

BILL NO. 97-4

ORDINANCE NO. 97-4

AN ORDINANCE OF THE CITY OF JEANNETTE
AMENDING ORDINANCE 96-3 (GARBAGE ORDINANCE)
SETTING A DEADLINE FOR EXONERATIONS;
REQUIRING TENANTS AND PROPERTY OWNERS TO PROVIDE THE
CITY TREASURER'S OFFICE WITH PROMPT NOTICE OF CHANGES IN
OCCUPANCY AND VACANCIES.

WHEREAS, the City of Jeannette enacted Ordinance 96-3 at a public meeting held September 11, 1996, which Ordinance provides for collection and removal of municipal waste and recyclables from premises within the City; and

WHEREAS, the aforesaid Ordinance 96-3 sets forth monthly fees billed to residential accounts for the removal of waste from premises within the City of Jeannette; and

WHEREAS, the aforesaid Ordinance permits a residential property owner to apply for exoneration from said fees when an individual dwelling unit is unoccupied for a period in excess of three (3) months; and

WHEREAS, it has come to the attention of Council that numerous domestic accounts have waited an excessive period of time to request exonerations, and to notify the City Treasurer's Office of changes in occupancies which delay creates administrative difficulty in the collection of delinquent garbage accounts and administrative backlog in the City Treasurer's Office; and

WHEREAS, the City desires to limit the time period for filing exoneration requests in order to promote efficient collection of past due garbage debt.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, BY THE COUNCIL OF THE CITY OF JEANNETTE, AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF SAME, THE FOLLOWING:

SECTION I. - ADDITION TO SECTION III. OF ORDINANCE 96-3:

Section III. A. 1. (b) is hereby added, to provide as follows:

Section III. A. 1. (b). Applications for exoneration must be submitted no later than sixty (60) days from the end of the billing period during which the vacancy occurs.

- i. Example: Assume a residential dwelling unit is unoccupied for the period between February 1, 1997 and May 1, 1997. Because the invoice for the billing period January 1st through June 30, 1997 is due and payable no later than June 30, 1997, the Application for Exoneration must be filed with the City Treasurer's Office no later than sixty (60) days from June 30, 1997 (i.e. no later than August 29, 1997).
- ii. Applications for Exoneration will not be accepted if submitted after the deadline set forth herein.
- iii. In the event that the City Treasurer's Office bills a residential account for a given period, and neither the owner or tenant of the property notifies the City Treasurer's Office that there has been a change in occupancy, pursuant to the terms of Ordinance 96-3, both the tenant and owner shall remain liable for the full amount billed through the date that the City Treasurer's Office is notified of the change. (Example: If a tenant vacates the property in March 1997, and the City Treasurer's Office has

billed for the period of January 1 through June 30, 1997, and if the City Treasurer's Office is not given Notice of the vacancy during that period, then both the tenant and owner will be responsible for the fees for the entire billing period of January 1st through June 30, 1997, and all subsequent billing periods billed until such time that proper notice is given to the City Treasurer's Office).

SECTION II. AMENDMENTS:

A. The caption of Section VII. is hereby amended to read as follows:

SECTION VII. LIABILITY AND RESPONSIBILITIES OF OWNERS AND TENANTS.

B. Section VII. A. 5. is hereby amended to read as follows:

VII. A. 5. All persons who own real property in the City of Jeannette, and all tenants of real property within the City of Jeannette shall notify the City Treasurer within thirty (30) days of the date that any tenant vacates the real property within the City, and shall provide the City Treasurer with the name and street address of each such tenant vacating the property.

a. Failure to provide notice as required by Subsection VII. A. 5. shall obligate the vacating tenant and the property owner to pay all amounts billed by the City Treasurer's Office pursuant to Section VII. B. of this Ordinance, for all periods for which notice has not been properly given.

b. Example: If a tenant vacates the property in March 1997 and the City Treasurer's Office bills for the period from January through June 1997 and for the period July through December 1997, and Notice of the vacancy is not received by the City Treasurer's Office until December 31, 1997, then both tenant and owner are responsible for all

amounts billed for the entire year, regardless of whether or not the property was vacant during the period from April through December 1997.

SECTION III. - ALL OTHER TERMS CONSISTENT:

All other terms and conditions of Ordinances 96-3 and 97-1 shall remain in full force and effect.

SECTION IV. - SEVERABILITY:

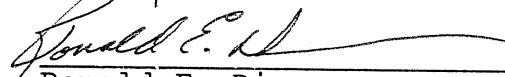
The provisions of this Ordinance shall be severable, and in the event that a Court of competent jurisdiction determines that any provision of this Ordinance shall be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in full force and effect. Nothing in this Ordinance shall be construed to alter, amend or abridge any other Local, State or Federal law or regulation related to the disposal of solid waste.

SECTION V. EFFECTIVE DATE:

This Ordinance shall become effective in ten (10) days.

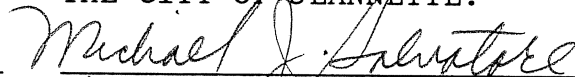
ORDAINED AND ENACTED by the Council of the City of Jeannette, at a public meeting hereof, held the 21st day of May, 1997.

ATTEST:



Ronald E. Dinsmore,
City Clerk

THE CITY OF JEANNETTE:



Michael J. Salvatore,
Mayor/President of Council