

# RECORD OF ORDINANCES

Ordinance No. 2020-3

July 27, 2020

## CITY OF BELLBROOK, OHIO

### ORDINANCE NO. 2020-3

#### **AN ORDINANCE BY BELLBROOK CITY COUNCIL REPEALING OLD SECTION 1060.05 “SERVICE CHARGES” OF THE BELLBROOK MUNICIPAL CODE AND ENACTING A NEW SECTION 1060.05 “SERVICE CHARGES” TO DISCONTINUE THE “LOW VOLUME SERVICE” PROGRAM ESTABLISHED BY ORDINANCE NO. 2011-12.**

WHEREAS, the City of Bellbrook established a “low volume service” program for refuse collection with Ordinance 2011-12, which ordinance was codified in Section 1060.05 of the Bellbrook Municipal Code; and

WHEREAS, the City of Bellbrook had a refuse collection contract with Allied Waste at the time Ordinance 2011-12 was enacted, which contract enabled the implementation of the “low volume service” program; and

WHEREAS, the “low volume service” program was implemented on a trial basis in the year 2012; and

WHEREAS, the City of Bellbrook entered into a contract with Rumpke for refuse collection in November of 2012, which contract did not provide for the “low volume service” program; and

WHEREAS, based on the terms of the existing current refuse collection contract, the City of Bellbrook and Rumpke are unable to effectively and efficiently administer the “low volume service” program established by Ordinance 2011-12; and

WHEREAS, the “low volume service” program must be discontinued until a contract can be negotiated to include such a program.

#### **NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY ORDAINS:**

Section 1. The old Section 1060.05 (“Service Charges”) of the Bellbrook Municipal Code be and hereby is repealed.

Section 2. A new Section 1060.05 (“Service Charges”) in Chapter 1060 (“Garbage and Rubbish Collection and Disposal”) of the Bellbrook Municipal Code be and hereby is enacted to read as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

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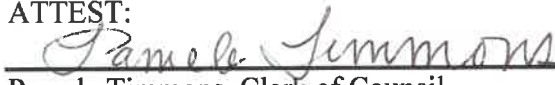
Section 4. This Ordinance shall take effect and be in force from and after the earliest period provided by law.

PASSED this 27 day of July, 2020.



Michael W. Schweller, Mayor

ATTEST:



Pamela Timmons, Clerk of Council

APPROVED AS TO FORM:

Stephen M. McHugh, Municipal Attorney

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## EXHIBIT A

### Sec. 1060.05. Service Charges.

- (a) Effective January 1, 2020, there is established a monthly charge of fifteen dollars and fifty cents (\$15.50) for normal refuse collection within the City. All utility bill payments shall be applied first to refuse charges and any remaining amount shall be applied to water charges. Said refuse charge shall be paid by the occupant of each occupied single-family residence and by each occupant of a multifamily residence not covered by a commercial contract pursuant to Section 1060.04(a). Each operator of a business which generates a normal amount of refuse shall pay the normal collection charge, unless other arrangements are made pursuant to Section 1060.04(a). Each operator of a business which generates refuse in excess of the normal amount shall make arrangements for commercial collection in accordance with the provisions of these Codified Ordinances. Any residential user of the refuse collection service who generates refuse in excess of the normal amount shall pay a surcharge equal to the actual cost of collecting such excess. For the purposes of this section a normal amount of refuse shall mean a weekly accumulation which is capable of being contained in ten or fewer thirty-gallon containers, exclusive of yard waste such as grass, leaves or brush.

- (b) City of Bellbrook residents who are currently enrolled in the "low volume service" program initially established by the enactment of Ordinance 2011-12 shall continue to enjoy the benefits of those "low volume service" rates until December 31, 2022, at which time those rates shall cease and the rates prescribed by Sec. 1060.05(a) above shall be implemented.

~~Effective January 1, 2012, there is established a "low volume service" program for refuse collection customers. The rules and regulations for this program will be established by the City Manager. Customers participating in the "low volume service" program will be charged a rate of twelve dollars (\$12.00) per month. All utility bill payments shall be applied first to refuse charges and any remaining amount shall be applied to water charges. Customers participating in the "low volume service" program must abide by the established rules and regulations; if not, the customer will be returned to the normal refuse collection service. The "low volume service" program can be terminated at any time by City Council.~~

