

REQUESTED BY:  
RUCKER

LAW DEPARTMENT  
DRAFT NO. 0146

TITLE

AN ORDINANCE FOR THE PURPOSE OF REPEALING AND RE-ENACTING SECTION 927.12 ("COLLECTION CHARGES.") OF CHAPTER 927 "GARBAGE AND RUBBISH COLLECTION" OF THE CODIFIED ORDINANCES OF THE CITY OF WARREN; FOR THE PURPOSE OF MORE FULLY CLARIFYING SAID SECTION; AND DECLARING AN EMERGENCY.

ORDINANCE NO. 13037/2021

WHEREAS, it is necessary to clarify a provision of Chapter 927.12 "Collection Charges" of the Codified Ordinances of the City of Warren in order that the City may administer said Code in the best interests of the general public; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That Section 927.12 ("Collection Charges.") of Chapter 927 "Garbage and Rubbish Collection" of the Codified Ordinances of the City of Warren be, and hereby is, repealed in its entirety.

Section 2: That Section 927.12 be, and hereby is, reenacted to read as follows:

"927.12 COLLECTION CHARGES."

(A) Council shall provide for rates to be charged and paid for the collection of garbage and refuse as Defined in Section 729.01 by the Environmental Services Department and for any other services rendered by the Department. The Director of Public Service and Safety shall cause such rates to be published in a local newspaper when any change is made in the schedule of rates.

(B) Charges listed below are for collection of garbage as defined in Section 729.01 and is for residential use and will only be collected in one (1) 96 gallon container which has been provided by the Environmental Services Department.

All Garbage must be properly bagged and tied and placed in the City supplied container. Households producing more bagged garbage weekly than will fit into the 96 gallon container must contact the Environmental Services Department for additional containers. A one-time user fee will be applied to the utility account. Exceptions to this rule will be allowed for special circumstances/events such as Holiday, Birthdays, Weddings as well as other special events.

This exception is restricted to no more than three times in any given month. At any collection, should the Environmental Service Department collect garbage of a customer which is in excess, or which is not properly containerized in bags or extra containers, there shall be a charge in addition to the applicable charge as provided within Subsection (c) as follows:

For each unit of two (2) cubic yards, or parts thereof, a fee of \$75.00 for each additional unit. For purposes of illustration only, two (2) cubic yards for purposes of this subsection is the equivalent of those items that would fill four (4) 96 gallon containers.

(C) The charges for collection of garbage and refuse by the Environmental Services Department as of September 1, 2021, shall be, and are, as follows:

<u>Single and Multiple Family Dwellings per unit</u>	<u>Charge Per Month</u>
	(Effective September 1, 2021)
(1) <u>Standard Rate</u>	
Backyard Collection	\$25.62
Curbside Collection	16.62
(2) <u>Adjusted Rate</u>	
Backyard Collection	\$17.22
Curbside Collection	12.37

(To be eligible for this adjusted rate, a person shall: be sixty-five (65) years of age or older, or be permanently and totally disabled; be considered to be the head of the household; have a gross family income not exceeding twelve thousand dollars (\$12,000) per year; and be a resident of the dwelling).

	<u>Charge Per Month</u>
	(Effective September 1, 2021)
(3) <u>Adjusted Rate</u>	
Backyard Collection	\$12.81
Curbside Collection	8.31

(To be eligible for this adjusted rate, a person shall: be sixty-five (65) years of age or older, or be permanently and totally disabled; be considered to be the head of the household; have a gross family income not exceeding nine thousand dollars (\$9,000) per year; and be a resident of the dwelling and the utility account must be in the name of the applicant.

(D) The charges for collection of garbage and refuse by the Environmental Services Department as of January 1, 2022, shall be, and are, as follows:

<u>Single and Multiple Family Dwellings per unit</u>	<u>Charge Per Month</u>
	(Effective January 1, 2022)
(1) <u>Standard Rate</u>	
Backyard Collection	\$26.37
Curbside Collection	17.37
(2) <u>Adjusted Rate</u>	
Backyard Collection	\$17.97
Curbside Collection	13.12

	<u>Charge Per Month</u>
	(Effective January 1, 2022)
(3) <u>Adjusted Rate</u>	
Backyard Collection	\$13.19
Curbside Collection	8.69

(To be eligible for this adjusted rate, a person shall: be sixty-five (65) years of age or older, or be permanently and totally disabled; be considered to be the head of the household; have a gross family income not exceeding nine thousand dollars (\$9,000) per year; and be a resident of the dwelling and the utility account must be in the name of the applicant.

(E) A Disability Services rate can be obtained by completing a Disability Services application which can be obtained either by calling the Environmental Services Department or at the Utility Services Department. Upon approval of this application, a customer will receive backyard services at the standard curbside collection rate. To be eligible for this rate, a resident must be the sole occupant of the dwelling and must have a physician's verification that the occupant is physically unable to move his/her City furnished container to the curb for collection. No person eligible for an adjusted rate as set forth previously in this Section shall receive said rate unless and until: if applicable, he or she verified with the City his or her age (by certified birth certificate or current Medicare card), or if applicable, his or her disability (by appropriate documentation); if applicable, he or she verified with the City his/her income status (by income tax returns or other appropriate documentation); and, if applicable, he or she signs an affidavit relative to head of household status and residency status. Once a person is determined to be eligible for an adjusted rate as set forth previously in this Section, such continued eligibility shall be reviewed on a yearly basis, with appropriate verification.

(F) The Environmental Services Department may collect garbage and refuse from any single or multiple family dwelling located outside a radius of five (5) miles of the real property known for street numbering purposes as 613 Main Avenue, S.W., Warren, Ohio (i.e. the offices and garage of the Environmental Services Department).

Notwithstanding any other provision in this Section to the contrary, the charges for any collection provided for in this Subsection (c) shall be, and are, as follows:

<u>Standard Rate</u>	<u>Charge Per Month</u>
Backyard Collection	\$30.00 per month
Curbside Collection	\$18.00 per month

There shall not be, and there is not, any adjusted rate(s) (whether based on age, disability, income, family status, or otherwise) for any collection provided for in this Subsection.

(G) The Environmental Services Department may collect garbage and refuse from any single or multiple family dwelling located outside city limits.

Notwithstanding any other provision in this Section to the contrary, the charges for any collection provided for in this Subsection (c) shall be, and are, as follows:

<u>Standard Rate</u>	<u>Charge Per Month</u>
Backyard Collection	\$30.00 per month
Curbside Collection	\$18.00 per month

(G) Notwithstanding any other provisions in this Section to the contrary, the Director of Public Service and Safety shall establish, set and fix the charges for the collection of garbage and refuse by the Environmental Services Department for dumpster containers. Notwithstanding any other provisions in this Section to the contrary, the Director of Public Service and Safety shall establish, set and fix the charges for the collection of municipal solid waste from construction and demolition debris by the Environmental Services Department from roll-off containers supplied by the City. Said charges shall be reasonable, and shall be established, set and fixed with the advice of the Manager of Environmental Services. Said charges shall be competitive and shall reflect applicable laws, rules, and regulations, district fees, generation fees, and disposal and processing fees. Said charges shall be, and are, subject to review by the Council of the City of Warren.

(H) There shall be, and is, a surcharge fee of ten percent (10%) on the billing of the Environmental Services Department upon any account under this Chapter past due more than twenty-one (21) days from the date of billing. The Director of Public and Safety may adjust the surcharge in unusual cases where extenuating circumstances would make the imposition of the surcharge unfair. No such surcharge shall be imposed or levied upon any Government unit or agency under formal contract with the City of Warren for sanitation.

(I) The additional monies generated by the increased rates/charges shall be used for maintaining the building, housing the offices and garage of the Environmental Services Department and maintaining the equipment of the Environmental Services Department.

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that the safety and integrity of the City may be preserved at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall take effect and be in force from and after the date of its passage by a vote of two-thirds of all members elected to Council and approval by the Mayor.

Passed in Council this 14<sup>TH</sup> day of JULY, 2021.

SIGNED: [Signature]  
President of Council

ATTEST: [Signature]  
Clerk

FILED WITH THE MAYOR: 7-14-2021

DATE APPROVED: 7-14-2021

[Signature]  
MAYOR, CITY OF WARREN, OHIO