

RECORD OF ORDINANCES

ORDINANCE NO. 1-84

National Graphics Corp., Cols., O.

Form No. 2806-A

AN ORDINANCE APPROPRIATING \$5,200.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PATTON STREET SEWER PROJECT AND DECLARING A REAL AND PRESENT EMERGENCY ARISING IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SERVICE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That \$5,200.00 be and it is hereby appropriated from the Capital Improvement Fund for

the Patton Street Sewer Project for the reason that

the Patton Sewer Project exceeds the estimated cost of the project by approximately \$5,121.47 and, should it become necessary to rebid the project it is anticipated that the total costs of the project would be financially prohibitive.

SECTION II:

A real and present emergency is accordingly declared arising in connection with the operation and maintenance of the Department of Public Service.

SECTION III:

This measure is therefore declared to be an emergency measure necessary for the preservation of public health, safety, and welfare of the citizens of Nelsonville, Ohio and therefore, this measure shall take effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

APPROVED:

[Signature]
Mayor

ATTEST:

[Signature]
Clerk of Council

Passed this 9th day of January, 1984.

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Final

RECORD OF ORDINANCES

ORDINANCE NO. 2-84

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 2-84 Passed ~~retreat~~ 1-9 1984

AN ORDINANCE ~~SETTING THE COMPENSATION OF THE PRESIDENT OF THE~~
NELSONVILLE CITY COUNCIL AT \$110.00 PER MONTH; SETTING THE
COMPENSATION FOR NELSONVILLE CITY COUNCIL MEMBERS TO BE \$100.00
PER MONTH; SETTING THE COMPENSATION FOR THE LAW DIRECTOR TO BE
\$8,000.00 ANNUALLY PLUS AN ADDITIONAL HOURLY RATE OF \$40.00 FOR
LITIGATION; SETTING THE COMPENSATION FOR THE NELSONVILLE CITY
AUDITOR TO BE \$9,000.00 ANNUALLY; SETTING THE COMPENSATION FOR
THE NELSONVILLE CITY TREASURER TO BE \$1,000.00 ANNUALLY; SETTING
THE COMPENSATION FOR THE NELSONVILLE CITY MAYOR TO BE \$5,000.00
ANNUALLY; SETTING THE COMPENSATION FOR THE CLERK OF COUNCIL TO
BE \$1,000.00 ANNUALLY; AND PROVIDING THAT THE EFFECTIVE DATE OF
THIS ORDINANCE SHALL BE JANUARY 1, 1984, RETROACTIVELY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE,
STATE OF OHIO:

SECTION I:

That the compensation for the President of Nelsonville City
Council shall be \$110.00 per month or \$1,320.00 per year.

SECTION II:

That the compensation for the members of Nelsonville City
Council shall be \$100.00 per month or \$1,200.00 per year.

SECTION III:

That the compensation for the Law Director of Nelsonville, Ohio
shall be \$8,000.00 annually and the additional sum of \$40.00 per
hour for litigation.

SECTION IV:

That the compensation for the Nelsonville City Auditor shall be
\$9,000.00 annually.

SECTION V:

That the compensation for the Nelsonville City Treasurer shall be
\$1,000.00 annually.

SECTION VI:

That the compensation for the Nelsonville City Mayor shall be
\$5,000.00 annually.

SECTION VII:

That the compensation for the Clerk of Council shall be \$1,000.00
annually.

SECTION VIII:

The effective date of this ordinance shall be January 1, 1984,
Retroactively.

Reginald Luery
President of Council
Protem

APPROVED:

Carl R. Greening
Acting Mayor

ATTEST:

James L. Hentzelman
Clerk of Council

Passed this 9th day of January, 1984.

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RECORD OF ORDINANCES

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ORDINANCE NO. 3-84

National Graphics Corp., Cols., O.

Form No. 2806-A

~~AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO TAKE SUCH STEPS AS ARE NECESSARY TO DEDICATE A ROADWAY EXTENDING FROM HARPER STREET AND DECLARING AN EMERGENCY.~~ ^{Passed} 2/3 19 84

BE IT ORDAINED BY THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That the Safety-Service Director be and he is hereby authorized to take such steps as are necessary to dedicate a roadway extending from Harper Street.

SECTION II:

This measure is declared to be an emergency measure necessary for the preservation of the public health, safety, and welfare of the citizens of Nelsonville, Ohio and therefore it shall take effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

APPROVED:

Ralph E. Davis
Mayor

ATTEST:

Jan R. ...
Clerk of Council

Passed this 18th day of February, 1984.

RECORD OF ORDINANCES

National Graphics Corp., Cols., O.

ORDINANCE NO. 4-84

Form No. 2806-A

Ordinance No. 4-84 Passed 2-13 1984

~~AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE~~
 FOR BIDS FOR A NEW POLICE CRUISER FOR THE NELSONVILLE POLICE
 DEPARTMENT, APPROPRIATING \$13,000.00 FROM THE CAPITAL IMPROVEMENT
 FUND FOR THE PURCHASE OF A POLICE CRUISER FOR THE NELSONVILLE
 POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NELSONVILLE,
 STATE OF OHIO:

SECTION I:

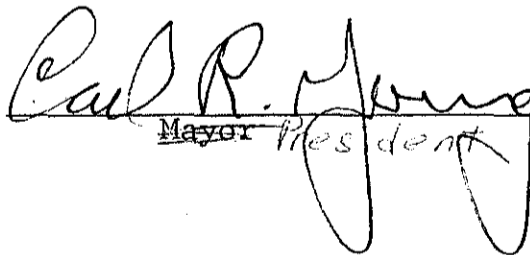
That the Safety-Service Director be and he is hereby authorized
 to advertise for bids for a new police cruiser for the Nelsonville
 Police Department, specifications of which will be on file in the
 Safety-Service Director's office in City Hall in Nelsonville, Ohio
 prior to the opening of bids for the new police cruiser.

SECTION II:

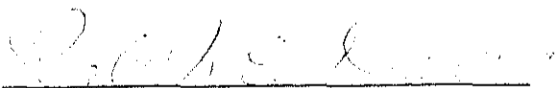
That the sum of \$13,000.00 be and it is hereby appropriated from
 the Capital Improvement Fund for the acquisition of the said
 police cruiser.

SECTION III:

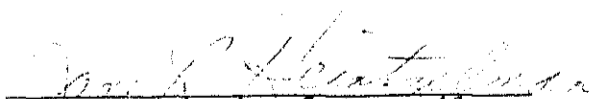
This measure is declared to be an emergency measure necessary
 for the preservation of the public health, safety and welfare
 of the citizens of Nelsonville, Ohio for the reason that the
 City Police Department is in need of a new police cruiser
 and therefore this measure shall take effect upon its passage
 and approval by the Mayor.


 Mayor President

APPROVED:


 Mayor

ATTEST:


 Clerk of Council

Passed this 13th day of February, 1984.

RECORD OF ORDINANCES

National Graphics Corp., Sellers

ORDINANCE NO. 5-84

Form No. 2806-A

Ordinance No. 5-84

Passed 5-14

1984

AN ORDINANCE APPROPRIATING \$20,000.00 FROM THE SEWER FUND FOR SEWER REPAIRS AND IMPROVEMENTS TO THE SEWER LINES UNDER WASHINGTON STREET, GROVER STREET, AND MADISON STREET IN THE CITY OF NELSONVILLE, OHIO AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO.

SECTION I:

That \$20,000.00 be and it is hereby appropriated from the Sewer Fund for sewer repairs and improvements to the sewer lines under Washington Street, Grover Street and Madison Street in the City of Nelsonville, Ohio.

SECTION II:

That this ordinance is to be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Nelsonville, Ohio, and that this ordinance shall be in full force and effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

APPROVED:

Ralph E. Davis
Mayor

ATTEST:

Jan R. Heintzelman
Clerk of Council

Passed this 23th day of April, 1984.

RECORD OF ORDINANCES

National Graphics Corp., Cos., O.

ORDINANCE NO. 6-84

Form No. 2806-A

Ordinance No. 6-84Passed 5-141984

AN ORDINANCE APPROPRIATING \$10,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE REMOVAL OF THE RAILROAD TRACKS AND RESURFACING ON CHESTNUT STREET IN NELSONVILLE, OHIO AND DECLARING AN EMERGENCY.

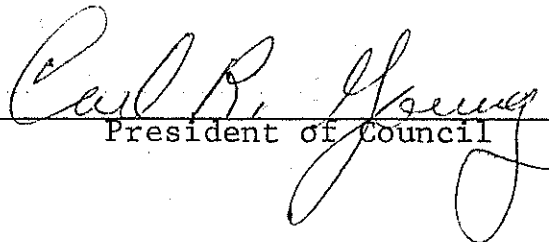
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That \$10,000.00 be and it is hereby appropriated from the Capital Improvement Fund for the removal of the railroad tracks and resurfacing of Chestnut Street in Nelsonville, Ohio.

SECTION II:


That this ordinance is to be an emergency measure necessary for the preservation of the health, welfare and safety of the residents of the City of Nelsonville, Ohio and that this Ordinance shall be in full force and effect upon its passage and approval by the Mayor.


President of Council

APPROVED:



ATTEST:


Clerk of Council

Passed this 23rd day of April, 1984.

ORDINANCE NO. 7-84
 Ordinance No. 7-84 Passed 5-14 1984

AN ORDINANCE DECLARING A REAL AND PRESENT EMERGENCY ARISING IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF THE DEPARTMENT OF PUBLIC SERVICE OR PUBLIC SAFETY; APPROPRIATING \$13,000.00 FROM THE GENERAL FUND FOR THE ACQUISITION OF A NEW POLICE CRUISER FOR THE NELSONVILLE CITY POLICE DEPARTMENT, AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT FOR THE ACQUISITION OF A NEW POLICE CRUISER WITHOUT THE NECESSITY OF BIDDING OR ADVERTISING FOR SAME, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That a real and present emergency arising in connection with the operation and maintenance of the Department of Public Service or Safety and it is hereby declared for the reason that a police cruiser in operation in the Nelsonville Police Department has been destroyed by fire leaving the police department without the necessary means of transportation.

SECTION II:

That the sum of \$13,000.00 be and it is hereby appropriated from the General Fund for the acquisition of the new police cruiser for the Nelsonville Police Department.

SECTION III:

This measure is declared to be an emergency measure necessary for the preservation of the public health, safety, and welfare of the citizens of Nelsonville, Ohio for the reason that one police cruiser has been destroyed by fire and this measure shall therefore take effect upon its passage by two thirds vote of all of the members elected to this City Council and subsequent approval by the Mayor in Accordance with Section 735.051, Revised Code.

Raymond Green
 President of Council

APPROVED:

Carl R. Young
 Acting Mayor

ATTEST:

Jane R. Heitzler
 Clerk of Council

RECORD OF ORDINANCES

National Graphics Corp., Col., O.

Form No. 2806-A

ORDINANCE NO. 8-84

Ordinance No. _____ Passed _____ 19 _____

AN ORDINANCE SUBSTITUTING THE TITLE OF CAPTAIN FOR THE TITLE OF SERGEANT IN THE JOB CLASSIFICATION IN THE NELSONVILLE CITY POLICE AND FIRE DEPARTMENTS; REPEALING ALL ORDINANCES AND RESOLUTIONS INCONSISTENT WITH THIS ORDINANCE, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That, in conformity with Article 3, Section 1 of the current agreement between the City of Nelsonville, Ohio, and certain of its employees, the title of Captain be and it is hereby substituted for the title of sergeant in the job classification in the City of Nelsonville Police and Fire Departments.

SECTION II:

All ordinances and resolutions inconsistent with this ordinance be and they are hereby repealed.

SECTION III:

This measure is declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the citizens of Nelsonville, Ohio, and it shall accordingly take effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

APPROVED:

Ralph E. Davis
Mayor

ATTEST:

Jane L. Heintzelman
Clerk of Council

Passed this 9th day of June, 1984.

RECORD OF ORDINANCES

National Graphics Corp., Col. ORDINANCE NO. 9-84

Form No. 2806-A

July 16

AN ORDINANCE ~~IN APPROPRIATING \$10,000.00 FROM THE WATER IMPROVEMENT FUND FOR WATER LINE REPAIRS AND STREET REPAIRS INCIDENT TO THE GROVER STREET WATER LINE SEPARATION;~~ APPROPRIATING \$10,000.00 FROM THE WATER FUND FOR IMPROVEMENTS TO THE RIVER INTAKE PUMPS; APPROPRIATING \$5,000.00 FROM THE WATER FUND FOR A MASTER WATER METER FOR THE CITY WATER TREATMENT PLANT, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That \$10,000.00 be and it is hereby appropriated from the Water Fund for water line repairs and street improvements incident to the separation of the Grover Street water line.

SECTION II:

That \$10,000.00 be and it is hereby appropriated from the Water Fund for improvements to the river intake pumps.

SECTION III:

That \$5,000.00 be and it is hereby appropriated from the Water Fund for a master water meter for the water treatment plant of the city.

SECTION IV:

This measure is declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the Citizens of Nelsonville, Ohio and therefore it shall take effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

ATTEST:

Joel R. Hertzlerman
Clerk of Council

APPROVED:

Ralph E. Davis
Mayor

Dated this *9th* day of July, 1984.

RECORD OF ORDINANCES

ORDINANCE NO. 10-84

National Graphics Corp., Cols., O.

Form No. 2806-A

AN ORDINANCE APPROPRIATING \$12,000.00 FROM THE SEWER FUND FOR
~~EMERGENCY REPAIRS TO THE FAYETTE STREET SANITARY SEWER LINE~~
 AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE,
 STATE OF OHIO:

SECTION I:

That \$12,000.00 be and it is hereby appropriated from the Sewer
 Fund for emergency repairs to the Fayette Street sanitary sewer
 line.

SECTION II:

This measure is declared to be an emergency measure necessary for
 the preservation of the public health, safety and welfare of the
 citizens of Nelsonville, Ohio, and therefore it shall take effect
 upon its passage and approval by the Mayor.

Carl R. Young
 President of Council

ATTEST:

Joel L. Heintzleman
 Clerk of Council

APPROVED:

Ralph E. Davis
 Mayor

Dated this 9th day of July, 1984.

RECORD OF ORDINANCES

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National Graphics Corp., Cols., O.

Form No. 2806-A

ORDINANCE NO. 11-84

Ordinance No. 11-84

Passed 8-13

1984

AN ORDINANCE AMENDING SECTION I OF No. 17-80, REVISING CERTAIN RATES FOR THE PRICES CHARGED FOR WATER FURNISHED BY THE CITY WATER WORKS DEPARTMENT TO CONSUMERS, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, OHIO:

SECTION I:

That Section I of Ordinance No. 17-80 be and it is hereby amended as follows:

That the prices to be charged for water furnished by the City Water Works Department to all consumers situated in the City of Nelsonville, Ohio, on all billings payable after the first regular meter reading during the month of October, 1984, be and the same are hereby affixed as follows:

SCHEDULE OF RATES: Effective on the 1st day of October, 1984, the product and services furnished by the municipal water works system of the City of Nelsonville shall be charged for at the following rates:

There is hereby established a monthly minimum bill of \$3.75 against which the first 1,500 gallons used shall be credited.

SCHEDULE A - Metered Service

Class 1 - Except as otherwise provided in Class 2 of this Schedule A, the rates for metered service for public and private use shall be as follows:

For the first 9,000 gallons per month - \$2.50 per 1000 gallons or part thereof

For the next 41,000 gallons per month - \$1.87 per 1000 gallons or part thereof

All over 50,000 gallons per month - \$1.14 per 1000 gallons or part thereof

MINIMUM BILLS - The monthly minimum billings shall be based upon size of meter installed:

MULTIPLE MINIMUMS - Where more than one dwelling unit, or occupancy, is served by a single meter, the total bill shall be the average use per unit at the rates as set forth in Class 1 above, multiplied by the number of family units or occupancies served.

For a period of less than one month, the minimum charge shall be determined on a per diem pro rata basis in the proportion that the number of days of use in the month bears to 30 days.

Class 2 - The rates for water supplied pursuant to a special contract prescribing rates differing from those set forth in Class 1 of this Schedule A shall be determined in accordance with the terms of such contract until other provisions are made therefor.

SCHEDULE B - Non-metered Service.

RECORD OF ORDINANCES

Ordinance No. 11-84 pg 2

Passed 8-13

1984

Class 1- Public Fire Protection

A hydrant rental shall be paid to the City at the rate of \$50.00 per year for each hydrant not in excess of 50 and \$40.00 per year for each hydrant in excess of 50, payable semi-annually on June 1 and December 1.

A hydrant rental for all privately owned hydrants, or publicly owned and outside the corporate limits, shall be paid by the owners thereof at the rate of \$50.00 per year, payable semi-annually on June 1 and December 1.

Class 2- Other non-metered services

The following rates for non-metered service shall be charged for the following specified uses:

For use in the construction of a frame dwelling not exceeding 7 rooms - \$12.25 per month.

For use in the construction of a frame dwelling exceeding 7 rooms \$12.25 plus \$1.75 for each room in excess of 7 rooms per month

For use in the construction of a stone, brick or concrete dwelling not exceeding 7 rooms - \$22.50 per month.

For use in the construction of a stone, brick or concrete dwelling exceeding 7 rooms - \$22.50 per month plus \$4.00 for each room in excess of 7 rooms per month.

For filling tanks and tank trucks - \$3.50 for each 1,000 gallons or part thereof.

SCHEDULE C- Commencement and Discontinuance of Water

A charge of \$10.00 shall be made for shutting off water service at the time of its discontinuance and a similar charge shall be made for turning on such service at the time of the resumption thereof whether or not such discontinuance of water service involves the physical shutting off the water service and subsequent turning it on.

SCHEDULE D- Charges for Curb Connections and Meters

The following charges to all consumers applying for connections to the municipal water works system shall be assessed for the cost of a meter, including installation thereof, and for a curb connect installed by the City unless the cost of such connection has been or is to be assessed;

METER SIZE	CURB CONNECTION CHARGE
3/4" x 5/8"	\$200.00
1"	\$270.00

Meters in size greater than 1 inch and curb connections therefor shall be installed by the consumer at his own expense but under supervision of the Director of Public Service and Safety or his employee and a fee of \$30.00 shall be paid for supervision and inspection of such installation and connection.

SECTION II:

That all of the remaining portions of Ordinance No. 11-84 pg 3 Passed 8-13 1984

Ordinance 7-59 shall remain in full force and effect and shall not be modified by this Ordinance.

SECTION III:

This measure is declared to be an emergency measure, necessary for the public health, safety and welfare for the citizens of Nelsonville, Ohio for the reason that the current water rates are insufficient to pay the current expenses and capital improvements necessary for the proper maintenance of the Nelsonville Water Treatment Facility and therefore this measure shall take effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

ATTEST:

Jean R. Gentryman
Clerk of Council

APPROVED:

Ralph E. Davis
Mayor

Dated this 13th day of August, 1984.

436 ^{Ordinance} 8/12/84

RECORD OF ORDINANCES

AMENDED ORDINANCE NO. 12-84

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 12-84 ~~AN ORDINANCE AMENDING ORDINANCE 12-84 REVISING AND ESTABLISHING A SURCHARGE FOR WATER RATES FOR CAPITAL IMPROVEMENTS TO THE NELSONVILLE WATER-WORKS SYSTEM AND DECLARING AN EMERGENCY.~~

WHEREAS, the water works system in the City of Nelsonville, Ohio is in a deteriorating condition; and

WHEREAS, additional revenues are needed to provide capital improvements to the water treatment plant and the waterworks system of the City of Nelsonville, Ohio, and;

WHEREAS, a surcharge of \$2.00 per month per dwelling unit is necessary to provide the capital improvements necessary to improve the said water treatment plant and waterworks system; and

WHEREAS, it is necessary to amend Ordinance No. 17-80 of the Nelsonville City Ordinances which establish the rate schedule for water customers of the City of Nelsonville, Ohio; and

WHEREAS, a true emergency exists pertaining to the functioning of the water treatment plant and therefore, this measure shall take effect upon its passage and approval by the Mayor at the earliest time provided by law.

Now, therefore, be it ordained by the Council of the City of Nelsonville, State of Ohio:

SECTION I:

That a surcharge be and it is hereby imposed for each month and for each water meter measuring water from the Nelsonville Water Treatment Plan or the Nelsonville Water works System until this measure is modified or repealed by Nelsonville City Council.

SECTION II:

This measure is declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the citizens of Nelsonville, Ohio, for the reason that the water treatment plant of the City of Nelsonville, Ohio and the waterworks system of the City of Nelsonville, Ohio are in a deteriorated condition and therefore this measure shall take effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

ATTEST:

Jane R. Heintzelman
Clerk of Council

APPROVED:

Ralph E. Davis
Mayor

Dated this 10th day of September, 1984.

1st reading
7/19/84
final

RECORD OF ORDINANCES

437

ORDINANCE NO. 13-84 REV 23-85

National Graphics Corp., Col., O.

Form No. 2806-A

AN ORDINANCE AMENDING ORDINANCE 16-80 REVISING CERTAIN RATES FOR PRICES CHARGED FOR THE COLLECTION, CONVEYANCE AND TREATMENT OF WASTEWATER BY CITY OF NELSONVILLE AND DECLARING AN EMERGENCY. 1984

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That the prices to be charged for the collection, conveyance and treatment of wastewater by the City wastewater treatment system to all connected users on all billings payable after the first regular meter reading during the month of October, 1984 be and the same are hereby affixed as follows:

SCHEDULE OF RATES:

Effective on the 1st day of October, 1984, the services furnished by the municipal wastewater treatment system of the City of Nelsonville shall be charged for at the following rates:

There is hereby established a monthly minimum bill of \$3.53 against which the first 1,500 gallons of usage shall be credited.

SCHEDULE A - Metered Service

Class 1 - Except as otherwise provided in Class 2 of this Schedule A, the rates for metered service for public and private use shall be as follows:

- For the first 9,000 gallons per month - \$2.35 per 1000 gallons or part thereof
- For the next 41,000 gallons per month - \$1.67 per 1000 gallons or part thereof
- All over 50,000 gallons per month \$1.04 per 1000 gallons or part thereof

The rates for the collection, conveyance and treatment of waste water by the City wastewater treatment system for all connected users outside of the City of Nelsonville, Ohio shall be fifty per cent (50%) more than the rate for wastewater from within the city limits of Nelsonville.

MULTIPLE MINIMUMS - Where more than one dwelling unit, or occupancy, is served by a single meter, the total bill shall be the average use per unit at the rates as set forth in Class 1 above, multiplied by the number of family units or occupancies served.

For a period of less than one month, the minimum charge shall be determined on a per diem pro-rata basis in the proportion that the number of days of use in the month bears to 30 days.

For the purpose of administering this ordinance and determining volume of usage, the volumes of water consumed as measured by the municipal water system meters shall be deemed the volume discharged to the municipal sewer system.

Class 2- The rates for service supplied pursuant to a special contract prescribing rates differing from those set forth in Class 1 of this Schedule A shall be determined in accordance with the terms of such contract until other provisions are made therefor.

SCHEDULE B- Non-metered Service

Class 1- For each residential unit situate in the City of

clerk
7/19/84

RECORD OF ORDINANCES

Ord 13-84 pg 2

8-13-84

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 13-84 ^{passed} *1984*
~~Nelsonville who are supplied water from sources other than the municipal water works and when such source is not metered shall~~
 be charged for sewer use on the basis of 4000 gallons per month or at the rates in Class 1 above \$10.00 monthly. Any such residential user who disagrees with this method of charge, may, at his option and sole expense, install a meter approved by the Director of Public Service and Safety on such water supply which will accurately measure the volume of water consumed. Meters so approved and installed shall be the basis of determining charges under this ordinance.

SECTION II:

That all of the remaining portions of Ordinance No. 17-80 and Ordinance 7-59 shall remain in full force and effect and shall not be modified by this Ordinance.

SECTION III:

This measure is declared to be an emergency measure, necessary for the public health, safety and welfare of the citizens of Nelsonville, Ohio and therefore it shall take effect upon its passage and approval by the Mayor.

Carl R. Young
 President of Council

ATTEST:

Jane L. Heintzelman
 Clerk of Council

APPROVED:

Ralph E. Davis
 Mayor

Dated this *13th* day of *August*, 1984.

RECORD OF ORDINANCES

439

National Graphics Corp., Cols., O.

Form No. 2806-A

Ordinance No. 14-84

Passed *Tabled* 10/5/84

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RECORD OF ORDINANCES

National Graphics Corp., Cos., O.

ORDINANCE NO. 15-84

Form No. 2806-A

Ordinance No. 15-84

Passed

19

AN ORDINANCE APPROPRIATING \$2,500.00 FROM THE CAPITAL IMPROVEMENT FUND, AUTHORIZING THE ACQUISITION OF A SALT SPREADER, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

That the sum of \$2,500.00 be and it is hereby appropriated from the Capital Improvement Fund.

SECTION II:

That the Safety-Service Director be and he is hereby authorized to purchase a salt spreader for the purposes of spreading salt or other substances on the City streets during freezing weather.

SECTION III:

That this measure is declared to be an emergency measure necessary for the preservation of the public health, safety, and welfare of the citizens of Nelsonville, Ohio, and therefore, this measure shall take effect upon its passage and approval by the Mayor.

Carl R. Young
President of Council

APPROVED:

Ralph E. Daw
Mayor

ATTEST:

Jane R. Heintzelman
Clerk of Council

Passed this 5th day of November, 1984.

RECORD OF ORDINANCES

ORDINANCE NO. 16-84

National Graphics Corp., Cols., O.

Form No. 2806-A

AN ORDINANCE AMENDING CHAPTER 535 OF THE GENERAL OFFENSE CODE OF NELSONVILLE, OHIO (ORDINANCE NO. 1-55) TO INCLUDE AND ESTABLISH SECTION 535.18 ENTITLED "VIOLATING THE EXCLUSIVE FRANCHISE OF THE CITY OF NELSONVILLE, OHIO REGULATING GARBAGE AND RUBBISH COLLECTION" WITHIN CHAPTER 535, ESTABLISHING THE PENALTY THEREFOR, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION 535.18 be and it is hereby established and included in Chapter 535 of the General Offense Code of Nelsonville, Ohio (Ordinance No. 1-55) to read as follows:

Section 535.18, "Violating the exclusive franchise of the City of Nelsonville, Ohio regulating garbage and rubbish collection"

(a) No person shall violate the exclusive franchise granted by the City of Nelsonville, Ohio, for the hauling of garbage and rubbish provided, however, that there shall be no prohibition against any individual person, firm or corporation from removing self owned trash from the City of Nelsonville, Ohio.

(b) Whoever violates this section is guilty of a misdemeanor of the fourth degree as provided for in Sections 535.99 and 501.99 of the Ordinances of the City of Nelsonville, Ohio.

(c) This measure is declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the citizens of Nelsonville, Ohio for the reason that the City of Nelsonville, Ohio, has recently granted an exclusive franchise for the hauling of garbage and rubbish, which requires the payment of a franchise fee, and the posting of certain security for the city of Nelsonville, Ohio, so as to assure that any person hauling garbage or rubbish shall provide certain assurances for the city of Nelsonville, Ohio and therefore, this measure shall take effect upon the earliest time provided for by law.

Carl R. Young
President of Council

APPROVED:

Ralph E. Daves
Mayor

ATTEST:

Jan R. Heitzelman
Clerk of Council

Rec'd 12/10/84

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RECORD OF ORDINANCES

ORDINANCE NO. 17-84

National Graphics Corp., Cos., O.

Form No. 2806-A

AN ORDINANCE GRANTING AN EXCLUSIVE FRANCHISE FOR GARBAGE AND RUBBISH COLLECTION IN THE CITY OF NELSONVILLE.
Ordinance No. 17-84 Passed 7/27/84 1984

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NELSONVILLE, STATE OF OHIO:

SECTION I:

(a) The Safety-Service Director of the City of Nelsonville is hereby authorized and directed to enter into an exclusive franchise with Gary Duncan dba Duncan Sanitation, a sole business proprietorship, having its principal office in the Village of Glouster, Ohio, for a primary period of two years commencing on January 1, 1985 and said contractual agreement shall continue in effect to December 31, 1986 and from year to year thereafter, for a maximum period of five years unless written notice of desire to terminate, modify or renegotiate shall be given to either party not less than sixty (60) days prior to December 31, 1986, or not less than sixty (60) days before the termination of a renewal period.

(b) There shall be no prohibition against any individual or person removing self-owned trash.

SECTION II:

The exclusive franchise granted to Gary Duncan, dba Duncan Sanitation, hereinafter referred to as "Hauler," is upon the following provisions, conditions and specifications:

1. The service provided by HAULER shall consist of no less than one (1) general residential collection per week allowing for not more than three (3) twenty gallon containers per residential customer.

2. The HAULER shall provide garbage and rubbish collection for commercial and industrial customers provided for in accordance with the terms and conditions herein specified. The granting of the residential, commercial and industrial franchise is exclusive to the HAULER.

3. The HAULER shall collect garbage and rubbish of the municipality at no charge to the City of Nelsonville, Ohio. The garbage and rubbish of the City of Nelsonville, Ohio shall be collected by the HAULER every week at the following locations:

(a) Nelsonville City Hall; and

(b) All trash containers of the City of Nelsonville,

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Ohio on the Public Square in Nelsonville, Ohio; and

Ordinance No. (c) All trash and rubbish containers from the City Passed from the City 19__

Park (swimming pool and former football field) and the park on the former Baird Stuart Lot.

4. HAULER shall have available and utilize in performing the collection services no less than two packer trucks and one open bed truck suitable for the removal of refrigerators, bulk waste and similar trash.

5. HAULER shall provide free Christmas tree removal service once annually as determined by the Nelsonville Safety Service Director.

6. A local telephone, or toll free telephone, shall be available for receiving orders for the collection of garbage and rubbish and for the providing of rates, which shall be furnished by the HAULER to both residential and commercial customers.

7. Collection procedures are as follows:

(a) All garbage and rubbish shall be placed at the curb or within twenty (20) feet of collection points on collection day.

(b) All garbage and rubbish shall be placed in suitable containers. Plastic bags are considered suitable containers but HAULER shall accept no responsibility for littering if such bags burst or are damaged.

(c) All garbage and rubbish containers shall be kept in sanitary condition by residents.

(d) The collection of all fees and the disposal of all garbage and rubbish and all incurring expenses shall be the sole responsibility of HAULER.

8. HAULER shall furnish to the City a bond for the faithful performance of this contract in the amount of \$25,000.00. The bond is to be posted with the Auditor of the City of Nelsonville prior to commencing operations. The City must give HAULER at least fifteen (15) days notice of cause and intent to seek forfeiture prior to any forfeiture of the bond.

9. HAULER must carry liability insurance with coverage of at least \$100/300,000.00 for personal injury and \$50,000.00

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for property damage coverage. HAULER must also provide proof of insurance of a \$1,000,000 umbrella policy of insurance.

The HAULER must furnish a copy of the policy or policies of insurance with the Safety Service Director during the term of this Agreement or any extension thereof.

10. FEES OF COLLECTION:

1. The fees for collection and disposal of garbage and rubbish shall be made quarterly:

(a) After January 1, 1985 the fee will be TWELVE DOLLARS (\$12.00) per quarter for a single family house.

(b) After January 1, 1985 the fee for each family in dwellings with two or more families, will be TWELVE DOLLARS (\$12.00) per quarter per family to be paid by the landlord.

(c) Special residential "upon call" removal will be SEVEN DOLLARS (\$7.00) per man hour plus FOUR DOLLARS (\$4.00) per compacted cubic yard of trash.

(d) Removal of all large household appliances will be an extra charge of FIVE DOLLARS (\$5.00).

(e) If any family customer has more than three twenty gallon garbage or rubbish containers per week, the HAULER may charge that customer a \$1.00 surcharge for each container exceeding the allotted three containers per week.

2. Fees for all commercial and industrial customers shall be fixed at \$2.00 per cubic yard. The hauler shall provide each commercial or industrial customer with a statement for fees to be charged that customer based upon the hauler's estimate of the cubic yards to be collected for each customer. If the commercial or industrial customer disputes the amount to be charged by the HAULER, then that issue shall be submitted to arbitration to an arbitration board comprised of the Nelsonville Safety-Service Director, the HAULER or a representative chosen by the HAULER and the aggrieved business or commercial customer or his or its representative. The conclusions of the arbitrators shall be final

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~~and binding upon the HAULER and the customer. The rules of the American Arbitration Association shall be followed in such arbitration.~~

3. A franchise fee of TWENTY FIVE CENTS (\$.25) per customer per year shall be payable in advance to the City of Nelsonville, Ohio by the HAULER. This fee is to compensate the City of Nelsonville, Ohio for the time and expense that it incurs in the granting of this franchise and the monitoring of the same. The fee shall be paid by the HAULER to the City of Nelsonville, Ohio with one month after the bid is approved by the City of Nelsonville, Ohio, and the franchise period begins January 1, 1985.

11. DEFINITIONS

For the purpose of this Ordinance and resulting exclusive contract, the following terms, phrases, words and their derivations shall have the meaning given herein:

1. HAULER is any person, firm, partnership, association, corporation, company or organization of any kind licensed to collect rubbish and garbage in the City of Nelsonville, Ohio.

2. RUBBISH material is hereby defined as all rejected waste matter accumulating in city buildings, public or private schools, charitable institutions, dwelling houses, stores, hotels or other places of habitation and business in the City and which shall include such matter as rags, excelsior, burlap, discarded mattresses, carpets, matting, oil cloth, junk, scrap matels, broken glass, crockery, enameled ware, tin cans, cooking utensils, hardware, ashes, etc.

3. GARBAGE is putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

12. The exclusive franchise shall grant the rights and privileges herein contained to the HAULER during the period of said exclusive franchise provided that in the event of any violation of the terms of said contract by said HAULER, it may be cancelled by the City of Nelsonville upon thirty days prior written notice.

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National Graphics Corp., Cols., O.

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Ordinance No. ¹²⁻⁸⁴ ~~the event~~ any dispute shall arise concerning the terms,
~~Passed~~ ¹²⁻¹⁰ 19⁸⁴

conditions, or faithful performance of this contract, or in the event a modification is deemed desirable by either party hereto, which cannot be resolved by the City and the HAULER, then each of such parties shall elect one representative, and the two aggregate representatives shall agree upon a third party or representative, and the difference shall be by said three persons negotiated, the conclusions of said arbitrators shall be final and binding upon the parties hereto. The rules of the American Arbitration Association shall be followed in such arbitration.

Carl R. Young
 President of Council

APPROVED:

Robert E. Davis
 Mayor

ATTEST:

Joseph L. Heintzelman
 Clerk of Council

Passed this 10th day of December, 1984.