

**ORDINANCE NO. 3831**

**AN ORDINANCE AMENDING CHAPTER XV. ARTICLE 5. SOLID WASTE UTILITY OF THE CODE OF THE CITY OF OSAWATOMIE, KANSAS**

**WHEREAS**, on August 13, 2020 the Osawatomie City Council adopted the Ordinance 3784 establishing a Solid Waste Utility; and

**WHEREAS**, the City of Osawatomie entered into an agreement with Waste Management for the provision of solid waste collection services beginning on January 1, 2021 and continuing for five (5) years thereafter; and

**WHEREAS**, the city desires to amend the City Code to clarify that franchise fees are applicable to both residential and non-residential properties alike.

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE KANSAS**, as follows:

**SECTION ONE:** Section 15-523 of the Osawatomie City Code is amended to read as follows:

**15-523. Schedule of fees and charges.**

The charges to be assessed and paid by the property owner for the collection, transportation and disposal of solid waste and recyclable materials shall be as fixed from time to time in the city's schedule of fees and include the appropriate franchise fee and administrative service charge. *Such franchise fee shall not exceed five percent (5%) of the customer's monthly charge as established between Contractor and the City. Such charge shall be collected monthly and remitted to the city quarterly. The charge shall also be applicable to all residential and non-residential properties within the corporate limits of the City of Osawatomie and shall be subject to audit upon the request of the Director.*

**EFFECTIVE DATE.** This Ordinance shall take effect upon its publication in the Miami County Republic.

**PASSED AND APPROVED** by the Governing Body of the City of Osawatomie, Kansas, this 10<sup>th</sup> day of August, 2023.

**APPROVED AND SIGNED** by the Mayor.

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Nick Hampson,  
Mayor

(SEAL)

ATTEST:

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Tammy Seamands,  
City Clerk