

ORDINANCE NO. 2 - 2019

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TITLE 18, CHAPTER 1, SECTION 18-109

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ORDINANCE AMENDING SECTION 18-109 OF CHAPTER 1, TITLE 18 OF THE CODE OF THE TOWN OF MOORCROFT, WYOMING, 1979 TO SET GARBAGE COLLECTION RATES FOR TOWN CUSTOMERS; TO ELIMINATE OUT OF TOWN GARBAGE COLLECTION; TO ELIMINATE ADDITIONAL AND SPECIAL COLLECTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF MOORCROFT, CROOK COUNTY, WYOMING, that:

SECTION 1: Section 18-109 of Chapter 1, Title 18 of the Code of the Town of Moorcroft, Wyoming, 1979 shall be and the same hereby is amended to read in complete form as follows:

18-109 - CHARGES FOR GARBAGE COLLECTION BY THE TOWN -

(a) Basic rates for the collection, removal, transporting and disposal of garbage within the Town by the employees or agents of the Town shall be as follows:

- (1) Ninety-five-Gallon Capacity Cans. The monthly garbage service collection charge for ninety-five-gallon capacity cans collected within the Town shall be \$24.00 per month for each ninety-five-gallon capacity can for one collection per week per can. Customers may have one or more ninety-five-gallon capacity cans.
- (2) Three-hundred-Gallon Capacity Cans. The monthly garbage service collection charge for three-hundred-gallon capacity cans collected within the Town shall be as set forth in the following schedule:

Number Of 300-Gallon Capacity Cans	Weekly Collections	
	1	2
1	60.00	100.00
2	105.00	180.00
3	145.00	265.00

(3) Dumpsters. Large volume garbage customers may request one or more dumpsters instead of three-hundred-gallon cans if the customer's volume of garbage will consistently exceed 1,500 gallons per week, and/or if the customer's premises is best accommodated by one or more dumpsters instead of three-hundred-gallon cans. The monthly collection charge for dumpsters shall be established for each customer by the Governing Body of the Town, and may be adjusted by the Governing Body of the Town in the Town's discretion. Before commencement of garbage collection service, or change in the monthly collection charge, the customer shall be notified of the garbage collection service charge. Dumpsters shall be collected no more than two times per week.

(b) Customers shall be billed and be responsible for payment of the monthly garbage service collection charges as provided in subsection (a) of this Section notwithstanding that a scheduled collection of a customer's can(s) or dumpster(s) is delayed due to inclement weather, road conditions or for other reason. The Town will resume collection as soon as reasonably possible.

(c) Customers shall be billed and be responsible for payment of the monthly garbage service collection charges as provided in subsection (a) of this Section even if collection of a customer's can(s) or dumpster(s) does not occur as scheduled if the reason that the customer's can(s) or dumpster(s) was not collected was due to noncompliance with the requirements established by the Town for collection, or was due to the action or inaction of the customer which impedes collection by the Town. In such event, the Town shall have no obligation to collect the customer's can(s) or dumpster(s) until customer's next regular scheduled collection.

(d) Any garbage service customer receiving garbage service to his or her primary residence within the Town limits who meets all of the following requirements shall receive a fifty-percent (50%) reduction from the garbage collection rates specified in subsections (a)(1) and (b)(1) above for garbage service provided to the customer's primary residence with the Town limits:

- (1) Be 65 years of age or older or be certified as totally disabled by the United States Social Security Administration, United States Veterans

Administration, or other governmental agency; and

- (2) Present evidence showing that the customer's household gross income was less than 225% of the Federal Poverty guideline for one person or for two persons if the household has more than one person, for the year immediately prior to the one in which the customer seeks to claim the water rate reductions provided in this subsection. For the purposes of this subsection, gross income does include the aggregate of the total earnings of minor children under the age of 18; and
- (3) Be the owner or co-owner or lessee or co-lessee of the residence to which garbage service is provided and show that the customer is the sole source of support of the individuals constituting the household subject to the qualifications of subsection (c)(2) above, with the term 'household' meaning a group of individuals who regularly reside together in the residence receiving the garbage service; and
- (4) Submit the information required in this subsection to the Clerk/Treasurer of the Town in January of each calendar year for certification of the customer's eligibility as a senior citizen or disabled person for purposes of the rate reduction provided in this subsection for the remainder of that calendar year. The income limit shall be updated each January when the Federal Poverty guidelines are established and shall apply for that calendar year, and the rate reduction provided for herein shall be reviewed each subsequent January.

Any customer who has been denied a reduction in garbage collection rates under this subsection may file an appeal to the Town Council for their consideration of his/her request, provided the appeal is filed in writing with the Clerk/Treasurer of the Town, setting forth the basis for reconsideration, with all supporting material to support the customer's claim of eligibility, within 10 calendar days from the date the customer received notice of the denial of his/her request. Upon the receipt of a properly filed appeal, the Town Council shall review the original application of the customer, the Town public file on the application, if any, and any other material the customer may file with his/her appeal and shall render their decision within 30 days of the receipt of the appeal. The Town Council may waive the income requirements in subsection (c)(2) for a customer who is 65 years of age or older whose household gross income exceeded the maximum allowed in the past year, but who has thereafter become disabled, and whose household gross income is currently less than the maximum allowable limit in the present year; or for a customer who is under 65 years of age whose household gross income exceeded the maximum allowed in the past year, but who has thereafter become totally disabled and whose total disability is certified by the United States Social Security Administration, United States Veterans Administration or other governmental agency, and whose household gross income is currently less than the maximum allowable limit in the present year.

SECTION 2: This Ordinance shall become effective as of the first billing cycle after passage and upon publication as provided by law.

Passed on first reading: February 25, 2019.

Passed on second reading: March 11, 2019.


PASSED, APPROVED AND ADOPTED on third reading this 25th day of March, 2019.

TOWN OF MOORCROFT



Dick Claar
Mayor


ATTEST:



Cheryl Schneider
Town Clerk/Treasurer

CERTIFICATE OF PUBLICATION

I, Cheryl Schneider, Clerk/Treasurer of the Town of Moorcroft, Wyoming, hereby certify that Ordinance No. 2 - 2019 was published in the Moorcroft Leader, Moorcroft, Wyoming on this 25th day of March, 2019.



Cheryl Schneider
Town Clerk/Treasurer