

ORDINANCE NO. 34-2023

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES, CHAPTER 951.07 AND CHAPTER 951.08, GARBAGE COLLECTION RATES AND BILLING, OF THE VILLAGE OF PLAIN CITY

WHEREAS, the Village of Plain City Codified Ordinances Chapter 951.07 and Chapter 951.08 sets forth the regulations regarding residential garbage collection rates and billing schedule; and

WHEREAS, The Village of Plain City Council previously adopted Ordinance 32-13 and Ordinance 41-99 which established the current regulations of Chapter 951.07 and Chapter 951.08, respectively; and

WHEREAS, staff has proposed updates to the regulations and language of Chapter 951.07 and Chapter 951.08; and

WHEREAS, such updates include amending the billing schedule to a quarterly format and amending the language such that Chapter 951.07 and Chapter 951.08 coincide with current existing rates and practices; and

WHEREAS, the Village Council has determined the need to amend Chapter 951.07 and Chapter 951.08, in accordance with Exhibit A, which is attached hereto and incorporated herein.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. Council hereby amends Codified Ordinances Chapter 951.07 and Chapter 951.08, as presented, which said amendment is attached hereto and incorporated herein as Exhibit A; the language being removed is ~~struck~~ and language being added is in **red** and underlined.

Section 2. It is found that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall be effective from and after the earliest period provided by law.

Passed: November 27, 2023.

Attest: Austitt Phair
Clerk of Council

Jody Carney
Mayor

First reading: November 13, 2023.

Vote: ___ yea ___ nay ___ abstain

Second reading: November 27, 2023.

Vote: 5 yea ___ nay ___ abstain

Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from November 28, 2023 to December 13, 2023 at the Office of the Clerk of Council located at 800 Village Boulevard; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: November 28, 2023

Austitt Phair
Clerk of Council

EXHIBIT A

CHAPTER 951.07 AND CHAPTER 951.08

Refuse and Garbage Collection

951.07 RATES FOR RESIDENTIAL COLLECTION AND DISPOSAL; TENANT'S DEPOSIT.

- (a) The owners of all residential premises shall pay a service charge to the Village for the collection and disposal of solid waste. No person, firm or corporation, except as authorized by the Village, shall be permitted to collect residential solid waste within the Village.
- (b) The Village shall collect solid waste fees in the manner determined by the Village Administrator. Fair and reasonable charges for residential service shall be ~~sixteen dollars and twenty-four cents~~ **nineteen dollars and ninety-five cents (\$19.95)** per month, for each residential service, effective with the period reflected in the billing for service to be issued ~~February 1, 2014~~ **thereafter January 1, 2024.**

~~(Ord. 32-13. Passed 12-9-13.)~~

951.08 BILLING, LATE CHARGE, SHUTOFF, LIEN.

- (a) Billing. The charges for solid waste collection services shall be issued on ~~or about the first day of each month~~ **a quarterly basis. Quarterly billing means the billing periods for the four quarters in each calendar year, which are January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31.** Such charges shall be made in a combined billing which shall also include charges for ~~water and sewer services~~ **other utility services provided by the Village**, if provided. The combined billing shall be payable upon receipt.
- (b) Late Charge. Any such combined billing not paid by the 15th day of the month in which the billing is received **Payments not received prior to three weeks after the bill posted date** shall bear a one-time late charge in the amount of ten percent (10%) of the billing for that month's services.
- (c) Shutoff. The Village Administrator shall issue a shutoff notice and may ~~discontinue water service and solid waste collection service~~ without further notice for non-payment of the combined billing amount, where such combined billing amount is not paid by the 25th day of the month **sixth week following** in which the billing is received **the bill posted date**. The Village reserves the right to enter the premises, remove the meter, and take necessary measures to prevent unlawful use of water, in the event an outside shut off is not easily accessible. A charge of twenty-five dollars (\$25.00) will be assessed to reconnect the water.

(d) Lien. In the event that the combined billing amount is not paid in full, a lien will be filed with the County Auditor and the ~~water and~~ solid waste collection service will not be resumed until the balance is collected.

~~(Ord. 41-99. Passed 11-22-99.)~~