

RESOLUTION 2008-1

A RESOLUTION ESTABLISHING FEES AND FINES FOR THE COLLECTION OF SOLID WASTE IN THE CITY OF STARKVILLE, MISSISSIPPI

WHEREAS, the City of Starkville's Mayor and Board of Aldermen establish rates for the collection of solid waste throughout the City of Starkville; and

WHEREAS, the Mayor and Board of Aldermen have adopted a solid waste ordinance which references a "Solid Waste Rate Resolution" for amendment and adoption of solid waste charges from time to time; and

WHEREAS, the Mayor and Board of Aldermen believe that there is a need to adopt rates to address the cost of solid waste collection and to better serve the needs of the residents and business owners of the City of Starkville, Mississippi.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, that the following be adopted:

Section 1. Billing and delinquency.

- A. *Billing and due date for payment.* Solid waste collection bills shall be rendered monthly and shall be included with the electric and/or water and sewer bill, but each charge shall be shown as a separate item on the bill. The charges shall be governed by the same due date and delinquent date and shall be payable within 20 calendar days from the billing date. Any payment not received by the City within 20 calendar days from the billing date shall be delinquent.
- B. *Separate payment of charges prohibited.* No customer charged for electricity, water, sewer and solid waste collection shall pay such charges without simultaneously paying all such charges. Late payment or nonpayment of either the electric, water, sewer or solid waste collection fees, whether billed by the City or its authorized agent, shall constitute a delinquency under this ordinance and authorize abatement of all such services by the City after 10-day written notice of the delinquency.
- C. *Delinquency charge and disconnection of utility services.* The City is authorized to impose a delinquency charge of \$15.00 on all solid waste collection accounts delinquent for over 20 calendar days, and is hereby authorized to discontinue service to such delinquent accounts after the required second notice. Where service has been discontinued, service will not resume until the amount of the delinquent account and the sum of \$15.00, representing disconnect and reconnect charges, has been paid to the City. If the account is delinquent two times in a 12-month period, the reconnection fee shall be \$25.00 for each subsequent reconnection thereafter. Total arrearages plus the delinquency charge must be paid by the customer before reconnection or resumption of water, sewer and solid waste and recyclable materials collection services by the City.

D. *Payment of delinquent account by persons vacating property.* When an owner or occupant vacates or sells his property leaving a delinquent utility bill, the City may, at its option, refuse the delinquent customer any and all utility services until the original account is paid in full.

Section 2. Solid waste charges and fees.

- A. There is hereby fixed and levied against the citizens of the City of Starkville, Mississippi, a garbage charge and fee as follows:
1. Upon each family occupying a house, an apartment, or a mobile home as a residence within the City of Starkville, Mississippi, there is imposed a flat monthly charge of \$10.50.
 2. Upon each commercial retail, wholesale establishment and store buildings including laundries, cafes, theaters, hotels, motels, barber shops, beauty shops, offices, and every kind of business establishment, including industrial establishments, there is imposed a minimum monthly charge of \$15.75.
- B. There is hereby fixed and levied against those commercial and industrial establishments served by City-furnished containers a solid waste charge and fee as set forth in the following schedules:

Container Sizes (in Cubic Yards)	Number of Weekly Pickups					
	1	2	3	4	5	6
2	\$40	\$80	\$120	\$160	\$200	\$240
4	\$55	\$110	\$165	\$220	\$275	\$330
6	\$75	\$150	\$225	\$300	\$375	\$450
8	\$95	\$190	\$285	\$380	\$475	\$570

Extra dump charge: \$25.00 for 2 yard containers
 \$30.00 for 4-6 yard containers
 \$35.00 for 8 yard containers

- C. Any refuse container declared to be a nuisance by the Sanitation Department Head shall be collected and replaced at a cost to the lessee of \$300, not to exceed one time per annum.
- D. There is hereby fixed and levied against all commercial and industrial users of the Starkville/Oktibbeha County Sanitary Landfill, private homeowners taking their own solid waste to said Landfill being exempt, a solid waste disposal fee, per delivery, as follows:

Truck Size	User Charge
1. Less than one (1) ton	\$14.00
2. One (1) to ten (10) tons	\$28.00
3. Over ten (10) tons	\$42.00

NOTE: The sanitary landfill disposal fee is based upon the size of the vehicle bringing solid waste to the landfill as opposed to the volume of material brought for disposal.

- E. Future changes or revisions in the rates, rate schedules, or user charges specified above may be effectuated by order or resolution of the Board of Aldermen; it shall not be necessary or required that such changes or revisions be by amendment to the solid waste ordinance.

Section 3. Penalties and enforcement.

- A. Any person, firm, or corporation found guilty of violating any provision of the City's solid waste ordinance shall be guilty of a misdemeanor and shall be subject to a fine not exceeding one-thousand dollars (\$1,000.00), or imprisonment not exceeding ninety (90) days, or both.
- B. Any person engaged in the business of collecting waste or rendering solid waste services that is not authorized by the City shall be guilty of a violation shall be punishable as follows:
 - 1. For the first conviction, by a fine of not less than \$10.00 and not more than \$25.00.
 - 2. For a second conviction within one year, by a fine of not less than \$25.00 and not more than \$50.00.
 - 3. For a third conviction within one year, by a fine of not less than \$50.00 and not more than \$100.00.
 - 4. For a fourth and each subsequent conviction within one year, by a fine of not less than \$100.00 and not more than \$250.00.
 - 5. Damaged refuse containers shall be repaired or replaced by the City with the costs paid by the container lessee, as determined by the Sanitation Department Head.

BE IT FURTHER RESOLVED, that this Resolution shall become effective on July 1, 2008, subject to revision by the Mayor and Board of Aldermen.

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Upon the motion of Alderman P.C. McLaurin, Jr., duly seconded by Alderman Richard Corey, that the Resolution be adopted, a roll call vote was taken which resulted as follows:

Alderman Richard Corey	Voted: <u>YEA</u>
Alderman Matt Cox	Voted: <u>YEA</u>
Alderman Sumner Davis	Voted: <u>YEA</u>
Alderman Rodney Lincoln	Voted: <u>YEA</u>
Alderman P.C. McLaurin, Jr.	Voted: <u>YEA</u>
Alderman Roy A'. Perkins	Voted: <u>YEA</u>
Alderman Janette Self	Voted: <u>YEA</u>

Adopted this the 3rd day of June, A.D., 2008, at the Regular Meeting of the Mayor and Board of Aldermen of the City of Starkville, Oktibbeha County, Mississippi.

Robert D. Camp, Mayor
City of Starkville, Mississippi

Markeeta A. Outlaw, Clerk
City of Starkville, Mississippi

(SEAL)