

**Bill No. 15-14**

**CITY OF ENGLEWOOD  
IN  
MONTGOMERY COUNTY, OHIO**

**ORDINANCE NO: 15-14**

**PASSED: August 11, 2015**

**AN ORDINANCE: AMENDING VARIOUS SECTIONS OF CHAPTER 1064, SOLID WASTE COLLECTION AND DISPOSAL, OF THE CODIFIED ORDINANCES OF ENGLEWOOD, OHIO, 1972, AS AMENDED**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, OHIO, AS FOLLOWS:**

**SECTION I** That Section **1064.06 CHARGES FOR COLLECTION SERVICE**, of the Codified Ordinances of Englewood, Ohio, 1972, as amended, is hereby amended to read as follows:

**1064.06 CHARGES FOR COLLECTION SERVICE.**

(a) Except as provided in subsection (b) hereof, each property owner whose premises within the City is served by the refuse collection service authorized in this chapter shall pay to the City, as required by Section 1064.10, in advance, the charge for the service as provided herein. Such charge shall be an amount equal to the estimated cost to the City for providing the service, calculated on an average monthly basis per unit served. Such estimated cost shall include payments to contractors; contract administration and enforcement not to exceed ten percent of contract costs; postage; printing; billing and accounting services; disposal charges, if any; and a reasonable charge for the cost of City services and property used in providing the service. The City Manager shall certify a detailed estimate of costs for the service and a proposed monthly charge for each consumer or owner to Council which shall, from time to time by resolution, approve charges to be made and collected as provided herein.

Collection for the monthly charges for refuse collection as provided in this subsection shall be made from all residences receiving service provided for in this chapter.

~~(b) The charge for refuse collection service shall be reduced by thirty percent for persons certified eligible for the senior citizen water rate provided in Section 1044.10(b).~~

(b)(e) The first statement, as required by Section 1064.10, for charges for refuse collection service for new customers shall include charges for services rendered from the time service begins until the end of the current billing period plus the advance charges for the next normal billing period.

(c)(d) For the purpose of calculating the service charge for the first service period for new customers and the credit due customers terminating service, the first and last days of refuse service shall be the same day water service is begun or terminated by the new customer and terminating customer, respectively. Based on the number of days per month, the customer shall pay the pro rata share of days of service received during the billing period of beginning or termination of service.

## **SECTION II**

That Section **1064.07 REVENUES AND EXPENSES**, of the Codified Ordinances of Englewood, Ohio, 1972, as amended, is hereby amended to read as follows:

### **1064.07 REVENUES AND EXPENSES.**

All revenue derived from or obtained by the City in the course of the operation of the refuse collection service shall be placed to the credit of the ~~Refuse Collection Fund~~ Solid Waste Management Fund in the accounts of the City, from which the costs and expenses of the service shall be paid, except as provided by Council from time to time.

## **SECTION III**

That Section **1064.09 BILLS TO BE MAILED; PAYMENT**, of the Codified Ordinances of Englewood, Ohio, 1972, as amended, is hereby amended to read as follows:

### **1064.09 BILLS TO BE MAILED; PAYMENT.**

(a) Statements of charges for refuse collection service shall be deposited, postage paid, by the Director of Finance with the United States Postal Service for delivery only as a matter of convenience to the owner, and failure of the owner to receive statements does not relieve the owner of his or her obligation to pay such statement. All charges for service provided by the refuse collection service shall be paid to the City at the Government Center.

(b) Payments made for refuse collection services shall be deposited into the City Treasury. Payments made in the form of debit from a demand deposit account, including but not limited to a check, bill of exchange, draft, order of withdrawal, or electronic transaction, shall be considered negotiable immediately at the time such payment is made to the City. When such payment is deposited in the City Treasury and subsequently returned as non-negotiable for any reason, a service fee of thirty-five dollars (\$35.00) shall be levied against the offending party, unless the fee provided in Section 1040.14(g) has been added to the account, in which case the fee provided herein shall be waived. Full restitution of the non-negotiable payment, plus the service fee, shall be required within three business days after written notice is given to the offending party. If restitution is not made within three business days, the account shall be considered in default of payment and subject to the provisions in Section 1064.10.

**SECTION IV**

That the Sections of Chapter 1064 of the Codified Ordinances of Englewood, Ohio, 1972, as amended, which are not further amended herein, are hereby reaffirmed.

**SECTION V**

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION VI**

That this ordinance shall be in full force and effect at the earliest date allowed by law.

**PASSED** this 11th day of August, 2015.

*Patricia Burnside*  
Patricia Burnside, Mayor

**ATTEST:**

*Kerry Norman*  
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Kerry Norman, Clerk of Council

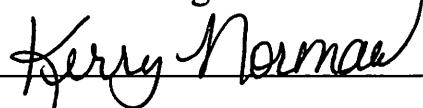
## C E R T I F I C A T E

**I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio,** do hereby certify the foregoing is a true and correct copy from the *Record of Proceedings* of said City. **WITNESS** my signature this 11th day of August, 2015.

  
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Kerry Norman, Clerk of Council

## CERTIFICATE OF POSTING

**I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio,** do hereby certify publication of the foregoing **ORDINANCE** was made as designated by Sections 224.01 and 24.02 of the Englewood Code.

  
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Kerry Norman, Clerk of Council