

**RESOLUTION NO. 21-18**

**A RESOLUTION ITEMIZING THE COST OF CERTAIN INDIVIDUAL SERVICES RELATED TO THE COLLECTION OF THE CITY OF WEST LAFAYETTE'S GARBAGE, HEAVY WASTE, RUBBISH, WASTE, YARD WASTE, AND RECYCLING AND AUTHORIZING THE BOARD OF PUBLIC WORKS AND SAFETY TO MAKE DETERMINATIONS RELATED TO SUCH SERVICES**

WHEREAS, the City of West Lafayette, Indiana (the "City") has established, acquired, and financed its sewage works or Wastewater Treatment Utility ("WWTU") pursuant to Ind. Code 36-9-23-1 *et seq.* for the purpose of, among other things, the collection and disposal of solid waste for inhabitants in and around the City;

WHEREAS, the WWTU is empowered, pursuant to Ind. Code 36-9-23-2, with the authority to "acquire, construct, improve, operate, and maintain sewage works";

WHEREAS, "sewage works" include, pursuant to Ind. Code 36-9-1-8(12), "the collection, treatment, purification, and sanitary disposal of liquid waste, solid waste, sewage, storm drainage, and other drainage of a municipality";

WHEREAS, the City passed Ordinance No. 07-13, effective July 1, 2013, which imposed a \$16.00 monthly fee upon each owner of single-family dwellings, townhouses, and/or multiple housing dwellings not exceeding four (4) units connected to the WWTU's sewer system for the collection and removal of garbage, heavy waste, rubbish, waste, yard waste, and recyclables;

WHEREAS, some properties, although connected to the sewer system, are not receiving solid waste collection and disposal services from the City;

WHEREAS, Ind. Code 36-9-23-25(c) allows the WWTU to assess fees for the collection, treatment, and disposal of solid waste from the owner of each lot, parcel of real property, or building that: (1) is connected with the sewage works by or through any part of the municipal sewer system; or (2) uses or is served by the works;

WHEREAS, the City, on January 10, 2018, passed Ordinance No. 30-17, which expanded the collection and disposal of garbage, heavy waste, rubbish, waste, and recyclables to additional properties connected to the WWTU's sewer system;

WHEREAS, the City, through the Common Council of the City of West Lafayette, now deems it necessary to itemize the cost of certain individual services related to the collection of garbage, heavy waste, rubbish, waste, yard waste, and recycling at properties outside the City but connected to the WWTU's sewer system; and

WHEREAS, the Common Council of the City of West Lafayette further empowers the Board of Public Works and Safety to make determinations, as described below for the entirety of certain neighborhoods or areas to receive such services at the costs provided below.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of West Lafayette that:

**Section 1.** The total monthly service fee for the collection of all garbage, heavy waste, rubbish, waste, and recycling from single-family dwellings, townhouses, and/or multiple housing dwellings not exceeding four (4) units connected to the WWTU's sewer system, as outlined by Sec. 67.20, is \$16.00 per month.

**Section 2.** The total monthly service fee for the collection of just bi-weekly yard waste and leaf collection from single-family dwellings, townhouses, and/or multiple housing dwellings not exceeding four (4) units outside the City but connected to the WWTU sewer system is \$4.00 per month.

**Section 3.** The Board of Public Works and Safety is authorized to determine whether it is in the best interests of the citizens and public at large to provide collection services at the service fees outlined above to all of the qualifying properties in a specified area or neighborhood outside the City limits and in making such a determination shall consider some or all of the following factors:

- (a) Whether collection will benefit the purposes and operation of the WWTU by preventing unwanted materials from entering the sewage works infrastructure;
- (b) Whether collection will be a financial benefit to the WWTU;
- (c) Whether or not a majority of the neighborhood or area to receive collection is in favor of such collection; and
- (d) Any other factors deemed relevant.

INTRODUCED ON FIRST READING ON THE 5 DAY OF November, 2018.

MOTION TO ADOPT MADE BY COUNCILOR Keen, AND SECONDED BY COUNCILOR DeBoer.

DULY RESOLVED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE, INDIANA, ON THE 5 DAY OF November, 2018, HAVING BEEN PASSED BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder	✓			
DeBoer	✓			
Dietrich	✓			
Jones	✓			
Keen	✓			
Leverenz	✓			

	AYE	NAY	ABSENT	ABSTAIN
Sanders	✓			
Thomas	✓			
Wang	✓			

  
 Peter Bunder, Presiding Officer

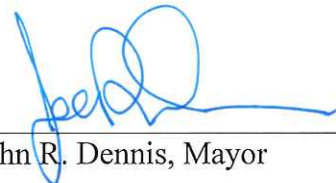
Attest:

  
 Sana G. Booker, Clerk

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA  
 ON THE 7 DAY OF November, 2018.

  
 Sana G. Booker, Clerk

THIS RESOLUTION APPROVED AND SIGNED BY ME ON THE 7 DAY OF  
November, 2018.

  
 John R. Dennis, Mayor

Attest:

  
 Sana G. Booker, Clerk