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ORDINANCE 14-12

**AN ORDINANCE OF THE CITY OF WESTFIELD AMENDING
ORDINANCE 08-42 (Garbage and Rubbish)**

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, it is the duty and the responsibility of the Council to maintain the fiscal integrity of the finances of the City by maintaining appropriate fees for services performed by the City such as garbage and rubbish , and

WHEREAS, the Council from time to time may find it necessary to amend previously adopted ordinances to assure that the desired purposes are carried out as contemplated by the Council; and,

WHEREAS, the current fees have been set and amended by Resolution 08-55; and,

WHEREAS, it has been deemed necessary to adopt the following amendments to the Westfield Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows that:

Section 1. The Westfield Code of Ordinances is hereby ordered to replace Exhibit "A" of Ordinance 08-42 with Exhibit "A" of this Ordinance attached hereto and incorporated by reference herein. Additionally, all references to the Division of Solid Waste are hereby ordered deleted.

Section 2. Any other amendments previously adopted or authorized by this Council are hereby also ordered amended pursuant to the contents of Exhibit "A".

Section 3. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. Any portion of this Ordinance later deemed void shall not operate to negate the remaining portion herein. All acts undertaken to create this Ordinance are hereby ratified.

ALL OF WHICH IS ORDAINED/RESOLVED THIS 24 DAY OF March 2014.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain



Jim Ake

Jim Ake

Jim Ake



Steven Hooyer

Steven Hoover

Steven Hoover



Robert L. Horkay

Robert L. Horkay

Robert L. Horkay



Charles Lehman

Charles Lehman

Charles Lehman



Robert J. Smith

Robert J. Smith

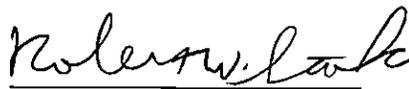
Robert J. Smith



Cindy L. Spoljaric

Cindy L. Spoljaric

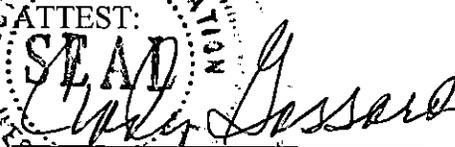
Cindy L. Spoljaric



Robert W. Stokes

Robert W. Stokes

Robert W. Stokes

WESTFIELD CORPORATION
ATTEST:


Cindy Gossard, Clerk Treasurer

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."

(name) C. GOSSARD

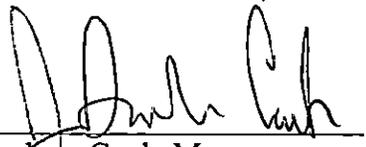
I hereby certify that ORDINANCE 14-12 was delivered to the Mayor of Westfield

on the 25 day of Mar, 2014, at 9:20A ^{am}.


Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 14-12

this 25 day of March, 2014.


J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 14-12

this _____ day of _____, 2014.

J. Andrew Cook, Mayor

EXHIBIT A

CITY OF WESTFIELD

**City Services – Administration Rates and Charges
For Residential Solid Waste Removal Services**

Section A. Constant Charges.

Section A.1 Collection Fee \$10.88 per month per household from
January 1, 2014 to December 31, 2014

Section A.2 Disposal Fee Included in Collection Fee above

Section B. Other Charges. In addition to the fees set forth above, all customers located within the corporation limits of the City shall be billed the following charges when deemed appropriate.

Section B.1 Administrative Account Change Fee. All customers shall be subject to an administrative account change of \$10.00 when the customer requests changes to be made to their account; for example: name change, billing address change, etc.

Section B.2 Administrative Fee. All customers shall be subject to a monthly administrative fee of \$0.54 to recoup administrative costs associated with management and billing. At no time shall this fee exceed one dollar (\$1) per month.

Section B.3 Service Cycle. All customers will pay for service quarterly in advance.

Section B.4 Assurance of bill payment.

Section B.4.1 The applicant either:

- (1) Owns or is buying his or her home; or
- (2) Is renting a home or an apartment and has occupied the premises for more than two (2) years.

Section B.5 User rates and charges.

1. The rates and charges for associated trash/recycling service and fees will be billed to the tenant or tenants occupying the property served, unless otherwise requested in writing by the owners, but

such billing in no way relieves the owner from liability if payment is not made as required. The owners of the property served, which are occupied by tenants, shall have the right to examine the collection records of the City for the purpose of determining whether the rates and charges have been paid by the tenants, provided that such examination shall be made in the office in which the records are kept and during the hours that the office is open for business.

2. All bills shall be due and payable as indicated on the bill. Bills unpaid 30 days following the due date shall include a collection charge of ten (10) percent on unpaid billing.

Section B.6

Bad Check or Insufficient Funds Charge. All customers submitting checks returned as non-negotiable or deemed to have insufficient funds will be charged a \$27.00. Said fee will be added to the proceeding billing cycle and become part of the balance due.