

**COUNCIL BILL NO. 2015-535**

**ORDINANCE NO. 2015-201**

AN ORDINANCE repealing Section 102-9, Billing and Collection Procedures, of Article I, In General, of Chapter 102, Solid Waste, of the Code of Ordinances of the City of Joplin, and enacting in lieu thereof a new Section 102-9, Billing and Collection Procedures, of Article I, In General, of Chapter 102, Solid Waste, of the Code of Ordinances of the City of Joplin to implement certain fee language changes; and setting a date when this Ordinance shall become effective.

WHEREAS, the City assumed the trash billing and collection services from a third-party and on behalf of the current trash provider, and,

WHEREAS, the current trash provider charges a fee for trash services and the City bills such fees on a periodic basis to its citizens and residents; and,

WHEREAS, the City has reviewed the impact of the delinquent fee and desires to change the delinquent fee as a result of this review.

BE IT ORDAINED by the Council of the City of Joplin, Missouri, as follows:

Section 1. That Section 102-9, Billing and Collection Procedures, of Article I, In General, of Chapter 102, Solid Waste, be repealed and a new Section 102-9, Billing and Collection Procedures, of Article I, In General, of Chapter 102, Solid Waste, of the Code of Ordinances of the City of Joplin be enacted in lieu thereof to read as follows:

**“ARTICLE I. IN GENERAL**

Sec. 102-9. Billing and collection procedures.

...

- (a) All trash service charges shall be paid to the city, or its authorized agent, at the location or locations designated by the city. Trash service charges shall be paid within 15 days of the date of their billing.
- (b) Every trash service charge specified in this section remaining unpaid for 30 days after the date of its billing may be increased by ten percent for the current month outstanding balance.
- (c) Trash services shall be deemed to be furnished to both the occupant and owner of all residential properties receiving trash service, and the occupant and owner of such properties shall be severally and jointly liable to the city for payment of the charges for such service rendered on or to premises upon which such properties are located. If any bill for such services is not paid within 15 days from the date of such bill, the city may sue the occupant, the owner, or both, of the properties receiving such

service, or for which such service has been made available, and receive any sums due for such services plus reasonable attorney's fees to be fixed by the court and the costs of such suit. In addition, the city may use other such means now or hereafter available to it under the statutes of Missouri and the ordinances of the city to effect the collection of any bill for trash service remaining unpaid upon the expiration of 15 days from the date of such bill.

- (d) When the occupant of rental property is delinquent in payment of trash fees, the City of Joplin shall make a good faith effort to notify the owner of the premises receiving such service of the delinquency and the amount thereof. Notwithstanding any other provision of this section to the contrary, when an occupant of rental property is delinquent more than ninety days, the owner shall not be liable for sums due for more than ninety days of service. The City shall make a good faith effort to notify both the occupant and owner of the premises of any termination of service."

Section 2. That this ordinance shall become effective on January 1, 2016.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 16<sup>th</sup> day of November, 2015.

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Michael L. Seibert, Mayor

ATTEST:

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Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

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Jordan L. Paul, Assistant City Attorney