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C O U N C I L      C O M M U N I C A T I O N

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TO:       **THE CITY COUNCIL**  
FROM:     **THE CITY MANAGER'S OFFICE**

COUNCIL MEETING DATE  
SEPTEMBER 28, 1988

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SUBJECT:   **CONSIDER ADOPTION OF URGENCY ORDINANCE WHICH WOULD INCORPORATE BY REFERENCE  
THOSE REFUSE COLLECTION RATES ESTABLISHED BY ORDINANCE NO. 1412**

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PREPARED BY:                      City Attorney

BACKGROUND INFORMATION:   It has been noted that the refuse ordinance introduced at the September 7, 1988 Council meeting purports to repeal all inconsistent portions of the existing refuse ordinance. Contained in the old ordinance is § 13.16.030 (Ordinance 1412) which establishes the schedule of rates for refuse collection. However, the ~~new~~ ordinance introduced September 7 contains a ~~new~~ § 13.16.030 which does not relate or pertain to rates.

While I don't believe this *is* necessarily a flaw in the ~~new~~ ordinance, it *may* be desirable to avoid confusion arising from the renumbering, **by** the adoption of the attached urgency ordinance which incorporates by reference those rates established in Ordinance 1412.

By doing so, all doubt is removed that the previous rate schedule remains in effect.

Respectfully submitted,



BOB McNATT  
City Attorney

BM:vc

attachment

CCGARB/TXTA.01V

ORDINANCE NO. 1436

AN URGENCY ORDINANCE OF THE LODI CITY COUNCIL  
ESTABLISHING RATES FOR REFUSE COLLECTION

WHEREAS, the Lodi City Council on September 7, 1988 introduced Ordinance 1434, amending the Lodi Municipal Code, Chapter 13.16 - Solid Waste -; and

WHEREAS, pursuant to this amendment by Ordinance 1434, rates for refuse collection are to be set by uncodified ordinance; and

WHEREAS, in order to avoid confusion based on renumbering;

NOW, THEREFORE, IT IS ORDAINED BY THE LODI CITY COUNCIL AS  
FOLLOWS :

SECTION 1.

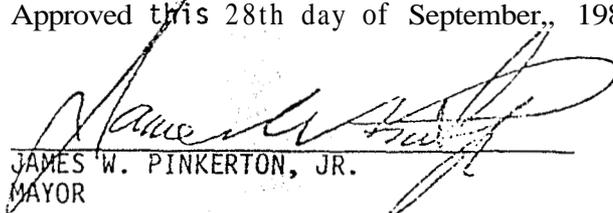
1. The refuse collection rates found in former Lodi Municipal Code § 13.16.030 effective March 1, 1988 (Ordinance 1412) are adopted by reference as if fully set forth herein and shall remain in full force and effect.
2. This ordinance shall become operative concurrently with Ordinance 1434.
3. The Lodi City Council hereby finds and declares that the adoption of such rates by this Ordinance is necessary to promote continued

efficient refuse collection services, and is a matter of public health, safety or welfare.

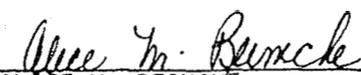
SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This urgency ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall **be** in force and take effect immediately.

Approved this 28th day of September, 1988

  
\_\_\_\_\_  
JAMES W. PINKERTON, JR.  
MAYOR

Attest:

  
\_\_\_\_\_  
ALICE M. REIMCHE  
City Clerk

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1436 was adopted as an urgency ordinance at an adjourned regular meeting of the City Council of the City of Lodi held September 28, 1988 and was thereafter passed, adopted and ordered to print by the following vote:

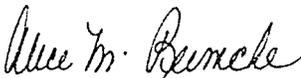
Ayes : Council Members - Hinchman, Reid, Snider and  
Pinkerton (Mayor)

Noes : Council Members - None

Absent : Council Members - Olson

Abstain: Council Members - None

I further certify that Ordinance No. 1436 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

  
ALICE M. REIMCHE  
City Clerk

Approved as to Form

  
BOB McNATT  
City Attorney