

Item 2:

**AN ORDINANCE AMENDING CHAPTER 13 OF THE CODE OF THE CITY OF PEORIA
PERTAINING TO REFUSE AND GARBAGE COLLECTION FEE**

WHEREAS, the City of Peoria is a home rule municipality pursuant to Article VII, Section 6 of the Illinois Constitution of 1970; and

NOW, THEREFORE, be it ordained by the city Council of the City of Peoria, Illinois as follows:

Section 1. Chapter 13 of the Code of the City of Peoria is hereby amended by deleting the following stricken words and by adding the following underlined words.

13-60. Refuse Fee.

(a) There shall be a charge for collection of refuse and garbage to the owner and/or occupant to every dwelling unit for which refuse service is provided by the city through contracts with private haulers. Such fees shall be in the amount of \$13.00 for the calendar years 2012 and 2013 and \$14.00 for the calendar year 2014 and beyond per dwelling per month for single-family detached residences, single family attached residences, and two-to-four family residences. The refuse fee shall be payable monthly as billed by the city or its billing agent until as set forth as follows: commencing in 2016, the Peoria County Treasurer shall be the city's billing agent for the purpose of billing \$168.00 which is the total refuse and garbage collection fee for a 12-month period to the property tax bill of each property owner with a dwelling unit. Failure to pay the fee upon billing by the city or its billing agent may result, at the city's option, in the placement of a lien against the real estate and/or the filing of a complaint in circuit court seeking a personal judgment against the owner or persons interested in the property subject to this refuse fee, or such other remedies as may be available to the city. The election of a particular remedy shall not constitute a waiver of any other remedy available to the city for collection of this refuse fee.

(b) There shall be a charge for collection of refuse and garbage to the owner and/or occupant of every stacked condominium unit for which refuse service is provided by the city through contacts with private haulers. Such fees shall be in the amount of \$6.00 per stacked condominium unit. The refuse fee shall be payable monthly as billed by the city or its billing agent until as set forth as follows: commencing in 2016, the Peoria County Treasurer shall be the city's billing agent for the purpose of billing \$72.00 which is the total refuse and garbage collection fee for a 12-month period to the property tax bill of the property owner of each stacked condominium unit. Failure to pay the fee upon billing by the city or its billing agent may result, at the city's option, in the placement of a lien against the real estate and/or the filing of a complaint in circuit court seeking a personal judgment against the owner or persons interested in the property subject to this refuse fee, or such other remedies as may be available to the city. The election of a particular remedy shall not constitute a waiver of any other remedy available to the city for collection of this refuse fee.

(c) The owner of the dwelling unit or stacked condominium unit, the occupant thereof and the user of the services shall be jointly and severally liable to pay such refuse fee and the services are furnished to the dwelling unit or stacked condominium unit by the

city only on the condition that the owner of the dwelling unit or stacked condominium unit, occupant thereof and user of the refuse service are jointly and severally liable. The City of Peoria, through its contractor, shall provide refuse collection service to the dwelling unit or stacked condominium unit at least once a week.

(d) Any additional charge incurred by the city from its contract with private waste haulers for the collection of non-containerized refuse and garbage where waste is not deposited in proper containers shall be charged to the owner of the property. Notice of the added charge to the owner of the property shall be through a general notice on the garbage/refuse bill. The city may take actions stated in the above subsection (b) to collect unpaid refuse and garbage fees including placement of lien on the property for the unpaid fees and any related cost and seeking collection of said lien through the special assessment process pursuant to 65 ILCS 5/9-2-4.5.

Section 2. This ordinance shall be in full force and effect immediately after its passage and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this _____ day of _____, 2015.

APPROVED:

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel