

ORDINANCE NO. 1644

AN UNCODIFIED URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF LODI, REPEALING ORDINANCE 1627
IN ITS ENTIRETY. AND ESTABLISHING NEW RATES FOR
RESIDENTIAL SOLID WASTE COLLECTION

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. Ordinance 1627, adopted March 20, 1996, is repealed in its entirety.

Section 2. Pursuant to Lodi Municipal Code chapter 13.16 - SOLID WASTE - as it relates to residential 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. For any residence requesting "backyard service" for the collection of their waste cart(s), there shall be an additional rate of Ten Dollars (\$10.00) per month, unless the residence is granted an exemption from the rate by the Citizen's Advisory Board.

B. For any residence requesting a commingled recycled cart(s) and/or a yard/garden waste cart(s), sufficient to meet its waste diversion needs, there shall be no additional charge.

C. Any residential customer may purchase from the City or the franchisee for the price of Five Dollars (\$5.00) each, especially marked tags for affixing to trash bags which will then be collected with routine waste removal service. Such tags may be used to supplement, but not in lieu of other required solid waste collection services for residences.

D. Rates set forth in this Ordinance shall be effective on all bills which are prepared on or after April 1, 1997.

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 application 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 All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.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 19th day of March, 1997



PHILLIP A. PENNINO
Mayor

Attest:



JENNIFER M. PERRIN
City Clerk

State of California
County of San Joaquin, ss.

I, Jennifer M Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1644 was adopted as an uncodified urgency ordinance at a regular meeting of the City Council of the City of Lodi held March 19, 1997 and was thereafter passed, adopted and ordered to print by the following vote:

AYES: Council Members - Land, Mann, Sieglock and Pennino (Mayor)

NOES: Council Members - None

ABSENT: Council Members - None

ABSTAIN: Council Members - Warner

I further certify that Ordinance No. 1644 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


JENNIFER M. PERRIN
City Clerk

Approved as to Form:



RANDALL A HAYS
City Attorney

CITY OF LODI

RESIDENTIAL CURBSIDE SERVICE RATES

EFFECTIVE APRIL 1, 1997

	<u>Rate</u> <u>Per mo</u>
1. <u>38 GALLON WASTE CART 1X PER WEEK:</u>	
Single Family	
1 Waste Cart	\$ 17.52
2 Waste Carts	\$ 43.80
3 Waste Carts	\$ 70.08
4 Waste Carts	\$ 96.36
Duplex and more, and Mobile Homes	
1 Waste Cart per Customer	\$ 16.42
2 Waste Carts per Customer	\$ 41.05
3 Waste Carts per Customer	\$ 65.68
2. <u>64 GALLON WASTE CART 1X PER WEEK</u>	
1 Waste Cart	\$ 26.35
2 Waste Carts	\$ 65.88
3 Waste Carts	\$105.40
3. <u>20 GALLON WASTE CART 1X PER WEEK</u>	
LOW VOLUME USERS	
1 Waste Cart	\$ 11.93