RECORD OF ORDINANCES

Ordinance No. 2024-O-07 Passed November 4, 2024
YEAR

VILLAGE COUNCIL OF NORTH FAIRFIELD, OHIO
ORDINANCE No.: 2024-O-07

SOLID WASTE, GARBAGE, TRASH, AND REFUSE RATES

AN ORDINANCE ESTABLISHING THE RATES FOR SOLID WASTE, GARBAGE, TRASH, AND REFUSE COLLECTION AND DISPOSAL SERVICES AND ESTABLISHING MONTHLY BILLING BEGINNING JANUARY 01, 2025.

WHEREAS, Section 715.43 of the Ohio Revised Code provides the general power of refuse disposal and that any municipal corporation may provide for the collection and disposition of garbage; and

WHEREAS, Section 717.01(C) of the Ohio Revised Code specifically provides that each municipal corporation has the power to provide the means for disposing of garbage or refuse; and

WHEREAS, Section 3707.43 of the Ohio Revised Code provides:

> *3707.43 Contract for removal of waste substances - expense.*
> *The legislative authority of a municipal corporation may contract for a period of not to exceed five years for the collection and removal of the garbage, night soil, dead animals, and other solid waste substances mentioned in section 3707.42 of the Revised Code at the expense of the municipal corporation or at the expense of persons responsible for the existence of such waste substances.*

WHEREAS, Section 701.10 of the Ohio Revised Code generally permits unpaid charges for collection or disposal services to be certified to the county auditor by ordinance as a lien on the person's property; and

WHEREAS, garbage, trash and refuse collection rates were previously established in Ord No.: **2004-O-7**, Ord No.: **2008-O-03**, and Ord No.: **2020-O-10** and **2023-O-07**; and

WHEREAS, after consideration of the fiscal health of the village, the Fiscal Officer has recommended an increase in the rates for service; and

WHEREAS, village council has weighed the recommendation of the Fiscal Officer and the current fiscal health of the water utility against its desire to maintain affordability to its water utility customers and has determined that it is necessary to update the rates for service and charges for its municipally owned water utilities and establish rules and procedures.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NORTH FAIRFIELD, STATE OF OHIO: (RC 731.18)

SECTION 1. That the Village hereby establishes the following rates for garbage, trash and refuse collection for any user that subscribes to the garbage service provided by the village:

a. RESIDENTIAL RATE	$**27.00** PER MONTH
b. COMMERCIAL RATE	$**27.00** PER MONTH

Billing shall be monthly on the first of each month due no later than the 20th of each month.

SECTION 2. EFFECTIVE DATE. That this ordinance shall take effect and be in full force beginning the **1st** day of **January**, 20**25**.

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SECTION 3. ASSESSMENT. that pursuant Section 701.10 of the Ohio Revised Code, the Fiscal Officer is authorized to pursue unpaid charges for collection or disposal services to be certified to the county auditor by ordinance as a lien on the person's property.

SECTION 4. REPEAL. That any ordinance, resolution, regulation or bi-law inconsistent herewith is hereby rescinded and repealed.

SECTION 5. PUBLIC MEETING. That it is found and determined that all formal actions of this public body concerning or relating to the passage of this Resolution / Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of Section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 4 day of November, 2024.

ATTESTATION
(RC 731.20)

We hereby attest and affirm that the foregoing legislation received the necessary affirmative roll call votes required for passage by R.C. 731.17.

MAYOR

Shellie Cherry
FISCAL OFFICER

LEGISLATION READINGS
ORC 731.17(A)

(1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: 10/7/24 Second Reading: 10/21/24 Third Reading: 11/4/24

ROLL CALL VOTE
ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

Yes — Adam Rouse	Excused — Sharleen Coy	No — Jeremy Antill
Yes — Cody Hacker	Excused — Trevor Arnold	Yes — Joshua Radcliffe

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF PUBLICATION
ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**
The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

Shellie Cherry
FISCAL OFFICER