

**ORDINANCE NO. 14-20**

**AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY RE-ENACTING  
THE REQUIREMENTS OF ORDINANCE NO. 07-07 AND MAKING THOSE  
PROVISIONS APPLICABLE GENERALLY TO THE COLLECTION OF  
MULTI-FAMILY RESIDENTIAL SOLID WASTE IN THE CITY OF  
RICHMOND**

**WHEREAS**, the Board of Commissioners for the City of Richmond is desirous of maintaining the City in a clean and attractive condition; and

**WHEREAS**, it has been the experience of the City and of the City's solid waste collection franchisee that in multi-family residential structures, when the tenants, many of whom are residing in the City on only a temporary basis, are considered to be themselves the individual customers of the franchisee, their solid waste is oftentimes not collected by reason of their failure to sign up for solid waste collection, they instead simply depositing their solid waste somewhere outside the structure or near or about the collection containers of other paying customers where it does not belong; and

**WHEREAS**, the circumstances described above result in there being trash and litter in and about the affected areas and neighborhoods; and

**WHEREAS**, the operation of a multi-family residential structure is in the nature of the operation of a business, and is in fact the operation of a business, and the Board deems it to be in the public interest that the property owner make certain that the solid waste generated by its tenants be properly disposed of in the operation of the multi-family residential business within the City; and

**WHEREAS**, the Board, on March 27, 2007 and in order to address this problem, enacted Ordinance No. 07-07, an Ordinance which related to the collection of multi-family solid waste within the City and which imposed liability for the financial responsibility for the payment of the charges associated with the collection of such solid waste upon the owner of the property from which solid waste was being removed, an ordinance which, however, applied only to the collection of such waste under the terms of the then-existing franchise agreement; and

**WHEREAS**, it was intended by the enactment of Ordinance No. 07-07 that these provisions be applicable to the collection of multi-family solid waste in the City generally and not only to the collection of multi-family solid waste under the terms of the now-expired franchise agreement;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners for the City of Richmond, Kentucky that:

**SECTION I**

1. Effective as of the 1<sup>st</sup> day of January, 2015 and continuing thereafter, it shall be the responsibility of the property owner to make payment to the City's solid waste franchisee for the collection of solid waste from multi-family residential structures. The franchisee shall be entitled to charge to the property owner the same amounts, but not more, as are permissible under the existing franchise agreements for individual residents (times the number of separate residences in the structure as are being serviced) or for dumpster service, as the case may be, but the customer shall be deemed to be the property owner of the property or properties in question, and not the individual tenants.

2. It shall be the responsibility of the City's franchisee, with the cooperation of the property owner, to determine the name and billing address to which invoices for collection service shall be sent.


3. Nothing in the foregoing shall be deemed to prevent or restrict in any way the right of the property owner, if it is so inclined, to pass the collection cost on to the tenant, that being an issue of landlord and tenant relations which exists strictly between those parties.

**DATE OF FIRST READING:** July 8, 2014  
**MOTION BY:** Commissioner Baird  
**SECONDED BY:** Commissioner Blythe

<b>VOTE</b>	<b>YES</b>	<b>NO</b>
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner King	x	
Commissioner Newby	x	
Mayor Barnes	x	

**DATE OF SECOND READING:** July 22, 2014  
**MOTION BY:** Commissioner Baird  
**SECONDED BY:** Commissioner Blythe

<b>VOTE</b>	<b>YES</b>	<b>NO</b>
Commissioner Baird	x	
Commissioner Blythe	x	
Commissioner King	absent	
Commissioner Newby	x	
Mayor Barnes	x	

  
\_\_\_\_\_  
Mayor Barnes

ATTEST:

  
\_\_\_\_\_  
City Clerk