

ORDINANCE NO. 784

AN ORDINANCE AUTHORIZING A CONTRACT FOR SOLID WASTE COLLECTION, A SPECIAL MONTHLY ASSESSMENT FOR PURPOSES OF SOLID WASTE COLLECTION/REMOVAL WITHIN THE CITY OF LYNDON, KANSAS, PROHIBITION OF ACCUMULATION OR TRANSPORTATION OF TRASH, BILLING, TERMINATION OF SERVICES, AND PROVIDING FOR PRE-TERMINATION NOTICE AND HEARING PROCEDURES.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LYNDON, KANSAS:

SECTION 1. The City will enter into a contract with a private firm or individual to collect, transport, and dispose of solid wastes at the Osage County Waste Disposal facility.

SECTION 2. Each residential premise in the City will be assessed the cost of \$14.00 per month for contracting for solid waste removal. Said assessment shall include use of one (1) large polycart. The assessment will be paid by residents each month as part of the utility bill. In those situations where more than one residential premise is attached to a meter, the owner of said meter will be assessed an amount equal to the number of premises multiplied by the monthly assessment.

SECTION 3. For purposes of this Ordinance, a residential premise is defined as any dwelling used for domestic purposes including, but not limited to, mobile homes and apartments.

SECTION 4. Each residential premise shall utilize the solid waste collection service contracted for by the City of Lyndon and no owner of garbage or trash shall transport it along City of Lyndon streets or accumulate or dispose of said garbage or trash in any manner causing a nuisance or unsightliness.

SECTION 5. Utility bills, including water, sewer and solid waste removal, will be mailed on or before the 10th of the month for usage of the preceding month. Payment in full is due by the 23rd day of the month; if the 23rd falls on a non-working city business day, payment is due on the next business day. Delinquent accounts shall be assessed a \$10.00 late charge. Late notices shall be mailed on the 24th or next working day, extending receipt of payment in full until noon on the 1st of the following month; if not paid by noon, services will be terminated without further notice.

SECTION 6. A termination notice shall be issued on the 1st day of the month (or next working day). The termination notice shall provide the customer of record with the following information: (1) the amount remaining unpaid and date of termination; (2) the customer's right to a hearing before the governing body of the City of Lyndon or its designee. The request for a hearing must be made no later than three (3) working days before the date of discontinuance. Such hearings will be conducted by the Governing Body of the City of Lyndon or its designee. The City is authorized to discontinue and disconnect water service for any customer who shall be delinquent in the payment of any utility bill, including but not limited to, the monthly solid waste removal assessment herein. Customers are responsible for furnishing the City with their correct address for billing purposes.

SECTION 8. Ordinance No. 717, No. 731, No. 745 and all other ordinances in direct conflict herewith are hereby repealed.

SECTION 9. This Ordinance shall be effective September 1, 2012 after its passage, approval and publication as provided by law.

PASSED AND APPROVED this 6th day of August 2012.

Kay Jones
Kay Jones, Mayor

Attest:

Julie Stutzman
Julie Stutzman, City Clerk

STATE OF KANSAS, COUNTY OF, SS:

I, the undersigned, hereby certify that I am the duly appointed and acting City Clerk of the city of Lyndon, Kansas; that the above Ordinance was passed by the council and approved by the Mayor on the 6th day of August, 2012, and it was published on the 16th day of August, 2012, and that the record of the final vote of passage is shown in the minutes of the proceedings of the Governing body.

Julie Stutzman
Julie Stutzman, City Clerk

