RESOLUTION NUMBER 6103

WHEREAS, Section 22-33 of the Beatrice City Code provides that the Mayor and City Council shall establish rates for garbage, refuse and rubbish collection, removal, and disposal in the City by resolution;

WHEREAS, the Mayor and City Council find and determine that certain classes of indigent occupants of residential households generate less volume of garbage, refuse, and rubbish than other occupants of residential households and should be charged a reduced rate; and

WHEREAS, the Mayor and City Council desire to establish such rates.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BEATRICE, NEBRASKA:

SECTION 1. As used in this resolution, the term "residential household" shall mean a single-family dwelling unit, a unit of a duplex, a unit of a multiunit dwelling, a mobile home, a manufactured home, single units of condominiums or townhouses, and any other residential living unit.

SECTION 2. Except as otherwise provided in Section 3 of this resolution, each and every tenant, occupant, or property owner occupying a residential household in the City of Beatrice from which garbage, refuse, or rubbish accumulates shall be charged each month for the collection, removal, and disposal of refuse containers during each of two regularly-scheduled collection days each week in accordance with the following rates:

<table>
<thead>
<tr>
<th>Period</th>
<th>Collection Fee</th>
<th>Landfill Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 1, 2017 through September 30, 2017</td>
<td>$9.40</td>
<td>$5.50</td>
</tr>
<tr>
<td>April 1, 2018 through March 31, 2019</td>
<td>$9.70</td>
<td>$7.60</td>
</tr>
<tr>
<td>October 1, 2017 through March 31, 2018</td>
<td>$9.40</td>
<td>$5.50</td>
</tr>
<tr>
<td>October 1, 2018 through March 31, 2019</td>
<td>$9.70</td>
<td>$7.60</td>
</tr>
</tbody>
</table>
April 1, 2019 through March 31, 2020  
Collection Fee $10.00  
Landfill Fee $7.60  

April 1, 2020 through March 31, 2021  
Collection Fee $10.30  
Landfill Fee $7.70  

SECTION 3. Each and every tenant or property owner occupying a residential household in the City may elect to receive garbage, refuse, and rubbish collection, removal, and disposal service at the following reduced rates by making application to the City under the following criteria: the applicant must qualify under the income guidelines established in Section 5 of this resolution and must either be 62 years of age or more and receiving social security benefits; or has been determined to be disabled under Title II or Title XVI of the Social Security Act, 42 U.S.C. 401 et. seq.; 42 U.S.C. 1381 et. seq., and is receiving disability benefits pursuant thereto. Tenants and property owners qualifying for said reduced rate shall be charged for the collection, removal, and disposal of refuse containers during each of two regularly-scheduled collection days each week in accordance with the following rates:

April 1, 2017 through September 30, 2017  
Collection Fee $7.00  
Landfill Fee $2.90  

October 1, 2017 through March 31, 2018  
Collection Fee $7.00  
Landfill Fee $4.90  

April 1, 2018 through March 31, 2019  
Collection Fee $7.20  
Landfill Fee $5.00  

April 1, 2019 through March 31, 2020  
Collection Fee $7.40  
Landfill Fee $5.00
SECTION 4. In addition to the rates set forth in Sections 2 and 3 of this resolution, a tenant, occupant, or property owner occupying a residential household in the City may elect to receive special garbage, refuse and rubbish collection, removal, and disposal services at the following rates each month:

(a) The sum of $4.00 each month for solid waste collection service, except for multiunit dwellings, at a location on the premises of a residential household other than alleyside where alleys are publicly maintained or curbside if alleys are not maintained or adjacent to the street where there are not curbs;

(b) The sum of $9.00, each month during the months of April through November, inclusive, each year for the collection and removal of accumulations of grass clippings and leaves from residential households, except multiunit dwellings, electing to receive such service during such months. The tenant, occupant and property owner shall receive such service for the remaining period for the year once he or she elects to receive such service;

provided, however, any qualified person with a disability for which the collection and removal service must be made readily accessible to and usable for such person pursuant to the Americans with Disabilities Act enacted by the U.S. Congress and regulations promulgated by the U.S. Department of Justice, Fed. Reg. 28 C.F.R. Part 35 shall not be charged an additional fee for collection at a location on the premises of a residential household other than alleyside where alleys are publicly maintained or curbside if alleys are not maintained or adjacent to the street where there are not curbs.

SECTION 5. As one of the requirements to qualify for the rates set forth in Section 3 of this resolution, any person electing to be charged such rates must qualify under the following income guidelines:

Such person must demonstrate that the sum of all sources of income derived by all persons who are 21 years of age or older and occupying the residential household, including, but not limited to, wages, social security benefits, benefits received under any retirement plan, and interest income, does not exceed the current income limits established pursuant to Section 3(b)(2) of the United States Housing Act, as amended, for Gage County, Nebraska.

Such person shall demonstrate that he or she qualifies under the above income guidelines at least once each two years. If he or she fails to demonstrate that he or she qualifies as required herein, then such person shall pay the rate established in Section 2 for a period of
a minimum of one year before he or shall may again seek to demonstrate that he or shall qualifies under the income guidelines established in this section.

SECTION 6. That all resolutions or parts of resolutions in conflict herewith are hereby repealed.

RESOLUTION PASSED AND ADOPTED this 5th day of September, 2017.

Attest:

Erin Saathoff, City Clerk

Stan Wirth, Mayor