

SPONSOR: Fain/Adams

## ORDINANCE NO. 72-10

AN ORDINANCE AMENDING ORDINANCE 79-08, AMENDING JACKSON CODIFIED ORDINANCE SECTION 945.04, COLLECTION RATES FOR BUSINESSES, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 79-08 was enacted by Jackson City Council on October 27, 2008; and

WHEREAS, due to a scrivener's error the rates set forth for Codified Ordinance Section 956.04 were incorrectly stated, and this error has now been discovered; and

WHEREAS, Jackson City Council now desires to correct the rates in Codified Ordinance Section 956.04, retroactive to October 1, 2008.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** The Jackson Codified Ordinance Section 945.04 is hereby amended as set forth in Exhibit "A".

**Section Two.** The Clerk of Council shall assure that this Ordinance is posted in all the City's Ordinance books.

**Section Three.** This Ordinance is hereby declared to be an emergency Ordinance, necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, so that the correct rates can be put in place and applied as soon as possible. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Four.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

**Section Five.**

In is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

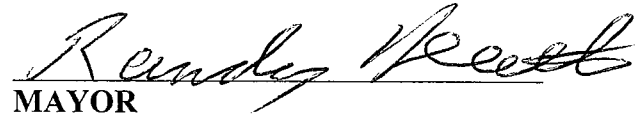
Date: 8-23-10

  
PRESIDENT OF COUNCIL

  
CLERK OF COUNCIL

Approved:

Date: 8.23.10

  
MAYOR

# EXHIBIT A

## 945.04 COLLECTION RATES FOR BUSINESSES.

(a) The following monthly charges shall be made against each and every operator of a business, commercial or industrial operation, who avails himself of the garbage and refuse collection, removal and disposition service, one pick-up per week, provided for his benefit by the City:

<u>Business</u>	<u>Effective October 1, 2008</u>
Garages and service stations	\$ 24.95
Restaurants and rest homes	21.95
Laundrymats and dry cleaners	24.95
Hotels and Motels	24.95
Department stores	18.95
Furniture stores	18.95
Barber and beauty shops	18.95
Dentist and doctor offices	18.95
Banks	18.95

Business garbage collection service to manufacturers, supermarkets, grocery stores and any business not previously mentioned shall be negotiated by the Service-Safety Director at rates consistent with those listed above. The Service-Safety Director shall also negotiate rates for collection service to a customer for pick-up more frequently than once a week. These negotiated rates shall be reviewed periodically by Council or by a committee of Council.

(b) The charges in subsection (a) hereof are based upon weekly pick-up services. For each additional pick-up service, if desired, the charge will be arrived at by negotiating with the Service-Safety Director.

(c) The Director is hereby authorized and directed to determine and fix fees for parties or firms, not above mentioned, based upon the cost of service provided.

(d) Each and every operator of a business, commercial or industrial operation who avails himself of the garbage and refuse collection shall pay such collection rate on or before the due date each month or a delinquency charge of ten percent (10%) shall be added to such account for failure to pay the account on or before the due date of each month.

(e) The garbage and refuse collection, removal and disposition services provided for the benefit of every operator of a business, commercial or industrial operation, whether inside or outside the City, who avails himself of the garbage and refuse collection, removal and disposition service, shall be for garbage and refuse generated on the business, commercial or industrial operation premises only and in no event shall the garbage and refuse picked up at at business, commercial or industrial operation include garbage and refuse which was generated at a site other than that of the premises of the business, commercial or industrial operation.