

ORDINANCE NO. 29 -70

By: Bell

To establish a charge for garbage and refuse collection, and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. (a) To provide necessary funds for equipment, personnel and other expenses in connection with the collection and disposal of garbage and refuse in the City a charge of Thirty (\$30.00) Dollars per year, payable semi-annually in advance, commencing October 1, 1970, is levied and assessed for the collection and disposal of garbage and/or refuse from each dwelling or family unit. Whenever service is between semi-annual payment dates, payment at the rate of Two and 50/100 Dollars (\$2.50) per month for the balance of the current semi-annual period shall be made before service is commenced. For periods of ten (10) days or less in any one month, no charge shall be made, but eleven (11) days or more shall be charged for as a full month. No refund shall be made for any part of the semi-annual payment if service is discontinued during such period.

(b) The Service Director is authorized, upon requests of an owner or resident, to determine the conditions under which the City will collect and dispose of waste materials which do not constitute "rubbish" or "refuse" as defined by Ordinance No. 32-69, and to fix the charges to be made therefor, taking into consideration the availability of equipment, personnel and disposal facilities and the cost to the City of such service. He is also authorized to limit the amount of brush, tree and shrub trimmings which will be collected from subscribers without additional charge to such amount as he considers a normal or average amount per collection unit, and to contract with subscribers for the collection and disposal of such excess materials, as hereinabove provided, for other waste materials.

Section 2. The charge to be made to commercial establishments for collection of garbage and rubbish shall be computed by the Service Director on the basis of the relationship of the amount of garbage and rubbish so collected to the amount normally collected from a family unit, using sixty (60) gallons per week as the normal family unit collection. The Service Director may enter into agreements with the owners or operators of such establishment as to the amount of the charges, or in the absence of such an agreement, may fix a charge, which shall be paid monthly or semi-annually in advance, based upon his estimate as to the amount of service which will be required by the establishment. At the expiration of the monthly or semi-annual period, the charge shall be adjusted to conform to the service actually required. The frequency of the service required by the establishment may be taken into consideration by the Service Director in fixing the charge, which shall in every case be computed on a fair and equitable basis, taking into consideration the charge made against family units, the frequency of collection and the amount considered as a normal weekly collection from family units, as expressed above.

Section 3. Service shall be discontinued if the charges herein provided are not paid when due or within thirty (30) days thereafter. The Mayor may discontinue service in case of violation by the person served, of any provision of this ordinance ~~or of any lawful rules and regulations established by the Mayor pursuant hereto~~, provided that notice of such violation is first given to the party served.

Section 4. If for any reason, the Council should deem it inexpedient for the City to collect garbage and refuse from all or any part of the City with its own equipment and personnel, it may provide for such service by contract with one or more independent contractors, which contract or contracts may provide for the collection of the contractor's charge for such service directly from the householders and/or commercial establishments served. The charges for such services

shall be in the amounts and computed in the manner hereinabove set forth, subject to such variations or adjustments for partial months service as may be authorized by the Mayor.

Section 5. The Mayor is authorized and directed to investigate all claims made against the City for property removed or damaged incident to the collection of garbage or refuse, and to allow any such claim as he deems valid, not in excess of \$50.00. He shall report to Council his findings and recommendations as to claims in excess of that amount.

Section 6. It shall be unlawful for any person to allow garbage <sup>AND RUBBISH</sup> to accumulate upon his premises for a longer period of time than that expiring between two consecutive collection dates.

Section 7. Whoever violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and fined not more than Fifty (\$50.00) Dollars. Each day's continued violation shall constitute a separate offense.

Section 8. That this ordinance is an emergency measure necessary for the proper operation of garbage and refuse collection departments, and the preservation of the public peace, health and safety of the City, and shall be in full force and effect on its passage and approval by the Mayor.

Passed: September 8th, 1970

J. Roth Crabb  
President of Council

Attest:

[Signature]  
Clerk of Council

Approved: September 8th, 1970

KW McClure  
MAYOR

Post!  
9/10/70