

AN ORDINANCE OF THE TOWN OF STAR CITY AMENDING AND REENACTING ARTICLE 951.05 OF THE CODE OF THE TOWN OF STAR CITY, REGARDING RATES AND CHARGES FOR GARBAGE SERVICES.

WHEREAS, the Town of Star City provides municipal garbage services in the Town; and,

WHEREAS, the Town is therefore authorized by W.Va. Code 8-12-5(10) to establish, maintain, and enforce, by ordinance, just and equitable rates for the use of these services.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF STAR CITY, THAT ARTICLE 951.05 IS AMENDED AND REENACTED AS FOLLOWS:

951.05 RATES AND CHARGES; RECOVERY OF UNPAID CHARGES; REFUSAL OF SERVICE.

(a) In order to make the service proposed in this article self-supporting, there shall be and hereby is established, a schedule of fees, rates, and charges for the standard type of refuse service as follows:

(1) Each living unit within the Town of Star City, six (6) garbage/trash bags per family unit per week - fifteen dollars and fifty-two cents (\$15.52) per month, plus fifty-eight cents (\$.58) per bag in excess of six (6) per pickup.

(2) Each living unit outside the Town of Star City, six (6) garbage/trash bags per family unit per week - twenty-two dollars and twenty cents (\$22.20) per month, plus ninety cents (\$.90) per bag in excess of six (6) per pickup.

(3) Each living unit shall be charged a fee of eleven dollars (\$11.00) per item for the removal of "white goods," which do not contain Freon (stoves, hot water tanks, other large appliances, etc.) and furniture (couches, chairs, beds, dressers, mattresses, box springs, etc.). Each living unit shall be charged a fee of forty dollars (\$40.00) per item for the removal of items which contain Freon. It shall be the responsibility of the owner of the living unit to contact the Town of Star City business office to make arrangements for the removal of these items. The Town of Star City may require the owner of the living unit to complete a written form specifying the items to be removed prior to removal of the items. In the event the owner of the living unit fails to make proper arrangements with the Town of Star City as aforesaid, the Town of Star City shall have no obligation to remove such items. In the event that the Mayor or other officer of the Town of Star City shall learn of the presence of any of these items on or about the property of a living unit for more than five (5) consecutive days, the Mayor or other officer shall direct the Sanitation Supervisor to promptly remove any and all such items and the owner of the living unit shall be charged a fee of thirteen dollars (\$13.00) per item, which does not contain Freon, or forty-two dollar (\$42.00) per item for the removal of items which contain Freon.

(4) Commercial or other businesses located within the corporate limits of the Town of Star City and not requiring dumpster service, twenty-five dollars and thirty cents (\$25.30) per month.

(5) Commercial or other businesses located outside the corporate limits of the Town of Star City and not requiring dumpster service, thirty dollars (\$30.00) per month.

(6) Any residence, enterprise, business, or other establishment located within the corporate limits of the Town of Star City requiring dumpster service, twelve dollars and thirty-six cents (\$12.36) per cubic yard per pickup.

(7) Any residence, enterprise, business, or other establishment located outside the corporate limits of the Town of Star City requiring dumpster service, fifteen dollars (\$15.00) per cubic yard per pickup.

(8) Commercial or other businesses requiring dumpster service for the removal of cardboard, six dollars and four cents (\$6.04) per cubic yard per pickup.

(9) Bagged grass or leaves, thirty pounds maximum weight per bag, sixty cents (\$.60) per bag.

(10) The Town of Star City will not pick up tires, paint, oil-based lubricants or building materials. Televisions and computers are eligible for pick-up.

(b) If the fee, rate or charge for any of the foregoing services shall not be paid within thirty days after the same is due, the amount thereof may be recovered by the Town, in an appropriate action; and the fees, rates or charges for the service mentioned above in this section shall, if not paid when due, constitute a lien upon the premises served, which lien may be foreclosed against the lot, parcel of land or building served, in accordance with the laws of the State relating to the foreclosure of liens on real property. The Town shall file, in the office of the Clerk of the County Commission, an itemized statement, duly verified by a proper Municipal officer of the Town, and the same shall be recorded in the Judgment Lien Books in such County Clerk's office. Upon the failure of any person receiving such service to pay for the same when due, the Town may discontinue such service with notice according to law.

(c) The Town shall have the right to deny standard refuse service to any person or business whose refuse requirements are sufficiently abnormal or different, in the opinion of the Mayor or the County Health Officer, as to justify special handling, in which case a special charge shall be made. This section shall apply to those businesses or dwellings not readily accessible to refuse collectors or those cases where refuse is not found in standard containers. Any person aggrieved by the special handling determination of the Mayor or County Health Officer under this section may appeal such determination to the Common Council of the Town.

(d) The rates and charges specified in subsection (a) or (b) herein shall be billed to the owners of each and every residential unit, provided that upon application by the occupant of any residential unit, filed with the Clerk of the Town and accompanied by an appropriate affidavit showing the occupant's status as such, such bills may be rendered to the occupant.

(e) Refuse piled on top of or above the top of dumpsters and/or refuse deposited on the ground will be charged ten dollars and twenty-five cents (\$10.25) for loading and dumping each full or partially full hopper required to dispose of such extra refuse.

(f) Dumpster Rental. The monthly rental fee for the various size dumpsters available from the Town of Star City shall be:

Two (2) cubic yards \$21.00

Three (3) cubic yards \$27.00

Four (4) cubic yards \$33.00

Six (6) cubic yards \$57.00

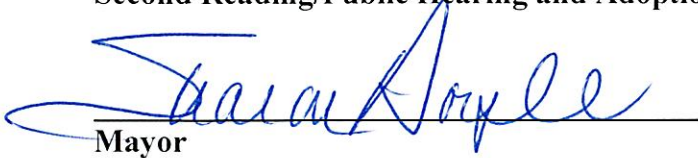
Eight (8) cubic yards \$75.00

(g) Upon request, and subject to scheduling and availability, the Town of Star City will provide a dump truck into which current customers of the Town of Star City Sanitation Department may load refuse, which by its size, quantity or nature cannot be readily contained otherwise. The Town of Star City will deliver said dump truck to the requested address and remove the same. The customer shall not operate said dump truck in any way and shall be responsible for any damage to the dump truck that is incurred while the dump truck is situated at the address designated by the customer. The charge for this service shall be sixty dollars (\$60.00) plus landfill costs at the current rate. This ordinance becomes effective upon adoption.

(Passed 10-3-2023)

First Reading: September 19, 2023

Second Reading/Public Hearing and Adoption: October 3, 2023



Mayor



Official – Town Recorder