

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-50**

AN ORDINANCE AMENDING THE FEE FOR GARBAGE COLLECTION

WHEREAS, the fee charged by the City for the collection of garbage and rubbish has not been revised in approximately fifteen (15) years; and

WHEREAS, the costs to the City for the collection of garbage and rubbish have increased significantly since 2002.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that Ordinance 1972-02, as previously amended by Ordinances 1992-06, 1995-20, 1997-21, and 2002-12, is hereby amended as follows:

SECTION ONE: REVISED GARBAGE COLLECTION RATE

Ordinance 2002-12, which amended Section 9 of Ordinance Number 1972-02 (as amended by Ordinance 1992-06), is hereby repealed and replaced, and said Section 9 is hereby amended to read as follows:

Section 9: FEES FOR COLLECTION AND DISPOSAL

Every person or persons occupying a building or dwelling unit which generates garbage or rubbish within the City limits of the City of Daphne, Alabama, shall be subject to a fee of **\$15.90** per month. Such fees for the collection and disposal of garbage and rubbish shall be subject to change from time to time as deemed necessary in order to cover the increased or decreased cost of collection and disposal services. Any change in the fee for such services must be publicly advertised at least thirty (30) days before the effective date of the change.

SECTION TWO: EFFECTIVE DATE

This Ordinance shall take effect as provided by law after passage, approval, and publication.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE 5th DAY OF JULY, 2017.

VETO

Dane Haygood, Mayor

ATTEST:

Candace G. Antinarella, City Clerk



The Jubilee City

INTERNAL MEMORANDUM

To: Candace Antinarella, City Clerk
From: Mayor Dane Haygood
Date: July 14, 2017
Re: Veto of Ordinance 2017-50

WHEREAS Section 11-45-4 of the Code of Alabama authorizes the Mayor to veto ordinances and resolutions passed by the Council and states, "if the mayor shall disapprove of any ordinance or resolution transmitted to him as provided in Section 11-45-3, he shall, within 10 days of the time of its passage by the council, return the same to the clerk with his objections in writing, and the clerk shall make report thereof to the next regular meeting of the city council"; and

WHEREAS, the City Council passed Ordinance No. 2017-50 at its regular business meeting on July 5, 2017; and

WHEREAS, Ordinance No. 2017-50 revised the Garbage collection rate by increasing the monthly service fee from \$13.90 per month to \$15.40 per month effective upon proper advertisement; and

WHEREAS, during the discussion on Ordinance 2017-50, it was asked by a city council member when the fee increase would go into effect and another member of the city council responded that it would go into effect January 1, 2018; and

WHEREAS, the Garbage fees were originally implemented to offset the cost of the city providing garbage service and as part of the FY2015 budget the enterprise fund for garbage changed to encompass the Garbage, Trash and Recycling programs and renamed the Solid Waste Enterprise Fund; and the rate increase should properly be described to acknowledge the fee increase is necessary to help support and preserve our City of Daphne recycling program and ensure continued quality service for the Garbage, Trash and Recycling programs;

WHEREAS, as Mayor, I am concerned about the reliance by the council on the misinformation which was stated during discussion on the motion and I have great concern with signing into effect an ordinance which conflicts with the public discussion on the matter;

NOW THEREFORE, I, Dane Haygood, Mayor of the City of Daphne, Alabama, do hereby VETO and disapprove Ordinance No. 2017-50 for the reasons stated above. This VETO is filed with the City Clerk on the date signed below and the City Clerk shall report the same at the next regular meeting of the Council.

DATED this the 14th day of July, 2017.


Dane Haygood, Mayor



The Jubilee City

INTERNAL MEMORANDUM

To: Candace Antinarella, City Clerk
From: Mayor Dane Haygood
Date: July 14, 2017
Re: Veto of Ordinance 2017-50

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WHEREAS, during the discussion on Ordinance 2017-50, it was asked by a city council member when the fee increase would go into effect and another member of the city council responded that it would go into effect January 1, 2018; and

WHEREAS, the Garbage fees were originally implemented to offset the cost of the city providing garbage service and as part of the FY2015 budget the enterprise fund for garbage changed to encompass the Garbage, Trash and Recycling programs and renamed the Solid Waste Enterprise Fund; and the rate increase should properly be described to acknowledge the fee increase is necessary to help support and preserve our City of Daphne recycling program and ensure continued quality service for the Garbage, Trash and Recycling programs;

WHEREAS, as Mayor, I am concerned about the reliance by the council on the misinformation which was stated during discussion on the motion and I have great concern with signing into effect an ordinance which conflicts with the public discussion on the matter;

NOW THEREFORE, I, Dane Haygood, Mayor of the City of Daphne, Alabama, do hereby VETO and disapprove Ordinance No. 2017-50 for the reasons stated above. This VETO is filed with the City Clerk on the date signed below and the City Clerk shall report the same at the next regular meeting of the Council.

DATED this the ^{14th} day of July, 2017.

A handwritten signature in black ink, appearing to read "Dane Haygood", is written over a horizontal line. Below the line, the name "Dane Haygood, Mayor" is printed in a standard font.