

ORDINANCE NO. CO-2013-23

**AN ORDINANCE AMENDING
CHAPTER 50 (GARBAGE AND WASTE),
SECTION 50.05 (FEES) OF
THE MAYWOOD VILLAGE CODE RELATIVE TO
THE SCHEDULE OF FEES FOR WASTE COLLECTION**

WHEREAS, the Village of Maywood, as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, the President and Board of Trustees of the Village of Maywood, as a home rule unit of local government, have previously adopted a monthly payment schedule amount for family units to pay the Village of Maywood (the "Village") for the purposes of garbage waste collection and disposal; and

WHEREAS, on April 17, 2012, the President and Board of Trustees of the Village of Maywood adopted an ordinance that imposed a \$8.74 per month surcharge on the monthly costs of solid waste collection and disposal in order to pay down over a 12 month period an outstanding balance due Allied Waste, the Village's solid waste collection and disposal contractor. Now that the balance has been paid down, there is no need to continue to collect the monthly surcharge and it is appropriate to amend the Village Code to remove the surcharge; and

WHEREAS, based on the current number of Village residential waste collection accounts and the monthly costs of solid waste collection and disposal as set forth in the Village's contract with Allied Waste for calendar year 2013, the President and Board of Trustees of the Village of Maywood find that, in order to collect sufficient funds to defray the actual monthly cost of garbage waste collection and disposal in the Village, the monthly garbage waste collection and disposal fee contained in the Village Code shall be amended to be \$21.53 per month as set forth below; and

WHEREAS, the President and Board of Trustees of the Village of Maywood, pursuant to their home rule powers as set forth in Article VII, Section 6, of the Illinois Constitution of 1970, have determined that it is in the best interests of the health, safety and welfare of the Village and its residents to amend the Village Code to state the current monthly garbage waste collection and disposal fee collected from each family unit as set forth below.

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MAYWOOD, COOK COUNTY, ILLINOIS:

SECTION 1: Each whereas paragraph set forth above is incorporated by reference into this Section 1.

SECTION 2: Chapter 50 (Garbage and Waste), Section 50.05 (Fees), Subsection 50.05(A) of the Maywood Village Code is amended to read in its entirety as follows:

"50.05 Fees.

- (A) A fee of \$21.53 per month per unit, payable in advance, shall be paid for each dwelling unit for village garbage removal service."

SECTION 3: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

SECTION 4: Each section, paragraph, clause and provision of this Ordinance is separable and, if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

SECTION 5: Except as to the Code amendments set forth above in this Ordinance, all Chapters and Sections of the Maywood Village Code, as amended, shall remain in full force and effect.

SECTION 6: There is an urgency in regard to the adoption and implementation of the above new monthly solid waste collection and disposal rate fee provided for above in Section 2 of this Ordinance as the collection of the new fee will have a positive impact on the financial health of the Water/Garbage/Sewer Enterprise Fund of the Village. For monthly billing purposes, the new monthly solid waste collection and disposal rate shall be effective as of March 31, 2013. Therefore, the President and Board of Trustees of the Village of Maywood desire that this Ordinance become effective immediately upon passage of this Ordinance by a two-thirds (2/3rds) vote of all of the members of the corporate authorities then holding office. **[REQUIRES 5 AFFIRMATIVE VOTES]**

ADOPTED this 19TH day of March, 2013, pursuant to a roll call vote as follows:

AYES: Mayor Yarbrough Sr., Trustee(s) G. Guzman, A. Jaycox, E. Perkins, M. Rogers, M. Lightford and R. Rivers

NAYS: None

ABSENT: None

APPROVED by the Village President, and attested to by the Village Clerk on the same day, on the 19th day of March, 2013.

ATTEST:

Gary Woll
VILLAGE CLERK



Robert Yarbrough Sr.
VILLAGE PRESIDENT

Published by me in pamphlet form, this 19th day of March, 2013.

Gary Woll
VILLAGE CLERK

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

CLERK'S CERTIFICATE

I, Gary Woll, the duly elected, qualified, and acting Village Clerk of the Village of Maywood, Cook County, Illinois, do hereby certify that attached hereto is a true and correct copy of the Ordinance now on file in my office, entitled:

ORDINANCE NO. CO-2013-23

**AN ORDINANCE AMENDING
CHAPTER 50 (GARBAGE AND WASTE),
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which was passed by the Board of Trustees of the Village of Maywood at a Regular Meeting of the Board of Trustees held on the 19th day of March, 2013, at which meeting a quorum was present, and approved by the President of Maywood on the 19th day of March, 2013.

I further certify that the vote on the question of the passage of the said Ordinance by the Board of Trustees of the Village of Maywood was taken by the Ayes and Nays and recorded in the Journal of Proceedings of the Board of Trustees of the Village of Maywood, and that the result of the vote was as follows, to wit:

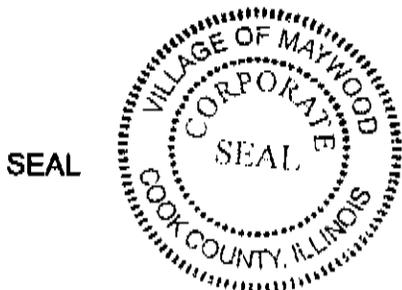
AYES: Mayor Yarbrough Sr., Trustee(s) G. Guzman, A. Jaycox, E. Perkins, M. Rogers,
M. Lightford and R. Rivers

NAYS: None

ABSENT: None

I do further certify that the original Ordinance, of which the attached is a true copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Village of Maywood, this 19th day of March, 2013.



By: *Gary Woll*
Village Clerk