

ORDINANCE NO. 1657

AN UNCODIFIED URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF LODI, REPEALING ORDINANCE
1645 IN ITS ENTIRETY, AND ESTABLISHING NEW RATES FOR
COMMERCIAL SOLID WASTE COLLECTION

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance 1645, adopted March 19, 1997, is repealed in its entirety.

Section 2. Pursuant to Lodi Municipal Code Chapter 13.16 - SOLID WASTE - as it relates to commercial solid waste collection, new monthly rates are hereby established, as more fully shown on Attachment "A" hereto which is incorporated by reference as if fully set forth herein.

A. All of the rate schedules set forth in this section shall be effective on all bills which are prepared on or after April 1, 1998.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

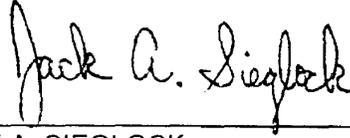
Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This is an urgency ordinance under Government Code §36934, and is based on health, safety and welfare considerations arising from the need to collect appropriate fees for waste removal.

Section 7. 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.

Section 8. The City Council of the City of Lodi hereby finds and declares pursuant to Public Resources Code §21080 that such rates are necessary and reasonable for the usual operating expenses of the franchisee, including employee wages and benefits and for the purpose of purchasing facilities, equipment and materials necessary to implement and carry out a Council-mandated recycling program, and for other health and safety purposes.

Approved this 1st day of April, 1998.



JACK A. SIEGLOCK
Mayor

Attest:



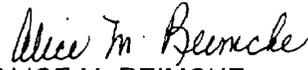
ALICE M. REIMCHE
City Clerk

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. 1657 was adopted as an uncodified urgency ordinance at a regular meeting of the City Council of the City of Lodi held April 1, 1998 and was thereafter passed, adopted and ordered to print by the following vote:

AYES: Council Members - Johnson, Land, Mann, Pennino and Sieglock (Mayor)
NOES: Council Members - None
ABSENT: Council Members - None
ABSTAIN: Council Members - None

I further certify that Ordinance No. 1657 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:



RANDALL A. HAYS
City Attorney

CITY OF LODI
 COMMERCIAL WASTE CART RATES
 EFFECTIVE APRIL 1, 1998

COMMERCIAL 38 GALLON WASTE CART 1 X PER WEEK:

| # of Waste Carts | New Rate |
|---------------------|-------------|
| 1 Waste Cart | \$17.73 |
| 2 Waste Carts | \$44.32 |
| 3 Waste Carts | \$70.90 |

COMMERCIAL 90 GALLON WASTE CART 1 X PER WEEK:

| # of Waste Carts | 1 x Wk Rate | 1 x Wk Rate |
|---------------------|----------------|----------------|
| 1 Waste Cart | \$58.64 | \$117.28 |
| 2 Waste Carts | \$117.28 | |
| 3 Waste Carts | \$175.92 | |

California Waste Systems, Inc. - City of Lodi Franchise
 Commercial Rate Design
 Proposed Rates - 1.35 % Increase
 Effective Date: April 1, 1998

| Container Capacity in Yards | Number of Containers | Total Capacity | Frequency / Week | | | | | |
|--------------------------------------|----------------------------|-------------------|------------------|------------|------------|------------|------------|-------------|
| | | | 1 | 2 | 3 | 4 | 5 | 6 |
| 1 | 1 | 1 | \$80.43 | \$160.85 | \$385.40 | \$706.01 | \$1,122.70 | \$1,635.48 |
| | 2 | 2 | \$122.43 | \$244.85 | \$540.21 | \$950.87 | \$1,476.81 | \$2,118.04 |
| | 3 | 3 | \$164.42 | \$328.85 | \$695.03 | \$1,195.72 | \$1,830.91 | \$2,600.61 |
| | 4 | 4 | \$206.42 | \$412.84 | \$849.84 | \$1,440.56 | \$2,185.01 | \$3,083.18 |
| | 5 | 5 | \$248.42 | \$496.83 | \$1,004.66 | \$1,685.41 | \$2,539.12 | \$3,565.75 |
| | 6 | 6 | \$290.42 | \$580.83 | \$1,159.46 | \$1,930.27 | \$2,893.21 | \$4,048.31 |
| | 7 | 7 | \$332.41 | \$664.83 | \$1,314.29 | \$2,175.11 | \$3,247.31 | \$4,530.88 |
| | 8 | 8 | \$374.41 | \$748.81 | \$1,469.10 | \$2,419.96 | \$3,601.41 | \$5,013.44 |
| | 9 | 9 | \$416.41 | \$832.81 | \$1,623.92 | \$2,664.82 | \$3,955.52 | \$5,496.02 |
| | 10 | 10 | \$458.40 | \$916.80 | \$1,778.72 | \$2,909.66 | \$4,309.61 | \$5,978.58 |
| 2 | 1 | 2 | \$120.53 | \$241.04 | \$515.51 | \$892.63 | \$1,372.38 | \$1,954.77 |
| | 2 | 4 | \$199.99 | \$399.97 | \$784.70 | \$1,292.61 | \$1,923.65 | \$2,677.89 |
| | 3 | 6 | \$279.46 | \$558.90 | \$1,053.90 | \$1,692.58 | \$2,474.94 | \$3,401.01 |
| | 4 | 8 | \$358.91 | \$717.84 | \$1,323.08 | \$2,092.54 | \$3,026.22 | \$4,124.13 |
| | 5 | 10 | \$438.38 | \$876.76 | \$1,592.28 | \$2,492.52 | \$3,577.51 | \$4,847.26 |
| | 6 | 12 | \$517.85 | \$1,035.70 | \$1,861.44 | \$2,892.49 | \$4,128.80 | \$5,570.38 |
| | 7 | 14 | \$597.32 | \$1,194.63 | \$2,130.65 | \$3,292.46 | \$4,680.08 | \$6,293.50 |
| | 8 | 16 | \$676.78 | \$1,353.57 | \$2,399.84 | \$3,692.43 | \$5,231.36 | \$7,016.62 |
| | 9 | 18 | \$756.25 | \$1,512.50 | \$2,669.03 | \$4,092.41 | \$5,782.65 | \$7,739.74 |
| | 10 | 20 | \$835.71 | \$1,671.42 | \$2,938.21 | \$4,492.38 | \$6,333.94 | \$8,462.87 |
| 3 | 1 | 3 | \$155.13 | \$310.25 | \$619.32 | \$1,031.03 | \$1,545.38 | \$2,162.36 |
| | 2 | 6 | \$269.20 | \$538.38 | \$992.32 | \$1,569.40 | \$2,269.66 | \$3,093.10 |
| | 3 | 9 | \$383.26 | \$766.52 | \$1,365.31 | \$2,107.79 | \$2,993.96 | \$4,023.82 |
| | 4 | 12 | \$497.32 | \$994.64 | \$1,738.29 | \$2,646.16 | \$3,718.25 | \$4,954.56 |
| | 5 | 15 | \$611.39 | \$1,222.78 | \$2,111.28 | \$3,184.54 | \$4,442.55 | \$5,885.28 |
| | 6 | 18 | \$725.46 | \$1,450.91 | \$2,484.28 | \$3,722.91 | \$5,166.83 | \$6,816.01 |
| | 7 | 21 | \$839.52 | \$1,678.74 | \$2,857.27 | \$4,261.29 | \$5,891.11 | \$7,746.74 |
| | 8 | 24 | \$953.59 | \$1,907.17 | \$3,230.26 | \$4,799.67 | \$6,615.41 | \$8,677.48 |
| | 9 | 27 | \$1,067.66 | \$2,135.31 | \$3,603.26 | \$5,338.04 | \$7,339.70 | \$9,608.20 |
| | 10 | 30 | \$1,181.73 | \$2,363.44 | \$3,976.24 | \$5,876.43 | \$8,063.98 | \$10,538.93 |

California Waste Systems, Inc. - City of Lodi Franchise
Commercial Rate Design
Proposed Rates - 1.35 % Increase
Effective Date: April 1, 1998

| Container Capacity in Yards | Number of Containers | Total Capacity | Frequency / Week | | | | | |
|--------------------------------------|----------------------------|-------------------|------------------|------------|------------|-------------|-------------|-------------|
| | | | 1 | 2 | 3 | 4 | 5 | 6 |
| 4 | 1 | 4 | \$189.73 | \$379.44 | \$723.12 | \$1,169.44 | \$1,718.39 | \$2,369.98 |
| | 2 | 8 | \$338.39 | \$676.78 | \$1,199.91 | \$1,846.21 | \$2,615.68 | \$3,508.31 |
| | 3 | 12 | \$487.06 | \$974.12 | \$1,676.71 | \$2,523.00 | \$3,512.97 | \$4,646.64 |
| | 4 | 16 | \$635.73 | \$1,271.46 | \$2,153.51 | \$3,199.78 | \$4,410.27 | \$5,784.98 |
| | 5 | 20 | \$784.39 | \$1,568.79 | \$2,630.30 | \$3,876.57 | \$5,307.57 | \$6,923.32 |
| | 6 | 24 | \$933.06 | \$1,866.13 | \$3,107.10 | \$4,553.34 | \$6,204.86 | \$8,061.65 |
| | 7 | 28 | \$1,081.73 | \$2,163.47 | \$3,583.89 | \$5,230.13 | \$7,102.16 | \$9,199.99 |
| | 8 | 32 | \$1,230.41 | \$2,460.80 | \$4,060.70 | \$5,906.91 | \$7,999.45 | \$10,338.32 |
| | 9 | 36 | \$1,379.07 | \$2,758.14 | \$4,537.49 | \$6,583.70 | \$8,896.75 | \$11,476.65 |
| | 10 | 40 | \$1,527.74 | \$3,055.47 | \$5,014.28 | \$7,260.46 | \$9,794.04 | \$12,615.00 |
| 5 | 1 | 5 | \$224.33 | \$448.65 | \$826.92 | \$1,307.84 | \$1,891.39 | \$2,577.57 |
| | 2 | 10 | \$407.59 | \$815.18 | \$1,407.53 | \$2,123.03 | \$2,961.69 | \$3,923.51 |
| | 3 | 15 | \$590.86 | \$1,181.73 | \$1,988.12 | \$2,938.21 | \$4,032.00 | \$5,269.47 |
| | 4 | 20 | \$774.12 | \$1,548.26 | \$2,568.72 | \$3,753.41 | \$5,102.29 | \$6,615.41 |
| | 5 | 25 | \$957.40 | \$1,914.80 | \$3,149.32 | \$4,568.58 | \$6,172.59 | \$7,961.35 |
| | 6 | 30 | \$1,140.67 | \$2,281.34 | \$3,729.92 | \$5,383.77 | \$7,242.90 | \$9,307.28 |
| | 7 | 35 | \$1,323.94 | \$2,647.88 | \$4,310.52 | \$6,198.95 | \$8,313.19 | \$10,653.23 |
| | 8 | 40 | \$1,507.21 | \$3,014.42 | \$4,891.12 | \$7,014.15 | \$9,383.49 | \$11,999.18 |
| | 9 | 45 | \$1,690.48 | \$3,380.95 | \$5,471.71 | \$7,829.33 | \$10,453.80 | \$13,345.12 |
| | 10 | 50 | \$1,873.75 | \$3,747.49 | \$6,052.31 | \$8,644.51 | \$11,524.09 | \$14,691.06 |
| 6 | 1 | 6 | \$258.93 | \$517.85 | \$930.74 | \$1,446.24 | \$2,064.39 | \$2,785.19 |
| | 2 | 12 | \$476.79 | \$953.59 | \$1,615.13 | \$2,399.84 | \$3,307.70 | \$4,338.73 |
| | 3 | 18 | \$694.67 | \$1,389.33 | \$2,299.54 | \$3,353.42 | \$4,551.01 | \$5,892.29 |
| | 4 | 24 | \$912.54 | \$1,825.07 | \$2,983.93 | \$4,307.01 | \$5,794.31 | \$7,445.83 |
| | 5 | 30 | \$1,130.41 | \$2,260.80 | \$3,668.33 | \$5,260.61 | \$7,037.62 | \$8,999.38 |
| | 6 | 36 | \$1,348.27 | \$2,696.56 | \$4,352.74 | \$6,214.20 | \$8,280.93 | \$10,552.94 |
| | 7 | 42 | \$1,566.15 | \$3,132.30 | \$5,037.14 | \$7,167.79 | \$9,524.24 | \$12,106.48 |
| | 8 | 48 | \$1,784.01 | \$3,568.04 | \$5,721.54 | \$8,121.38 | \$10,767.54 | \$13,660.03 |
| | 9 | 54 | \$2,001.89 | \$4,003.78 | \$6,405.95 | \$9,074.97 | \$12,010.85 | \$15,213.58 |
| | 10 | 60 | \$2,219.76 | \$4,439.52 | \$7,090.34 | \$10,028.55 | \$13,254.16 | \$16,767.13 |