

ORDINANCE #125

AN ORDINANCE REGULATING THE DISPOSAL OF SOLID WASTE
AND ASSESSING COLLECTION FEES AND SETTING PENALTIES
FOR THE VIOLATION THEREOF

The Village of Otisville Ordains that:

Section 1.

A) All premises except those businesses, entities, or governmental units which have contracted for a dumpster waste removal service or equivalent shall be served by a solid waste removal service which shall be made available by the Village of Otisville, and there shall be a fee charge for such service. The charges for solid waste removal service to each said premises shall be set by a resolution of the Village Council. The resolution setting the service rates shall be made after presentation of the budget. The resolution shall become effective only after a public hearing on such proposed rates.

B) No free service shall be furnished by the Village to any person, firm, corporation (whether public or private), or to any public agency or governmental unit. Charges for service shall be billed and collected monthly (or bimonthly or quarterly, as determined by the council). Such charges shall become due not later than twenty (20) days after the billing date, and if such charges are not paid on or before the due date, a penalty of ten (10%) percent of any amount unpaid shall be added to the amount due. In the event that the charges for any such services furnished to any premises shall not be paid within thirty (30) days after the due date thereof, such charge shall become a lien on the said premises and the owner thereof shall be notified of the delinquent status.

C) Any person, firm, corporation (whether public or private), or any governmental unit or instrumentality that generates an average equivalent of eight, thirty (30) gallon (or 50 pound) bags or more of solid waste, each week, shall contract for a dumpster waste removal service.

D) On the first day of May each year the Village Clerk shall certify to the Village Treasurer all such delinquent charges, including penalties, against the premises to which said services have been rendered. The Treasurer shall enter the same upon the next tax roll.

Section 2. Severability

This ordinance is deemed severable and if any part shall be declared invalid by any court, such judgment or decree shall affect only that part directly involved in the controversy.

Section 3. Date of Effect

This Ordinance shall take effect ten (10) days after publication as set forth below.

Section 4.

Any person, firm, corporation (whether public or private); or governmental unit or agency which violates any of the terms or provisions of Section 1(C) of this Ordinance, shall be guilty of a misdemeanor and subject to a fine not to exceed \$100.00 or thirty (30) days in jail or both. Each day of noncompliance with the said provisions of this Ordinance shall be deemed a separate offense.

Section 5.

This Ordinance was approved by a vote of the Village Council, a quorum being present on the 1st day of May, 1989, and ordered published in three public places in the Village of Otisville.

Robert F. Price
ROBERT PRICE
Village President

Jean M. Griswold
JEAN GRISWOLD
Village Clerk