

ORDINANCE NO.727

AN ORDINANCE amending Chapter 58 of the City Code, Entitled "GARBAGE, RUBBISH AND REFUSE", by amending the provisions of said Chapter 58 of the City Code as set forth hereunder.

WHEREAS, Mayor and Council of the City of Crisfield established Chapter 58 of the City Code, entitled "GARBAGE, RUBBISH AND REFUSE", by passage of Ordinance No. 189 in 1942;

WHEREAS, the Mayor and Council of the City of Crisfield acknowledge that Chapter 58 of the City Code, entitled "GARBAGE, RUBBISH AND REFUSE", should be amended and otherwise updated to reflect current rates for garbage, rubbish and refuse collection in the City of Crisfield, specifically to amend the rates charged for said collection services as the Mayor and Council deem necessary and appropriate for the provision of said collection services in the City of Crisfield.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Crisfield that Chapter 58 of the City Code, entitled "Garbage, Rubbish and Refuse," be and hereby is amended by repealing the crossed-out language and adding the bolded and underlined language, as follows:

Section 1. By amending § 58-5 of the Crisfield City Code, entitled "Disposal fees", as follows:

§ 58-5 Disposal Fees.

A. Each residence or residential unit, as defined below, shall be assessed and shall pay the City of Crisfield a garbage disposal fee of ~~Fourteen dollars and 40/100 (\$14.40)~~ **Fourteen dollars and 80/100 (\$14.80)** per month for one (1) ninety five-gallon cans. Up to two additional garbage cans may be added for an additional fee of ~~Fourteen dollars and 40/100 (\$14.40)~~ **Fourteen dollars and 80/100, (\$14.80)** month, **per can.** I.D. tags for garbage cans will be issued by the City.

B. Businesses and other nonresidential users may arrange for the City of Crisfield to pick up the garbage which they generate by contacting the City and paying the disposal fee of ~~Fourteen dollars and 40/100 (\$14.40)~~ **Fourteen dollars and 80/100 (\$14.80)** per month. Upon the making or arrangements for the same, the City will extend the same garbage collection services to the participating business or other nonresidential user as are extended to residential users, it being specified, though not by way of limitation, that pickup for a business or other nonresidential user shall be no larger than that which would be accepted from a residential user, i.e., bagged trash or trash contained in a forty-four-gallon can.

C. The disposal fee of ~~Fourteen dollars and 40/100 (\$14.40)~~ **Fourteen dollars and 80/100 (\$14.80)** imposed herein shall be added to the user's monthly water and sewer bill.

D. Failure to pay the disposal fee provided herein shall entitle the City of Crisfield to suspend trash pickup for the user failing to make payment.

E. The disposal fee imposed herein shall be subject to change within the reasonable discretion of the Mayor and Council of the City of Crisfield.

F. A "residence," as used herein, shall be defined as a building used for human habitation, residency and/or domicile and billed by the City of Crisfield for water service. A "residential unit," as used herein, shall be defined as a portion of a building, which said portion is used for human habitation, residency and/or domicile and is separately billed for water service by the City of Crisfield.

G. Nothing in this chapter shall preclude the provision of contractual garbage and/or recycling collection services as opposed to collection by municipal employees and equipment. In the event the city shall provide contractual garbage and/or recycling collection services, the dates and times for such collection services shall be governed by the terms of the agreement between the city and any private party providing garbage and/or recycling collection on behalf of the city. A schedule setting forth the dates and times for collection services provided under this subsection G shall be posted and made available at the offices of City Hall.

BE IT FURTHER ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CRISFIELD, as follows:

Section 2. It is the intention of the Mayor and Council that each provision of this Ordinance shall be deemed independent of all other provisions herein.

Section 3. It is further the intention of the Mayor and Council that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged invalid, unconstitutional or otherwise unenforceable under applicable Maryland or federal law, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and all other provisions of this Ordinance shall remain valid and enforceable.

Section 4. The above recitals are incorporated into this section of the Ordinance as if specifically set forth at length herein.

***[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]
[SIGNATURES APPEAR ON THE PAGE THAT FOLLOWS]***

Having been read and passed for first reader on the _____ day of 2024, **THIS ORDINANCE NO.** _____ having been read and passed for first reader on the ____ day of _____ 2024, is duly read, passed, enacted and ordained this ____ day of _____, 2024.

CITY COUNCIL OF CRISFIELD:

Ivan Lankford, Council Vice-President

Eric Banks, Councilman

Casey Goldsborough, Councilman

LaVerne Johnson, Councilwoman

Ruthie E. Todd

Approved this ____ day of _____, 2024.
nm

ATTEST:

Joyce L. Morgan, Clerk-Treasurer

Darlene Taylor, Mayor

Approved as to form:

Andrew Illuminati, City Solicitor