for servicing such units.
- Class 2. Commercial property establishments served outside the Village corporate limits shall be assessed the same rate as corresponding Commercial property establishments within the Village corporate limits, except that an additional one hundred percent (100%) will be charged as a fee for servicing such units.

(b) Uncollected Garbage Declared a Nuisance. No garbage or refuse shall be collected from any premises where the owner or lessee is in arrears for a period of one quarter. Fermenting, putrefying, or odoriferous garbage in containers uncollected or dumped in the open due to failure to pay garbage fees shall be declared a nuisance and the person or persons responsible shall be liable to prosecution under the provisions of Ohio R.C. 3767.13 et seq., or other applicable law.

(c) For purposes of receiving the monthly discount for residential landowner(s) age 62 or older, the Fiscal Officer may administratively handle the application and approval process without formal vote of Council. When sufficiency of proof is in doubt, the Fiscal Officer may submit the application for the discount to Council for their acceptance or rejection.

Section 3. The remaining provisions of Chapter 951 of the Codified Ordinances of Lewisburg, Ohio, shall remain unchanged.

Section 4. This Ordinance shall be effective from and after February 1, 2019.

Dated: 12-18-18

Mawda K. Jones
Mayor

Attest: Kim S. Cahill
Clerk of Council

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951.05 SERVICE CHARGES AND NON-COLLECTION.

(a) **Service Charges.** The Municipal Manager or other appropriate official or agent or employee of the Village may collect the service charges as set forth in this section as a separate item on the water bill or on a separate bill.

The service charges for the collection of garbage and refuse shall be divided into the following classifications and at the rate hereinafter provided:

RESIDENTIAL CLASSIFICATIONS

- Class 1. One family dwelling within corporate limits, sixteen dollars (\$16.00) per month, except that all owners of a residential dwelling they reside in which at least one owner is age 62 or older and who provide sufficient proof of age to the Fiscal Officer and Council shall receive a monthly discount of one dollar (\$1.00)
- Class 2. Two or more family dwellings, including apartments, within corporate limits, sixteen dollars (\$16.00) per unit per month

COMMERCIAL CLASSIFICATIONS

<u>Class</u>	<u>Description</u>	<u>Monthly Rate</u>
Dumpster Class I	Up to 2 yards volume collected once/week	\$ 69.50
	Up to 2 yards volume collected twice/week	82.00
Dumpster Class II	Between 2 yards and 3 yards volume collected once/week	82.00
	Between 2 yards and 3 yards volume collected twice/week	121.00
Dumpster Class III	Between 3 yards and 4 yards volume collected once/week	121.00
	Between 3 yards and 4 yards volume collected twice/week	133.50
Dumpster Class IV	3 or more dumpsters irrespective of volume twice/week	164.75
	3 or more dumpsters irrespective of volume three times/week	285.25
Non-Dumpster Class V	Small mercantile and service establishments once/week	18.60
Non-Dumpster Class VI	Large mercantile and service establishments twice/week	34.25

NON-VILLAGE RESIDENTIAL AND COMMERCIAL CLASSIFICATIONS

- Class 1. Residential property units served outside the Village corporate limits shall be assessed the same rate as corresponding Residential property units within the Village corporate limits, except that an additional sixty percent (60%) will be charged as a fee for servicing such units.
- Class 2. Commercial property establishments served outside the Village corporate limits shall be assessed the same rate as corresponding Commercial property establishments within the Village corporate limits, except that an additional sixty percent (60%) will be charged as a fee for servicing such units.

(b) **Uncollected Garbage Declared a Nuisance.** No garbage or refuse shall be collected from any premises where the owner or lessee is in arrears for a period of one quarter. Fermenting, putrefying, or odoriferous garbage in containers uncollected or dumped in the open due to failure to pay garbage fees shall be declared a nuisance and the person or persons responsible shall be liable to prosecution under the provisions of Ohio R.C. 3767.13 et seq., or other applicable law.

(c) For purposes of receiving the monthly discount for residential landowner(s) age 62 or older, the Fiscal Officer may administratively handle the application and approval process without formal vote of Council. When sufficiency of proof is in doubt, the Fiscal Officer may submit the application for the discount to Council for their acceptance or rejection.