

(Summary Publish in the Leavenworth Times on October 12, 2018)

ORDINANCE NO. 8088

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEAVENWORTH, KANSAS, CHAPTER 98, SOLID WASTE, ARTICLE II, COLLECTION AND DISPOSAL, SEC. 98-34, SERVICE FEES; COLLECTION, PROVIDING SUBSTITUTE PROVISIONS AND REPEALING THE SECTIONS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAVENWORTH, KANSAS:

Section 1. That the Code of Ordinance of the City of Leavenworth, Kansas, Chapter 98, Solid Waste, Article II, Collection and Disposal, Sec. 98-34, Service Fees; Collection, is hereby deleted in its entirety and amended to read as follows:

Sec. 98-34. Service fees; collection

(a) The governing body may from time to time by ordinance, prescribe charges to householders and to owners or operators of places of business for the service of collection and disposal of refuse. Such charges shall be billed monthly in a manner to be directed by the governing body; provided, that parties generating no garbage or trash shall not be required to pay any service charge. Parties may present grievances relating to service charges or billing adjustments and requests to be exempted from the service charge to the governing body by filing a written statement containing the grievance or request at the office of the city clerk.

(b) In order to provide sufficient revenue to pay the costs of refuse collection, the following monthly rates shall apply:

(1) Single-family units and multiple family complexes shall pay \$18.22 per unit, per month, effective with the December 2018 waterworks billing.

(2) For commercial establishments, a monthly rate shall be established by the superintendent of refuse based on the time required to perform the service.

(c) If the service charge is not paid, the governing body annually at the first regular meeting in July or at such other times as it shall determine shall by ordinance levy and assess the unpaid charges against each lot or parcel of land served as a special assessment which shall constitute a lien upon the property for the amount of such delinquent fees. A certified copy of the ordinance shall be filed with the county clerk for the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll. The lien created shall attach upon recordation in the office of the county clerk of a certified copy of the ordinance. The assessment shall be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All

laws applicable to the levy, collection and enforcement of county ad valorem property taxes shall be applicable to such assessment.


Section 2. REPEAL. Chapter 98, Solid Waste, Article II, Collection and Disposal, Sec. 98-34, Service Fees; Collection, of the Code of Ordinances of the City of Leavenworth, Kansas, in existence as of and prior to the adoption of this ordinance, are hereby repealed.

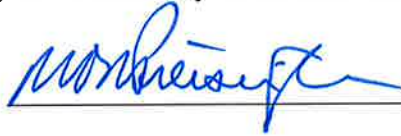
Section 3: EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after the later of (a) the date of its publication in the official city newspaper, or (b) December 1, 2018.

PASSED and APPROVED by the Governing Body on this 9th day of October 2018.



ATTEST, KANSAS


Carla K. Williamson, CMC, City Clerk



Mark Preisinger, Mayor