

ORDINANCE NO. 18-13

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY AMENDING THE FRANCHISE AGREEMENT FOR THE COLLECTION OF COMMERCIAL SOLID WASTE TO PROVIDE FOR THE COLLECTION OF BULK ITEMS AND ESTABLISHING THE ALLOWABLE CHARGES FOR SUCH COLLECTION

WHEREAS, the City of Richmond, Kentucky, by Ordinance No. 13-04, entered into a contract dated February 20, 2013 (the "Agreement") whereby it awarded to Advanced Disposal Solid Waste Midwest, LLC ("Advanced Disposal") an exclusive franchise for the collection of commercial solid waste within the City; and

WHEREAS, the Agreement incorporates into it the terms and provisions of that certain document styled "Contract Specifications" which sets forth the rights and obligations of the parties relative to the collection of solid waste within the City; and

WHEREAS, the Agreement and the Contract Specifications contemplate the use by commercial customers of, and the collection by Advanced Disposal of commercial solid waste from, hand carts from commercial establishments and/or multi-family structures, dumpsters (referred to as "large commercial containers" in the Agreement), and roll-off containers; and

WHEREAS, the Agreement does not presently address the collection by Advanced Disposal of items too large, heavy, or cumbersome to be placed in hand carts or dumpsters, items such as furniture and appliances (hereinafter "bulk items"); and

WHEREAS, the City and Advanced Disposal have agreed to amend the Agreement to provide for the collection of bulk items by Advanced Disposal;

NOW, THEREFORE, BE IT ORDAINED that:

SECTION I

Section III of the Agreement is hereby amended to include and to incorporate the following provisions:

"E. Collection of Bulk Items

One or more items of a kind and quantity not requiring a roll-off container:	\$20.00 - \$150.00
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When Contractor's collection personnel, as they run their usual collection routes, see bulk items left for collection, they shall notify Contractor, who shall then with all reasonable diligence collect such items. When and as Contractor is made aware through other means of bulk items left for collection, Contractor shall likewise proceed with all reasonable diligence to collect such items. When the number of bulk items left for collection is such

that Contractor's collection of them piecemeal is not practicable, Contractor shall have the right to require the customer to place such items in a roll-off container for collection at the rates set forth in Section D, above.

"Bulk items" as used herein shall be defined to mean white goods, used appliances, furniture, mattresses, and the like."

SECTION II

This Ordinance shall become effective immediately upon its enactment following second reading, and publication in accordance with the requirements of applicable Kentucky law.

DATE OF FIRST READING: June 12, 2018
MOTION BY: Commissioner Blythe
SECONDED BY: Commissioner Newby

DATE OF SECOND READING: June 26, 2018
MOTION BY: Commissioner Eaves
SECONDED BY: Commissioner Blythe

VOTE	YES	NO
Commissioner Blythe	x	
Commissioner Eaves	x	
Commissioner Morgan		x
Commissioner Newby		x
Mayor Barnes	x	



Mayor Barnes

ATTEST:



City Clerk

Approved as to form:



City Attorney, Garrett Fowles