

DATE: October 19, 2016

TO: Honorable Mayor John Rey
City Council

FROM: Anne Marie Gaura, City Manager
Cathy Haley, Finance Director
Carri Parker, Account Technician III

SUBJECT: Amending Chapter 15 “Refuse, Recyclables and Landscape Waste Collection”, Section 15.04 “Payment of Fees for Refuse, Recycling, and Landscape Waste Collection, Processing and Disposal Programs”. (First Reading)

I. Summary

In April of 2016, Chapter 7 “Water Rates” of the City’s Municipal Code was amended with the implementation of the new water rate structure incorporating a 10 year Capital Improvement Plan. During this change, the Utility Assistance Program income guidelines were changed to correspond with the Section 8 Poverty Income Levels instead of calculating the income guidelines by the Consumer Price Index (CPI).

In order to mirror this change and be consistent with the City’s Municipal Code, staff is recommending an amendment to Chapter 15 “Payment of Fees for Refuse, Recycling, and Landscape Waste Collection, Processing and Disposal Programs”, where it refers to a garbage discount for individuals meeting the same qualifications of the Utility Assistance Program.

II. Background

During the water rate change in April of 2016, Chapter 7 was amended to reflect the new water rates and the income guidelines for the Utility Assistance Program. In order to create uniformity across the City’s Municipal Code, City staff is recommending the verbiage be amended within Chapter 15 to mirror what Chapter 63 “Rebates” currently states, directing the program guidelines to Chapter 7.

Section 7.18 “Water Rates” currently states:

c) Water rates to be charged senior citizens aged sixty-two (62) years or older, and citizens who are head of household with a medical disability or chronic illness that prevents gainful employment for a minimum period of three (3) months with a gross annual income at or below section 8 Poverty Level Very Low (50%) Income Limits for the City of DeKalb, Illinois, and who annually submit a completed and signed application form and a photocopy of the applicant's most recent federal income tax return (or other proof of income) and, in the case of medical disability or chronic illness, a physician's statement or disability paperwork, shall be charged a discount of 70% of the water rate (they pay 30% of the rate) and a 70% discount on the service fee.

d) Service outside the City shall be at a rate of 50% greater than the rate for the same service in the City.

e) An additional charge of 15% shall be added to all water bills not paid by the 21st day of the month in which the same becomes due.

f) Barb City Manor shall be charged a water rate of a 70% discount of the City's current rate for water usage and the flat service fee.

Therefore, the City would want to eliminate the detailed description from Chapter 15 and mirror what Section 63.09 "Rebates" currently states:

a) Persons who are eligible for reduced water rates under the provisions of Section 7.18, b), of Chapter 7 and free refuse collection under Section 15.05; b), of this Municipal Code shall be eligible for a rebate of the tax paid under this Chapter 63 upon proper submittal of appropriate documentation. (03-60)

Currently, Section 15.05 "Payment of Fees for Refuse, Recycling, and Landscape Waste Collection, Processing and Disposal Programs" states:

a) Each service unit shall pay fees outlined in Section 15.04 on a quarterly basis. The refuse, recycling, landscape waste collection and processing fees, as well as the administration and public education fee, shall increase based on the schedules listed in Section 15.04. The landfill disposal fee listed in Section 15.04 is the base rate from which all future adjustments will occur. The manner by which adjustments will be determined is outlined in the City's Refuse, Recycling, and Landscape Waste Collection, Disposal and or Processing Contract.

b) Residents shall not be required to pay a fee for residential collection if they meet the following requirements:

1. Head of household, age sixty-two (62) years or older; or, (00-37, 03-57)
2. Head of household with a medical disability or chronic illness preventing gainful employment for a duration of a minimum of three (3) months; and, (03-57)



3. Have a gross annual household income equal to or less than Twenty Five Thousand One Hundred Eleven Dollars (\$25,111.00) for a single person household and Thirty Three Thousand Eight Hundred Seventy Two Dollars (\$33,872.00) for households of two or more persons. Commencing on July 1, 2001, the City shall adjust the gross annual income rates on or before July 1 of each year to reflect an increase equal to the most current Consumer Price Index Adjustment Rate. (00-37, 7-1-02, 7-1-08)
4. Annually submit a completed and signed application form and a photocopy of the applicant's most recent federal income tax return (or other proof of income). (93-105, 94-44)
5. In the case of medical disability or chronic illness, provide a physician's statement. (03-57)

Whereas the suggested amendment would read as follows:

Section 15.05 "Payment of Fees for Refuse, Recycling, and Landscape Waste Collection, Processing and Disposal Programs," is hereby amended in its entirety to read as follows:

- a. Each service unit shall pay fees outlined in Section 15.04 on a quarterly basis. The refuse, recycling, landscape waste collection and processing fees, as well as the administration and public education fee, shall increase based on the schedules listed in Section 15.04. The landfill disposal fee listed in Section 15.04 is the base rate from which all future adjustments will occur. The manner by which adjustments will be determined is outlined in the City's Refuse, Recycling, and Landscape Waste Collection, Disposal and or Processing Contract.
- b. Persons who are eligible for reduced water rates under the provisions of Section 7.18, b), of Chapter 7 of this Municipal Code shall be eligible for free refuse collection.

II. Community Groups/Interested Parties Contacted

In April of 2016, Chapter 7 was amended to reflect the new water rates and the new income guidelines for the Utility Assistance Program. There will not be any impact on the community as the change occurred in April of 2016.

III. Legal Impact

The City has the legal authority to amend Chapter 15 to mirror Chapter 63 within the City's Municipal Code.



IV. Financial Impact

Having a consistent guideline for reporting income levels will create a regular more balanced credit being given annually to the same group of individuals. This will not have a financial impact on the program, as the income changes occurred in April of 2016.

VI. Options

1. Approve to amend Chapter 15 according to the ordinance.
2. Do not approve the ordinance change.

VII. Recommendation

Staff recommends amending Chapter 15 to mirror Chapter 63 of the City's Municipal Code in order to create consistency.



ORDINANCE 2016 –

AMENDING CHAPTER 15 “REFUSE, RECYCLABLES AND LANDSCAPE WASTE COLLECTION”, SECTION 15.04 “PAYMENT OF FEES FOR REFUSE, RECYCLING, AND LANDSCAPE WASTE COLLECTION, PROCESSING AND DISPOSAL PROGRAMS” OF THE MUNICIPAL CODE OF THE CITY OF DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb, DeKalb County, Illinois is a home rule community with those powers granted under the provisions of the Illinois Constitution and the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et. seq.*; and,

WHEREAS, the City of DeKalb currently maintains Chapter 15 of the City Code, which relates to Refuse, Recyclables and Landscape waste Collection; and,

WHEREAS, the Mayor and City Council desire to amend Chapters 15.05, b) of the City Code to update the provision of refuse by the City; and

WHEREAS, the Mayor and City Council have determined that it will serve and be in the best interest of the City and its residents to amend the City Code as set forth in this Ordinance;

THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of DeKalb, DeKalb County, Illinois, as follows:

Section 1. Ordinance Amended.

Section 15.05, b) shall be amended as follows:

Section 15.05, entitled "Payment of Fees for Refuse, Recycling, and Landscape Waste Collection, Processing and Disposal Programs," is hereby amended in its entirety to read as follows:

15.05 PAYMENT OF FEES FOR REFUSE, RECYCLING, AND LANDSCAPE WASTE COLLECTION, PROCESSING AND DISPOSAL PROGRAMS.

- a. Each service unit shall pay fees outlined in Section 15.04 on a quarterly basis. The refuse, recycling, landscape waste collection and processing fees, as well as the administration and public education fee, shall increase based on the schedules listed in Section 15.04. The landfill disposal fee listed in Section 15.04 is the base rate from which all future adjustments will occur. The

manner by which adjustments will be determined is outlined in the City's Refuse, Recycling, and Landscape Waste Collection, Disposal and or Processing Contract.

- b. Persons who are eligible for reduced water rates under the provisions of Section 7.18, b), of Chapter 7 of this Municipal Code shall be eligible for free refuse collection.

Section 2. All ordinances or portions thereof in conflict with this ordinance are hereby repealed.

Section 3. Should any provision of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions will remain in full force and affect the same as if the invalid provision had not been a part of this Ordinance.

Section 4. This Ordinance shall be in full force and effect after passage and publication pursuant to law. Publication date: _____, 2016. Effective date: _____, 2016.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois at a regular meeting thereof held on the __ day of _____, 2016 and approved by me as Mayor on the same day. First reading October 24, 2016 and requesting passage of second reading.

ATTEST:

JENNIFER JEEP JOHNSON, City Clerk

JOHN A. REY, Mayor