

ORDINANCE NO. 84-19

AN ORDINANCE TO AMEND THE CITY OF LEBANON SOLID WASTE DISPOSAL CHARGE AS IMPLEMENTED BY ORDINANCES 79-4, 80-25, AND 82-4 INTO THE LEBANON CITY CODE, 10-41, ET SEC.

WHEREAS, the City of Lebanon has in the past operated a sanitary landfill for the deposit of garbage and refuse picked up by its sanitation department; and

WHEREAS, the useful life of said landfill has reached a conclusion and the Indiana State Board of Health has failed to renew an operating permit for the City of Lebanon sanitary landfill and has initiated steps for its closure, and

WHEREAS, by the provisions of the Indiana Code, Sections 36-9-2-16, 36-9-6-19, and 36-9-30-5, the City of Lebanon may dispose of solid waste substances by contract and fix a price to be charged for said service, and

WHEREAS, the Common Council now finds that the cost of providing the service of garbage and refuse collection should be assessed to the parties using the service by amending the residential surcharge, and

WHEREAS, the City of Lebanon, by its Board of Works and Public Safety, has advertised for bids from private contractors to assume the task of garbage and refuse collection, hauling and disposal in lieu of further operation of a sanitary landfill by the City of Lebanon, and

WHEREAS, the Board of Works and Public Safety, after soliciting bids therefor, has solicited a private contractor to provide the services of garbage and refuse collection, hauling and disposal and in so doing finds an adjustment in the residential surcharge and landfill operation is required to assure an orderly transition in providing garbage and refuse collection services to the City of Lebanon,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA:

Section 1: That Ordinance 79-4 entitled "An Ordinance Fixing the Schedule of Monthly Sewer Charges and Surcharges to be Collected by the City of Lebanon From the Owners of Property Served by the Sewage Works of Said City and Other Matters Connected Therewith", specifically §301.2(a) and §10-41(a) of the Lebanon City Code, be amended by increasing the residential surcharge for solid waste disposal to read as follows:

"The residential surcharge shall equal Three Dollars (\$3.00) per month."

Section 2: That Ordinance 79-4 and §10-42 of the Lebanon City Code be amended to read as follows:

"The Clerk-Treasurer upon receiving the funds set out in Ordinance 79-4, §301.2(a) and §10-42(a) of the City Code shall record the receipts thereof and disbursements therefrom in a manner to validate the expenditures thereof are used exclusively for the satisfaction of the agreement then in effect for garbage and trash collection between the Board of Works and Public Safety of the City of Lebanon and the contractor providing the service to the City."

Section 3: That upon complete closure of the City of Lebanon sanitary landfill to the public for purposes of disposing of garbage and refuse, then, and in that event, Ordinance 79-30 entitled "An Ordinance Establishing Requirements for Registration of Commercial Scavenger Service Using the Lebanon Sanitary Landfill and Setting Charges therefor" shall, and the same is, repealed in its entirety; however, any arrearages accumulated by commercial scavengers up to and including the closure of the sanitary landfill shall still be due and owing to the City of Lebanon as preciously set forth by ordinance.

Section 4: The provisions of this ordinance shall be in full