

ORDINANCE 00-12 AC CMS

AN ORDINANCE TO AMEND SECTIONS 925.03, 925.06, 925.09, 925.10, AND 925.14 AND TO ENACT SECTIONS 925.16, AND 925.17 OF THE CODIFIED ORDINANCES OF THE CITY OF OBERLIN

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, 5/7ths of all members elected thereto concurring

SECTION 1. That Sections 925.03, 925.05, 925.06, 925.09, 925.10, and 925.14 of the Codified Ordinances be and is hereby amended to read as follows:

925.03 TYPE AND VOLUME OF CONTAINERS.

Household refuse shall be placed in suitable containers not exceeding thirty gallons capacity. Weight of containers placed shall not exceed fifty pounds.

925.06 RESIDENTIAL COLLECTION BY CITY.

- (a) The City, through its personnel or by contract, shall provide for the collection of garbage, trash, yard waste and recyclables from residential property according to a schedule published by the City.
- (b) Such pick-up shall be at curbside or at such location as may be determined by the City and it shall be the obligation of the persons being served to place the garbage and/or trash on the curbside at the specified location at the proper time for such pick-up.
- (c) It shall be the obligation of persons being served to place the containers no sooner than 12:00 noon on the day preceding the collection and to remove the containers by 12:00 midnight on the day of collection.
- (d) Basic residential service shall entitle a customer to place up to three refuse containers and unlimited amount of properly prepared recyclable materials for collection.

Owners of multi-family residences containing four or fewer units or of a rooming house may request service in excess of the basic residential service. Such additional service shall be in the form of multiples of the basic unit service and charge.

925.09 LARGE TRASH PICK-UP.

- (a) Residents desiring large trash pick-up service shall be required to make an appointment for a pick-up.
- (b) Items scheduled for large trash pick-up shall be placed on the curb lawn no sooner than 12:00 noon on the day preceding the collection, and any containers into which large trash has been placed shall be removed from the curb lawn by 12:00 midnight on the day of collection.

- (c) The following items shall not be collected through the large trash pick-up service: refuse prohibited elsewhere in this chapter, yard wastes and recyclables, including newspapers, steel and aluminum cans, glass bottles, clear plastic milk and soft drink containers.
- (d) Each residential property shall be entitled to one scheduled free large trash pick-up per year of up to two cubic yards. Additional large trash pick-up service shall be charged at the rate of \$8.00 per cubic yard
- (e) Large trash items placed for collection where a large trash collection has not been scheduled may, at the option of the City, be collected, and the resident or homeowner shall then be billed \$50.00 or \$12.00 per cubic yard, whichever is greater.
- (f) Where refuse is greater than two yards, or where the nature of the refuse is such that loading by hand is impractical, the homeowner may be required, at the option of the City, to pay for the use of a temporary dumpster.

925.10 RATES.

(a) Residential Rates

- 1) Commencing May 1, 2000 a basic residential rate of \$4.00 per month shall be charged.
- 2) The basic residential service rate for all bills rendered on or after February 1 of each ensuing twelve-month period, beginning February 1, 2001 shall be determined by the formula :

$$RR = \frac{OM + C}{Q}$$

Where:

(aa) "RR" means the basic residential service rate.

(bb) "Q" means the number of residential customers as calculated by the Auditor's office for the calender year immediately prior to the year in which the rate is to take effect.

(cc) "OM" means that portion of the refuse operation and maintenance appropriation attributable to residential collection less the portion of refuse operating levies attributable to residential properties. For purposes of this section, 44% of the cost of downtown trash receptacles shall be considered to be a cost attributable to residential collection.

(dd) "C" means capital expense and reserve appropriations attributable to the residential collection.

(b) Commercial Rates:

- (1) Commencing May 1, 2000 commercial refuse rates shall be charged as follows:

| DUMPSTER SIZE | PER SERVICE |
|------------------|-------------|
| 1 | \$ 3.90 |
| 2 | \$ 7.40 |
| 3 | \$10.20 |
| 4 | \$12.40 |
| 6 | \$17.40 |
| 8 | \$21.60 |

Customers whose service is less than one cubic yard and where a dumpster is not required shall pay \$10.00 per month.

- (2) Commencing April 1, 2001 the commercial rates shall be increased 8% for 2001. Commencing April 1, 2002 and each year thereafter the commercial rates shall be increased 6.5%, provided however that Council may decrease the percentage increase upon the recommendation of the City Manager and City Auditor.

925.14 TEMPORARY DUMPSTERS.

Temporary 6-yard dumpsters may be requested by business, industrial or residential customers. Temporary dumpsters will be provided subject to availability and provided that the City can deliver, service and remove the dumpster without damage to trees, buildings and overhead wires.

Temporary dumpsters set at a customer's site are limited to a three-week maximum. The dumpster will be picked up by the City at the end of the prescribed time.

Persons ordering a temporary dumpster are required to pay in advance for the dumpster.

Charges for temporary dumpsters shall be

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|--|---------|
| Delivery of a dumpster for a one week period and collection. | \$50.00 |
| Additional Pickups each | \$25.00 |
| Demurrage per week with 2 week additional maximum | \$20.00 |

The City will make a single attempt to deliver the dumpster. If the dumpster can not be set due to actions of the customer (e.g., cars in the way) a \$20.00 fee will be charged with balance of the prepayment refunded to the customer.

SECTION 2. That Sections 925.16 and 925.17 of the Codified Ordinances of the City of Oberlin be enacted as follows:

925.16 DUMPSTER SERVICE IN CENTRAL BUSINESS DISTRICT

The City shall make available sufficient dumpsters to provide refuse service in the downtown district for businesses, offices, and apartments that have not individually contracted for refuse service.

Businesses, offices and apartment units making use of these dumpsters shall be charged as follows:

| | |
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| Apartment | Twice the Basic Residential Service Rate |
| Small Retail and Small Professional. | Commercial rate for a 1-yard dumpster serviced once per week |
| Medium Professional Services. (Office with more than 3 persons) | Commercial rate for a 2-yard dumpster serviced once per week |
| Medium Retail. | Commercial rate for a 3-yard dumpster serviced once per week. |
| Large Retail. | Commercial rate for a 4-yard dumpster serviced once per week. |
| Restaurants. | Commercial rate for a 6-yard dumpster serviced once per week. |
| Restaurants with bar. | Commercial rate for an 8-yard dumpster serviced once per week. |

925.17 UNAUTHORIZED USE OF DUMPSTER

No person shall place any waste into a dumpster except as may be authorized by the party responsible for paying the collection charges thereof.

For dumpsters placed pursuant to Section 925.16, no person shall place any waste in any such dumpster other than waste generated by an establishment located in the Central Business District and being charged for such service.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or related to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such 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 4. This ordinance and shall take effect at the earliest time allowed by law.

PASSED: 1st Reading - February 7, 2000
 2nd Reading - February 22, 2000 (Amended)
 3rd Reading - March 6, 2000 (Amended)

ATTEST:



CLERK OF COUNCIL



CHAIR OF COUNCIL

POSTED: March 7, 2000

EFFECTIVE DATE: April 5, 2000