

ORDINANCE #18-03

AN ORDINANCE RELATING TO SOLID WASTE PICKUP AND DISPOSAL SERVICES FIXING CHARGES, RATES AND REGULATIONS

BE IT ORDAINED BY THE CITY OF NEW CASTLE, KENTUCKY:

SECTION#1: General Provisions

All owners of improved real estate and the operators of business within the city limits of the City of New Castle shall utilize the garbage pickup and disposal services of Rumpke which was granted a franchise by the City of New Castle and shall pay a fee for such services. This ordinance shall not apply to industrial customers, if any, within the City of New Castle.

SECTION #2: Regulations:

Regulations for collection and disposal of garbage, trash and debris, as well as the rates therefore are embodied within this ordinance, Resolution #18-02 and the bid documents of the successful bidder. Any contract entered into between the City of New Castle and Rumpke subsequent to the adoption of this ordinance shall incorporate this ordinance, Resolution #18-02 and the bid documents by reference. Industrial customers may contract with any qualified entity they desire for the collection of refuse, garbage or industrial waste.

SECTION #3: Service Charges:

1. Residential units shall pay a charge of **\$19.63** per month for the first year of this franchise agreement and **\$19.63** per month for the second year directly to the City of New Castle. Any services in addition to the regular residential collection shall be obtained directly from the Franchise Holder and any extra charge, therefore, paid directly to the Franchise Holder. Rear-door or "carry-out" service shall be available to all customers at the rate of **\$25.00** per month, which shall be paid directly to the Franchise Holder. In the event of the disability of a customer, said charge shall be waived. The City shall determine what constitutes a disability upon application by the customer. "Voluntary" recycling pick-up shall be available to all customers at a rate of **\$5.67** per month and shall be paid directly to the Franchise Holder.
2. Commercial customers shall pay the City at the same rate for residential customers in accordance with Resolution #18-02, except where dumpsters are used. Dumpster rates have been established and are hereby fixed at the rates set out in the bid documents, which is incorporated herein by reference, being addendum "A" to the Franchise Holder's bid proposal.

3. Residents of the City of New Castle shall have **Free** drop off of all recycling materials at Valley View Landfill. Proof of residency will be required.

SECTION #4: Payment

All payments shall be made to the City of New Castle monthly on or before the 15th of the month for garbage collected for the preceding month. Charges remaining due and unpaid for a period of thirty (30) days shall be deemed delinquent and shall be subject to interest on said account of 12% per annum until paid.

This Ordinance shall become effective July 1, 2018 and expires June 30, 2020, unless the City of New Castle and the Franchise Holder choose to exercise the option of an additional two (2) year renewal, as set forth in Resolution #18-02 and upon written agreement. If the two (2) year renewal option is chosen residential units shall pay a charge of **\$20.22** per month for the third year of this franchise agreement and **\$20.22** per month for the fourth year, directly to the City of New Castle. If the additional two (2) year option is chosen, this Ordinance shall expire June 30, 2022.

SECTION 5: Failure to Pay

Failure by any customer to pay for such garbage services shall result in the discontinuation of this service and any other utility service provided by the City and the application of any deposit held by the City to the deficiency.

Dennis Benham, Mayor

ATTEST:

Lynn B. Adams, City Clerk

1st read: 05/07/18

2nd read: 06/04/18

Published: 06/13/18