

ORDINANCE NO. 1658

AN UNCODIFIED URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF LODI, REPEALING ORDINANCE
1646 IN ITS ENTIRETY, AND AMENDING LODI MUNICIPAL
CODE CHAPTER 13.16, RELATING TO COMMERCIAL 10 TO
50 CUBIC YARD ROLL-OFF BOXES

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BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance 1646, adopted March 19, 1997, is repealed in its entirety, and shall be of no further force or effect.

Section 2 - Rates:

A. The rates to be charged for commercial 10 to 50 cubic yard roll-off box collection service shall be as follows:

1. For owners or tenants of business houses, the rates shall be as set forth in the Commercial 10 to 50 Cubic Yard Roll-Off box Rate Structure schedule attached, when such service is requested.

B. 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.

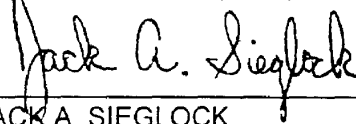
Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

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.

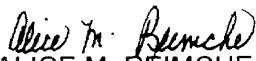
Section 8. The City Council of the City of Lodi hereby finds and declares pursuant to Public Resources Code §21080 that such rates are necessary and reasonable for the usual operating expenses of franchisee, including employee wages and benefits and for the purpose of purchasing facilities, equipment and materials.

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. 1658 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. 1658 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 10 TO 50 CUBIC YARD ROLL-OFF BOX
RATE STRUCTURE SCHEDULE
EFFECTIVE APRIL 1, 1998

CONTRACT HIGH FREQUENCY DROP RATES:

| | <u>New Rate</u> |
|---|---------------------|
| 1. Drop-off/Pick-up Charge Per Box | \$123.99 |
| 2. Tons Disposed/Box X Processing Charge | \$27.92 |
| 3. Franchise Fee (4.8% of 1 + 2) | |
| TOTAL BILL (1+2+3) | |

ONE-TIME DROP RATE

| | |
|---|----------|
| 1. Drop-off/Pick-Up Charge Per Box | \$202.51 |
| 2. Tons Disposed/Box X Processing Charge | \$27.92 |
| 3. Franchise Fee (4.8% of 1 + 2) | |
| TOTAL BILL (1+2+3) | |
