

ORDINANCE NO 040

**ESTABLISHING THE COLLECTION OF SOLID WASTE FEES WITHIN THE
CITY LIMITS OF THE CITY OF DIAMONDHEAD AND
SETTING FEES FOR THE COLLECTION OF SOLID WASTE**

WHEREAS, Hancock County has been the governing body responsible for the collection of solid waste fees and the setting of solid waste collection fees in the community of Diamondhead, and

WHEREAS, the community of Diamondhead became an incorporated city on January 30, 2012, thereby becoming the third municipality within the County of Hancock, and

WHEREAS, the City of Diamondhead is member of the Hancock County Regional Solid Waste Authority whose authority is designed to provide an integrated solid waste management plan, solid waste collection, landfill management, education and recycling for the County of Hancock, City of Bay St. Louis, City of Waveland and City of Diamondhead, and

WHEREAS, on the 16th day of September 2013, the Hancock County Board of Supervisors did approve and authorize Hancock County Tax Assessor/Collector Jimmie Ladner and Hancock County Attorney Ronnie Artigues to notify the City of Diamondhead that they are responsible for their own solid waste collection fees, like other cities in Hancock County, effective October 1, 2013, and

WHEREAS, on the 16th day of September 2013, the Hancock County Board of Supervisors did approve and authorize to increase county solid waste fees from \$8.00 per month to \$10.00 per month with no reduction for annual payments effective October 1, 2013, and to continue cart rental rates at \$.54 per month, and

WHEREAS, the City of Diamondhead recognizes the City's responsibility of solid waste fee collection for each household and commercial establishments and establishing a solid waste collection fee based on the City's financial obligations to the Hancock County Solid Waste Authority for contractual and other activities and obligations related to the collection of solid waste within the City of Diamondhead, and

WHEREAS the Mayor and City Council of the City of Diamondhead hereby set a solid waste collection fee of \$10.00 per household and commercial establishments and \$.54 per month can rental fee effective January 19, 2014, to meet the City's financial obligations for solid waste collection, and

WHEREAS Nonpayment of the fee for collection of solid waste shall result in the discontinuance of the collection service. In addition to discontinuance of the collection service, the city shall be authorized to use all available legal remedies, whether at law or equity, to collect delinquent solid waste collection fees.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD;

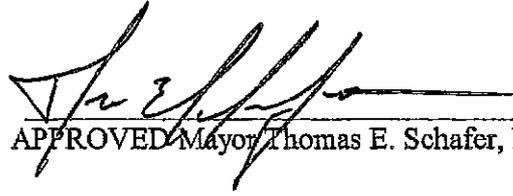
1. That Hancock County is no longer responsible for the collection of solid waste fees and setting of solid waste collection fees in the City of Diamondhead and that the Mayor and the City Council of the City of Diamondhead accepts its responsibility for collection of solid waste fees and setting of solid waste collection fees.
2. That in order to meet the financial obligations of the City of Diamondhead for solid waste collection associated with the contractual and other activities and obligations related to solid waste collection associated with the Hancock County Solid Waste Authority, the city sets the solid waste collection fee for households and commercial establishments in the City of Diamondhead at \$10.00 per month and \$.54 per month can rental effective January 19, 2014.
3. That nonpayment of the collection fee shall result in the discontinuance of solid waste collection and the city shall use all available legal remedies to collect delinquent fees.
4. The governing authority hereby authorizes and orders the publication and advertisement of this Ordinance.

In accordance with Mississippi Code of 1972, § 21-13-11, this ordinance becomes effective thirty days from date of passage with a single publication of the ordinance prior to the effective date.

MOTION was made by Council Member LaFontaine to adopt the forgoing Ordinance and SECONDED by Council Member Rech and following discussion was reduced to writing, and was submitted to a Roll Call Vote.

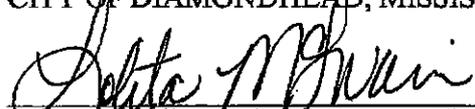
	AYE	NAY	ABSENT
Councilmember Lopez	_____	_____	_____ ✓
Councilmember LaFontaine	_____ ✓	_____	_____
Councilmember Knobloch	_____ ✓	_____	_____
Councilmember Sislow	_____ ✓	_____	_____
Councilmember Rech	_____ ✓	_____	_____
Mayor Schafer	_____ ✓	_____	_____

WHEREUPON THE MAYOR DECLARED THE ORDINANCE CARRIED AND ADOPTED.


APPROVED Mayor Thomas E. Schafer, IV

SEAL

THIS IS TO CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE
CITY OF DIAMONDHEAD, MISSISSIPPI, ON THE 19 DAY OF November 2013.


ATTEST Lolita McSwain Deputy City Clerk