ORDINANCE 32 2009

AN ORDINANCE ESTABLISHING SERVICE FEES FOR WASTE DISPOSAL SERVICES

WHEREAS, Indiana Code § 36-1-3 *et seq.* confers upon units of local government within the State of Indiana such powers as are necessary or desirable to conduct the affairs of local government;

WHEREAS, Indiana Code § 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana, to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit:

WHEREAS, Indiana Code §§ 36-9-30-15 and 36-9-30-21 authorize the Common Council of the City of Columbus, Indiana, to pass an ordinance establishing just and equitable service fees for the disposal of solid waste;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Common Council of the City of Columbus, Indiana, that the Columbus Municipal Code be amended as follows:

Section I

Chapter 8.24 Garbage and Refuse

8.24.____ Service fees for the disposal of solid waste.

The Common Council approves and ratifies the following monthly service fees for the disposal of solid waste:

- (A) Beginning January 1, 2010, except as is set forth in sub-section (E), a monthly collection fee shall be charged by the city and collected from each owner or tenant of a "residential premises" as defined in section 8.24.010. Said monthly fee shall be in payment for the administration, collection, and disposal of solid waste as defined, and shall be collected in full each month from all owners or tenants of residential premises. The fee per month for city-owned containers assigned to an owner or tenant of a residential premises shall be as follows:
 - 1. \$14.00 per month for one city-owned or city-approved 96 gallon container,
 - 2. \$12.00 per month for one city-owned or city-approved 64 gallon container
 - 3. \$10.00 per month for one city-owned or city-approved 48 gallon container

(collectively, "monthly fees").

- (B) For residential premises, as defined in §8.24.010, the monthly fee shall be charged regardless of whether the occupant thereof uses the city solid waste curbside collection service or a private trash collection service.
 - (C) The fees established herein for residential premises, shall be imposed on and be the obligation of

the owner of record of the residential unit or units as shown in the office of the Bartholomew County Recorder.

- (D) Any residential premises not provided a city-owned container prior to the passage of this Ordinance shall be assigned a monthly fee of \$12.00 per month for the collection and disposal of solid waste until the City provides the residential premises a city-owned container.
- (E) Only multi-family residential premises with exactly four (4) living units or family quarters, shall have the option of declining City services for the collection of solid waste. The owner shall provide notice to the Columbus Sanitation Department that the owner is declining City services for the collection of solid waste in a manner as is set forth in the rules adopted and promulgated by the Board, pursuant to 8.24.020(B).

Section II

This ordinance shall have full force and effect from and after its passage.

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DULY PASSED on this $1^{\rm st}$ day of December, 2009, by the Common Council of the City of Columbus, Indiana.

COMMON COUNCIL
CITY OF COLUMBUS, INDIANA

Presiding Officer

ATTEST:

Clerk-Treasurer

Presented by me to the Mayor of the City of Columbus for his approval or veto pursuant to Indiana Code § 36-4-6-15 and 16, this 1st day of December, 2009 at 6:45 p.m.

Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me is approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16 (a)(1), this 1st day of December, 2009 at 6:45 p.m.

	Mayor of the City of Columbus, Indiana
Attest:	