

A. BE IT ORDAINED that by majority vote the FY 2008 General Fund Operating Budget (excluding External Service Provider expenditures) including the revenues and expenditures proposed by the City Manager and amended by City Council be adopted as the annual operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated:

GENERAL FUND INCOME		GENERAL FUND EXPENDITURES	
Beginning Balance	\$19,749,834	General Government	\$12,796,929
<u>Non-Dedicated Revenues</u>		Judicial Administration	4,360,019
General Property Taxes	62,011,013	Public Safety	30,721,008
Other Local Taxes	46,794,141	Public Works	11,086,053
Permits, Privilege Fees and Licenses	937,792	Health and Welfare	16,788,199
Fines & Forfeitures	570,000	Parks, Recreation and Cultural	4,997,741
Use of Money & Property	1,836,560	Community Development	7,052,518
Charges for Services	2,383,064	Non-Departmental	4,419,505
Miscellaneous	231,744	Transfer to Other Funds	5,053,287
Revenue from the Commonwealth	9,812,601	Debt Service	7,146,479
Revenue from Lynchburg City Schools	857,565	Schools (Local Share Only) - Debt Service	5,800,737
<u>Dedicated Revenues</u>		Reserves	1,823,938
Revenue from Use of Money & Property		Transfer to Capital	4,742,435
Charges for Services	1,603,144	Ending Balance	14,747,399
Recreation Revenue	368,000	Subtotal	\$131,536,247
Miscellaneous	2,549,652	External Service Providers ¹	\$6,524,154
Interfund Transfers	46,150	Component Units ¹	\$33,623,207
Revenue from the Commonwealth		Total	<u>\$171,683,608</u>
Categorical Aid - State Shared Expenditures	2,985,003		
Categorical Aid	12,546,286		
Revenue from the Federal Government	6,401,059		
Total	<u>\$171,683,608</u>		

¹ To be considered separately

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified:

Patricia Kost
Clerk of Council

064LA

B. BE IT ORDAINED that by majority vote the FY 2008 Mandated and Contractual External Service Providers Budget of \$6,387,872 proposed by the City Manager and amended by City Council be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated:

<u>MANDATED</u>	
Blue Ridge Regional Jail Authority	\$4,095,300
Central Virginia Community Services Board	469,644
Health Department	863,516
Indigent Hospitalization	25,000
Region 2000 Local Government Council.....	44,200
TOTAL MANDATED	<u>\$5,497,660</u>

<u>CONTRACTUAL</u>	
Lynchburg Humane Society	\$110,500
Lynchburg Lifesaving/Rescue Squad.....	17,195
Lynchburg Neighborhood Development Foundation.....	25,000
Lynchburg Regional Chamber of Commerce-Tourism.....	537,100
Lynch's Landing, Inc.....	49,050
Southern Memorial Association (Old City Cemetery).....	122,438
Virginia Cooperative Extension Service	28,929
TOTAL CONTRACTUAL.....	<u>\$890,212</u>

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Kost
Clerk of Council

064LB

C. BE IT ORDAINED that by two – thirds vote (five of seven) the FY 2008 Central Virginia Area Agency on Aging Budget of \$15,000 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Kost
Clerk of Council

064LC

#O-07-062

D. BE IT ORDAINED that by two – thirds vote (five of seven) the FY 2008 Central Virginia Community College Board and Related Operations Budget of \$2,032 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LD

#O-07-063

E. BE IT ORDAINED that by majority vote the FY 2008 Court Appointed Special Advocate Budget of \$12,000 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LE

#O-07-064

F. BE IT ORDAINED that by majority vote the FY 2008 Dr. Martin Luther King, Jr. Lynchburg Community Council Budget of \$5,000 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LF

#O-07-065

G. BE IT ORDAINED that by majority vote the FY 2008 Region 2000 Economic Development Council Budget of \$82,250 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LG

#O-07-066

H. BE IT ORDAINED that by majority vote the FY 2008 Robert E. Lee Soil & Water Conservation District Budget of \$10,000 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LH

#O-07-067

I. BE IT ORDAINED that by two – thirds vote (five of seven) the FY 2008 Virginia Legal Aid Society Budget of \$10,000 proposed by the City Manager be adopted as part of the operating budget of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LI

#O-07-068

J. BE IT ORDAINED that by majority vote the FY 2008 School Operating Budget, including the revenues and expenditures proposed by the City Manager and amended by City Council, be adopted for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated:

SCHOOL INCOME			SCHOOL EXPENDITURES		
Beginning		\$0	Operations	\$84,637,324	\$84,767,096
State	47,988,189	<u>48,117,964</u>	Grant Funded Expenditures		6,233,764
Federal		2,136,000	Ending Balance		0
Grants		6,233,764	Total	\$90,871,085	\$91,000,860
Local – Operating		32,567,730			
Local – Debt Service		33,627			
Miscellaneous		911,775			
Lease Purchase Proceeds		1,000,000			
Total	\$90,871,085	\$91,000,860			

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Kost
Clerk of Council

064LJ

#O-07-069

K. BE IT ORDAINED that by majority vote the FY 2008 Greater Lynchburg Transit Budget including the revenues and expenditures proposed by the City Manager and amended by City Council be adopted for the fiscal year beginning July 1, 2007 and ending June 30, 2008 and said funds be appropriated:

GREATER LYNCHBURG TRANSIT COMPANY INCOME			GREATER LYNCHBURG TRANSIT COMPANY EXPENDITURES		
Beginning		\$0	Operations	\$4,571,513	\$4,571,514
Fares	852,000		Ending Balance	4	0
Federal	1,591,208		Total		\$4,571,514
State	865,845				
Local - Operating	1,055,477				
Miscellaneous	206,984				
Total	\$4,571,514				

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Kost
Clerk of Council

064LK

L. BE IT ORDAINED that by majority vote the budgets of the funds mentioned herein be adopted for the purposes herein mentioned and said funds be appropriated from the funds and resources of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008:

FLEET SERVICES INCOME		FLEET SERVICES EXPENDITURES	
Beginning	\$281,969	Operations	\$6,676,451
Revenues	7,120,135	Debt Service	314,895
Total	\$7,402,104	Ending Balance	410,758
		Total	\$7,402,104
AIRPORT INCOME		AIRPORT EXPENDITURES	
Beginning Balance	\$100,000	Operations	\$1,986,689
Revenue from Cost Centers	1,717,909	Debt Service	381,753
Transfer from General Fund	430,205	Reserve for Debt Service	18,800
Interest & Other	236,180	Ending Balance	97,052
Total	\$2,484,294	Total	\$2,484,294
WATER FUND INCOME		WATER FUND EXPENDITURES	
Use of Fund Balance	\$724,003	Operations	\$7,804,044
Water Sales	6,299,239	Debt Service	2,985,558
Meter, Sewer Fund & General Fund Hydrant Charges	1,702,360	Capital Outlay	15,000
Cut-on/off Charges	100,000	Transfer to Water Capital Fund	1,100,000
Availability, Connection Fees	220,587	Transfer to Fleet Services Fund	215,500
Other Charges for Service	194,583	Total	\$12,120,102
Water Contracts (Amherst/Bedford/Campbell/Industrial)	2,591,738		
Interest	287,592		
Total	\$12,120,102		
SEWER FUND INCOME		SEWER FUND EXPENDITURES	
Use of Fund Balance	\$167,080	Operations	\$8,103,772
Charges for Services	14,948,476	Debt Service	7,012,912
Sewer Contracts (Amherst/Bedford/Campbell/Industrial)	2,191,424	Capital Outlay	45,000
Interest	332,326	Transfer to Sewer Capital Fund	2,200,000
Other	47,378	Transfer to Fleet Fund	325,000
Total	\$17,686,684	Ending Balance	
		Total	\$17,686,684
SOLID WASTE MANAGEMENT INCOME		SOLID WASTE MANAGEMENT EXPENDITURES	
Beginning Balance	\$6,191,915	Operations	\$4,116,384
Charges for Services	5,844,265	Debt Service	1,096,824
Transfer from General Fund	1,572,529	Landfill Closure Reserve	366,270
Intergovernmental	190,697	Transfer to Solid Waste Management Capital Fund	36,500
Interest	260,500	Transfer to Fleet Services Fund	813,500
Total	\$14,059,906	Ending Balance	7,630,428
		Total	\$14,059,906
ASSET FORFEITURE FUND INCOME		ASSET FORFEITURE FUND EXPENDITURES	
Beginning Balance	\$0	Operations	\$99,309
Revenue	99,309	Ending Balance	0
Total	\$99,309	Total	\$99,309
C. VA. RADIO COMMUNICATIONS INCOME		C. VA. RADIO COMMUNICATIONS EXPENDITURES	
Beginning Balance	\$58,162	Operations	\$687,435
Charges for Services	687,435	Ending Balance	58,162
Total	\$745,597	Total	\$745,597
COMPREHENSIVE SERVICES ACT INCOME		COMPREHENSIVE SERVICES ACT EXPENDITURES	
Beginning Balance	\$0	Operations	\$3,981,283
Miscellaneous	110,000	Ending Balance	0
Transfer from General Fund	978,308	Total	\$3,981,283
Lynchburg City School Transfer	151,541		
Revenue from the Commonwealth	2,741,434		
Total	\$3,981,283		

HOME FUND INCOME		HOME FUND EXPENDITURES	
Beginning Balance	\$0	Operations	\$420,693
Revenue from the Federal Government	420,693	Ending Balance	0
Total	\$420,693	Total	\$420,693
LAW LIBRARY INCOME		LAW LIBRARY EXPENDITURES	
Beginning Balance	\$4,040	Operations	\$54,920
Charges for Services	60,000	Ending Balance	9,120
Total	\$64,040	Total	\$64,040
LYNCHBURG BUSINESS DEVELOPMENT CENTRE INCOME		LYNCHBURG BUSINESS DEVELOPMENT CENTRE EXPENDITURES	
Beginning Balance	\$125,385	Operations	\$0
Revenue	0	Ending Balance	125,385
Total	\$125,385	Total	\$125,385
LEAF FUND INCOME		LEAF FUND EXPENDITURES	
Beginning Balance	\$43,632	Operations	\$0
Pledges/Donations	0	Ending Balance	43,632
Total	\$43,632	Total	\$43,632
MUSEUM SYSTEM INCOME		MUSEUM SYSTEM EXPENDITURES	
Beginning Balance	\$19,805	Operations	\$7,995
Charges for Services	17,500	Ending Balance	29,910
Miscellaneous Revenue	600	Total	\$37,905
Total	\$37,905		
REGIONAL JUVENILE DET. CENTER INCOME		REGIONAL JUVENILE DET. CENTER EXPENDITURES	
Beginning Balance	\$0	Operations	\$2,625,197
Charges for Services	1,878,336	Debt Service	390,124
Intergovernmental	1,156,985	Reserves	20,000
Total	\$3,035,321	Ending Balance	0
		Total	\$3,035,321
RISK MANAGEMENT FUND INCOME		RISK MANAGEMENT FUND EXPENDITURES	
Beginning Balance	\$2,171,132	Operations	\$260,261
Charges for Services	1,145,139	Insurance and Claims	884,878
Interest	35,000	Ending Balance	2,231,132
Subrogation	25,000	Total	\$3,376,271
Total	\$3,376,271		
SPECIAL WELFARE FUND INCOME		SPECIAL WELFARE FUND EXPENDITURES	
Beginning Balance	\$52,308	Operations	\$39,900
Donations and Restitutions	21,200	Ending Balance	43,308
Interest	1,700	Total	\$83,208
Revenue from the Commonwealth	8,000		
Total	\$83,208		
STADIUM FUND INCOME		STADIUM FUND EXPENDITURES	
Beginning Balance	\$368,128	Operations	\$1,480,090
Charges for Services	1,519,000	Debt Service	217,163
Transfer from General Fund	194,467	Transfer to City Capital Projects Fund	31,000
Total	\$2,081,595	Ending Balance	353,342
		Total	\$2,081,595
TECHNOLOGY FUND INCOME		TECHNOLOGY FUND EXPENDITURES	
Beginning Balance	\$1,367,824	Operations	\$1,621,363
Use of Money & Property	30,000	Capital Outlay	104,500
Transfer from General Fund	679,353	Ending Balance	351,314
Total	\$2,077,177	Total	\$2,077,177
CITY/STATE/FEDERAL AID FUND INCOME		CITY/STATE/FEDERAL AID FUND EXPENDITURES	
Beginning Balance	\$0	Operations	\$4,000,660
Revenue from the Federal Government	2,136,666	Ending Balance	0
Revenue from the Commonwealth	1,646,677	Total	\$4,000,660
Revenue from the Asset Forfeiture Fund	19,354		
In-Kind	56,625		
Transfer from General Fund	141,338		
Total	\$4,000,660		

COMMUNITY DEV. BLOCK GRANT INCOME

Beginning Balance	\$0
Intergovernmental	860,392
Program Income	81,355
Total	\$941,747

COMMUNITY DEV. BLOCK GRANT EXPENDITURES

Operations	\$941,747
Ending Balance	0
Total	\$941,747

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LL

#O-07-071

M. BE IT ORDAINED that by majority vote the City Council hereby adopts the FY 2008-2012 Capital Improvement Program as amended.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt
Clerk of Council

064LM

#O-07-072

N. BE IT FURTHER ORDAINED that by majority vote the FY 2008 Capital Budget is hereby adopted and said funds be appropriated from the funds and resources of the City of Lynchburg for the fiscal year beginning July 1, 2007 and ending June 30, 2008, in the total amount of \$49,420,721 for the City Capital Projects Fund; \$11,265,806 for the Schools Capital Projects Fund; \$2,200,000 for the Airport Capital Projects Fund; \$9,374,000 for the Water Capital Projects Fund; \$27,650,000 for the Sewer Capital Projects Fund; and \$1,656,567 for the Solid Waste Management Capital Projects Fund as indicated below:

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Knt

064LN

O. BE IT ORDAINED that by majority vote in accordance with Section 15.2-1508 of the Code of Virginia, 1950, as amended, City Council authorizes; for one year only and subject to the availability of appropriated funds, the payment of monetary incentives, awards, and bonuses to City employees for exceptional services rendered by those employees. Such monetary incentives, awards, or bonuses may not exceed \$5,000.00 or five percent of the employee's annual salary, whichever is greater. Such incentives, awards, and bonuses may be offered and paid for such exceptional services as defined in the procedural directives issued by the City Manager or his/her designee, including, but not necessarily limited to, any or all of the following purposes:

- (1) Individual incentive awards,
- (2) Special recognition awards,
- (3) Outstanding performance awards, and
- (4) Cost savings or revenue generating suggestion awards.

The Director of Human Resources shall administer the incentive award and bonus program. The types of incentives, awards, and bonuses and the types of exceptional services for which they may be granted; the amount of particular incentives, awards, and bonuses; and the selection criteria and process for particular incentives, awards, and bonuses shall be set forth in the procedural directives issued by the City Manager. The total amount paid in monetary incentives, awards, and bonuses shall not exceed \$60,000 annually.

Introduced: May 8, 2007

Adopted: May 23, 2007

Certified: Patricia Kost
Clerk of Council

064LO

P.

AN ORDINANCE TO AMEND AND REENACT SECTION 36-152, SAME—REAL ESTATE, OF THE CODE OF THE CITY OF LYNCHBURG, 1981, AS AMENDED, THE AMENDED AND REENACTED SECTION RELATING GENERALLY TO THE REAL ESTATE TAX RATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 36-152 of the Code of the City of Lynchburg, 1981, be, and the same is, amended and reenacted as follows:

Sec. 36-152. Same—Real estate.

Effective on and after July 1, ~~1996~~ 2007, for the fiscal year beginning July 1, ~~1996~~ 2007, and ending June 30, ~~1997~~ 2008, and for each and every fiscal year thereafter beginning July 1 and ending June 30 of each such year, unless otherwise changed by council, on each one hundred dollars (\$100.00) of the assessed value of real estate in this city and the improvements thereon there shall be a tax of one dollar ~~eleven five cents (\$1.11)~~ (\$1.05) for the purpose of establishing and maintaining the public schools of the city, and for the purpose of providing the interest and sinking fund on loans negotiated and bonds issued or to be issued by the city for school purposes, and for general governmental purposes. Provided, however, that effective on and after July 1, ~~1984~~ 2004, for the fiscal year beginning July 1, ~~1984~~ 2004, and ending June 30, ~~1985~~ 2005, and for each and every fiscal year thereafter beginning July 1 and ending June 30 of each such year, unless otherwise changed by council, for each one hundred dollars (\$100.00) of the assessed value of real estate and tangible personal property of public service corporations other than railway companies not equalized by the state corporation commission pursuant to Section 58.1-2604 of the Code of Virginia (1950), as amended, there shall be a tax of ~~two three~~ three dollars eighty cents ~~(\$2.80)~~ (\$3.80). Provided, however, that effective on and after July 1, ~~2004~~ 2007, for the fiscal year beginning July 1, ~~2004~~ 2007, and ending June 30, ~~2005~~ 2008, and for each and every fiscal year thereafter beginning July 1 and ending June 30 of each such year, unless otherwise changed by council, for each one hundred dollars (\$100.00) of assessed value of real estate and tangible personal property of public service corporations other than aircraft, automobiles, and trucks of all such corporations and rolling stock of railway companies, there shall be a tax of one dollar ~~eleven five cents (\$1.11)~~ (\$1.05).

2. That this ordinance shall become effective July 1, 2007.

Adopted: May 8, 2007

Certified: Patricia Kent
Clerk of Council

064LP

Q.

AN ORDINANCE TO AMEND AND REENACT SECTION 21.2-31, DISPOSAL FEES, SECTION 34-12.1, SCHEDULE OF SEWER RATES AND SECTION 39-60, WHEN BILLS DUE, OF THE CODE OF THE CITY OF LYNCHBURG, 1981, AS AMENDED, THE AMENDED AND REENACTED SECTIONS RELATING GENERALLY TO THE SOLID WASTE FEE FOR THE COLLECTION, MANAGEMENT AND DISPOSAL OF SOLID WASTE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Sections 21.2-31, 34-12.1 and 39-60, of the Code of the City of Lynchburg, 1981, be, and the same is, amended and reenacted as follows:

Sec. 21.2-31. Disposal fees.

(a) Refuse collected pursuant to section 21.2-26 of this code must be contained within (i) a plastic bag displaying an appropriate official city tag, (ii) an approved container with an appropriate official city tag on the handle of the approved container or on top of the refuse in the approved container, (iii) an approved container displaying a valid city decal, or (iv) a bundle meeting the specifications in this chapter displaying an appropriate official city tag. Official city refuse tags and annual decals shall be available for purchase at those locations designated by the city manager or his designee. A list of the currently designated locations for the purchase of tags or decals will be available for review at the city collections division during regular business hours. Decals will be sold at the collection division windows of city hall during regular business hours and through the mail pursuant to a system approved by the city manager or his designee and at such other locations as may be approved by the city manager or his designee.

(b) Tags for plastic bags and approved containers with a volume up to thirty-two (32) gallons or for bundles not to exceed fifty (50) pounds shall cost ninety-five cents (\$0.95) per tag. Tags for trash carts with a volume of sixty-four (64) gallons shall cost one dollar and ninety cents (\$1.90) per tag.

(c) Annual decals for once per week pickup for reusable trash carts with a volume of up to thirty-two (32) gallons shall cost forty dollars (\$40.00) each. Annual decals for once per week pickup for reusable trash carts with a volume of sixty four (64) gallons shall cost eighty dollars (\$80.00) each. Such decals shall be valid for a twelve (12) month period beginning October 1 through September 30 of each year. The cost for an annual decal will be prorated on a monthly basis by paying the following percentages of the annual decal:

<u>Period</u>	<u>Percentage of Full Price</u>
September 1 – October 31	100%
November 1 – November 30	92%
December 1 – December 31	84%
January 1 – January 31	76%
February 1 – February 28	68%
March 1 – March 31	60%
April 1 – April 30	52%
May 1 – May 31	44%
June 1 – June 30	36%
July 1 – July 31	28%
August 1 – August 31	20%

Such decals are transferrable from one address to another upon the approval of the city manager or his designee. All such decals shall prominently display the year of the decal and street address of the location of the trash container. In the event the person purchasing a decal moves outside the city or goes out of business, the purchaser shall be entitled to receive a prorated refund on a monthly basis for that portion of the year the decal will not be used. A request for a refund must be made no later than thirty (30) days after the end of the year for which the decal was issued. Before issuing a refund the director of finance may require satisfactory evidence that a decal for which the refund is sought has been destroyed. For purposes of proration, a period of more than one-half (½) of a month shall be counted as a full month and a period of less than one-half (½) of a month shall not be counted.

(d) In certain areas designated by the city manager or his designee for twice per week pickup, annual decals for twice per week pickup for reusable trash carts with a volume of up to thirty-two (32) gallons shall cost eighty dollars (\$80.00) each. In those same areas, annual decals for twice per week pickup for reusable trash carts with a volume of sixty four (64) gallons shall cost one hundred sixty dollars (\$160.00). Such decals shall be valid for a twelve (12) month period beginning October 1 through September 30 of each year. The cost for an annual decal will be prorated on a monthly basis by paying the following percentages of the annual decal:

<u>Period</u>	<u>Percentage of Full Price</u>
September 1 – October 31	100%
November 1 – November 30	92%
December 1 – December 31	84%
January 1 – January 31	76%
February 1 – February 28	68%
March 1 – March 31	60%
April 1 – April 30	52%
May 1 – May 31	44%
June 1 – June 30	36%
July 1 – July 31	28%
August 1 – August 31	20%

In the event the person purchasing a decal moves outside the city or goes out of business, the purchaser shall be entitled to receive a prorated refund on a monthly basis for that portion of the year the decal will not be used. A request for a refund must be made no later than thirty (30) days after the end of the year for which the decal was issued. Before issuing a refund the director of finance may require satisfactory evidence that a decal for which the refund is sought has been destroyed. For purposes of proration, a period of more than one-half (½) of a month shall be counted as a full month and a period of less than one-half (½) of a month shall not be counted. Such decals are transferrable from one address to another upon the approval of the city manager or his designee. All such decals shall prominently display the year of the decal and street address of the location of the trash container.

(e) The owner or operator of any location designated to sell refuse tags or annual decals shall be compensated for accounting and remitting the fee levied for the purchase of the tags. Such compensation shall be a deduction of three percent (3%) of the amount of the fee from the sale of such tags or decals. The deduction shall be accounted for in the accounting report submitted to the city with the fees from the sale of the tags, provided that the amount due is not delinquent at the time of payment. The city manager or his designee shall establish criteria for the designation of locations and the accounting and payment procedures by the owners and operators of the designated locations. The fees collected from the sale of tags and decals are public funds and shall be held in trust for the city by the person collecting the same. It shall be a criminal offense for the person holding such fees to use them for any purpose whatsoever.

(f) Beginning October 1, 2003, the city manager or his designee shall have the authority to issue thirty-two (32) gallon annual decals at no cost to disadvantaged citizens or families and to elderly or permanently and totally disabled citizens who qualify for the tax relief and to the residents of the Pleasant Valley/Tyreeanna Neighborhood, who own and occupy an existing dwelling as of July 1, 2003, pursuant to Section 36-175 of the city code upon criteria to be developed by the city manager or his designee. Anyone who is eligible to receive a thirty-two (32) gallon annual decal at no cost shall have the option to use a sixty-four (64) gallon cart by purchasing an annual decal for forty dollars (\$40.00) which is one half (1/2) the standard annual decal fee for such cart. Thirty-two (32) gallon annual decals may also be issued at no cost to other citizens based on criteria developed by city council when council determines by resolution that it is in the public interest for such citizens to receive no cost decals. Disadvantaged citizens or families and elderly or permanently and totally disabled citizens that live in multi-family dwellings and trailer courts that do utilize the city's refuse collection services shall not be entitled to a free annual decal or refuse tags.

(g) Except as allowed in this chapter, no refunds in whole or in part shall be allowed for tags which are unused, lost, destroyed or stolen. Except as allowed in this chapter, no refuse disposal fees shall be discounted, waived or suspended.

(h) In the event any annual decal issued under this chapter shall be lost, stolen or destroyed, the person to whom the decal was issued may make application to the collections division and obtain a duplicate decal upon furnishing information of such fact, by affidavit or other evidence that is satisfactory to the director of finance/director of human services. Any person providing false or intentionally misleading information to the collections division/social services division under this section shall be guilty of a class 3 misdemeanor and the collections division/social services division shall revoke any duplicate decal issued as a result of such false or intentionally misleading information.

(i) The city manager or his designee shall have the authority to provide for refuse collection and disposal on a limited basis at no cost for city sponsored specific community clean-up or litter reduction efforts. The city manager or his designee shall use color-coded plastic bags or approved containers, or other special arrangements which are necessary or appropriate for the administration of such cleanup or litter reduction efforts.

(j) The city manager or his designee shall have the authority to adjust or suspend fees due to natural disasters such as fires, floods and severe storms pursuant to criteria to be developed by the city manager or his designee.

~~(k) A four dollar and forty cents (\$4.40) solid waste fee for the collection, management and disposal of solid waste will be charged to all single family households and to multi-family complexes with up to four (4) units utilizing city solid waste services. This fee shall be added to the city's bill for water and sewer charges and shall be paid on the same schedule as the city's water and sewage charges, due and payable in the billings and collections division in the same manner prescribed for water and sewage charges as established by the city code and if not so paid, shall carry the same penalties and interest as prescribed in the city code. If the monies received in payment of the water and sewage charges and the solid waste collection, management and disposal fee are not sufficient to pay the outstanding balance in full, including any penalties and interest, the solid waste collection, management and disposal fee and any penalties or interest attributed thereto shall be considered to be paid first out of the monies collected. The billings and collections division will send a separate bill to those households and multi-family complexes which do not have water or sewer service.~~

Sec. 34-12.1. Schedule of sewer rates.

(a) The monthly sewer rates for all consumers within the city shall be \$5.17 per h.c.f. of water used provided, however, that the rate of any party discharging industrial waste or processed water into the city system pursuant to an individual contract shall be as provided in such contract.

(b) The monthly sewer rate for customer accounts deemed "sewer only" (customers within the city without a water service connection) shall be \$39.88. This rate is derived as follows: (monthly volume charge of \$5.17 per h.c.f. x 7 h.c.f. + account charge of \$3.69).

~~(c) As provided in Chapter 21.2 of the city code a four dollars and forty cent (\$4.40) solid waste fee for the collection, management and disposal of solid waste will be charged to all single-family households and to multi-family complexes with up to four (4) units utilizing city solid waste services. This fee shall be added to the city's bill for water and sewer charges and shall be paid on the same schedule as the city's water and sewage charges, due and payable in the billings and collections division in the same manner prescribed for water and sewage charges as established by the city code and if not so paid, shall carry the same penalties and interest as prescribed in the city code. If the monies received in payment of the water and sewage charges and the solid waste collection, management and disposal fee are not sufficient to pay the outstanding balance in full, including any penalties and interest, the solid waste collection, management and disposal fee and any penalties or interest attributed thereto shall be considered to be paid first out of the monies collected. The billings and collections division will send a separate bill to those households and multi-family complexes which do not have water or sewer service.~~

~~(d)~~ (c) In addition to the sewer rates provided in this section, a high strength waste surcharge is established for all customers with discharges in excess of twenty-five thousand (25,000) gallons per day and having biological oxygen demand and/or suspended solids concentrations in excess of normal wastewater.

The surcharge shall be as follows:

(1) For BOD concentrations in excess of three hundred (300) milligrams per liter (MG/l), eighteen dollars and forty-six cents (\$18.46) per one hundred (100) pounds.

(2) For suspended solids concentrations in excess of four hundred (400) milligrams per liter (MG/l), twenty dollars and eighty-eight cents (\$20.88) per one hundred (100) pounds.

(3) Truck hauled wastes disposal charges for residential and restaurant wastes as defined in Section 34-13 will be assessed at the following rates: one hundred seventy-seven dollars (\$177.00) up to a limit of 2,500 gallons of capacity and thirty dollars (\$30.00) for each five hundred (500) gallons of capacity over two thousand five hundred (2,500) gallons. Truck hauled wastes for special contract holders shall be charged in accordance to the terms of the contracting agreement.

~~(e)~~ (d) Annually, the director of financial services shall compute the average of each residential customer's level of monthly water consumption in hundred cubic feet (h.c.f.) for the most recent period beginning with the first billing in November and ending with the second billing in April. By multiplying this monthly average by 1.25, a seasonal consumption limit for sewer billing shall be derived for each residential account. This limit will apply during the period for the first billing in May through the second billing in October. This adjustment shall apply only to residential bills and shall not apply to any customers using water for the purpose of manufacturing or for commercial or multifamily dwellings.

Sec. 39-60. When bills due.

Any charges for water furnished through meters for all customers shall be due and payable monthly on or before the due date shown on the bill. ~~As provided in Chapter 21.2 of the City Code a five dollar (\$5.00) solid waste fee for the collection, management and disposal of solid waste will be charged to all single-family households and to multi-family complexes with up to four (4) units utilizing city solid waste services. This fee shall be added to the city's bill for water and sewer charges and shall be paid on the same schedule as the city's water and sewage charges, due and payable in the billings and collections division in the same manner prescribed for water and sewage charges as established by the city code and if not so paid, shall carry the same penalties and interest as prescribed in the city code. If the monies received in payment of the water and sewage charges and the solid waste collection, management and disposal fee are not sufficient to pay the outstanding balance in full, including any penalties and interest, the solid waste collection, management and disposal fee and any penalties or interest attributed thereto shall be considered to be paid first out of the monies collected. The billings and collections division will send a separate bill to those households and multi-family complexes which do not have water or sewer service.~~

2. That this ordinance shall become effective July 1, 2007.

Adopted: May 8, 2007

Certified: Patricia Kost
Clerk of Council

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