

ORDINANCE NO. 1443

AN UNCODIFIED URGENCY ORDINANCE OF THE LODI CITY COUNCIL
ESTABLISHING A SURCHARGE ON REFUSE RATES
TO FUND A STATE-MANDATED PROGRAM

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1.

WHEREAS, effective January 1, 1989, a surcharge of one dollar (\$1.00) per ton on refuse placed in sanitary landfills has been authorized and required by State statute (Government Code §66796.22 et seq.); and

WHEREAS, the Harney Lane Sanitary Landfill, owned by the County of San Joaquin is the location utilized by Sanitary City Disposal Company, Inc., the City's refuse collection Franchisee, for disposal of refuse collection in the City of Lodi; and

WHEREAS, under the agreement between the City of Lodi and Sanitary City Disposal Company, Inc. for refuse collection, such increases in direct costs to Sanitary City Disposal Company, Inc. are subject to adjustment of rates by the City of Lodi to compensate the Franchisee;

NOW, THEREFORE, BE IT ORDAINED BY THE LODI CITY COUNCIL pursuant to Health and Safety Code §5471 as follows:

A surcharge of 1.7% of present refuse collection rates shall be imposed on all residential and commercial refuse collection accounts in the City to fund the State-mandated landfill closure program. These funds shall be placed and retained by the City in

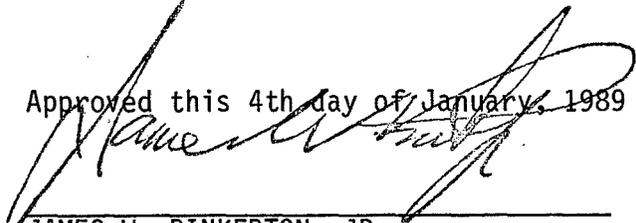
a separate revenue account, and paid to Franchisee on a basis of one dollar (\$1.00) per ton of residential and commercial refuse collected, as established by Franchisee's records.

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 All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This is an urgency ordinance based on health, safety and welfare considerations, implementing a State-mandated program, and shall be effective on all billings by the City of Lodi, on or after January 1, 1989.

SECTION 4. This 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 4th day of January, 1989



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. 1443 was adopted as an urgency ordinance at a regular meeting of the City Council of the City of Lodi held January 4, 1989 and was thereafter passed, adopted and ordered to print by the following vote:

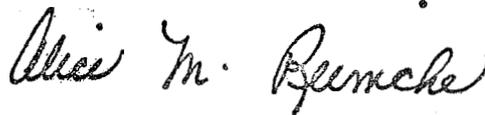
Ayes : Council Members - Hinchman, Olson, Reid, Snider and
Pinkerton (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

I further certify that Ordinance No. 1443 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