Ordinance ___

Councilmember Smith introduced the following Ordinance and moved for its adoption, which motion was seconded by Councilmember Miller. The Ordinance being in the following words and figures:

"AN ORDINANCE TO AMEND THE REFUSE AND GARBAGE ORDINANCE AND INCREASE COLLECTION RATES"

WHEREAS, pursuant to the authority granted by W. Va. Code §§ 8-11-1, et seq., the council of the TOWN OF MARLINTON desires to amend certain provisions of the Code of the Town of Marlinton, West Virginia, regarding the collection of refuse and garbage within the municipal limits and setting rates for collection of refuse and garbage.

NOW, THEREFORE, THE TOWN OF MARLINTON HEREBY ORDAINS that the Code of the Town of Marlinton shall be AMENDED as follows:

…

~~§ 92.029 SPECIAL PICK-UPS.~~

~~(A) The town will offer two special pick-ups per year; one the second week in April and one the last week of October, for large items and rubbish that is too large for the garbage truck. The home owner, renter or business will be assessed an additional fee set by Council from time to time per pick-up based on the quantity of rubbish.~~

~~(B) The town will furnish leaf bags to residents and businesses and pick up the same, at no additional fee or cost.~~

~~(Prior Code, § 7-110) (Ord. passed 9-10-2012)~~

…

§ 92.031 RESIDENTIAL GARBAGE FEE.

From and after the effective date of this subchapter, the residential garbage collection fee shall be $42.53 (forty two dollars and fifty three cents)~~set by Council from time to time~~ per bi-monthly billing (every two months).

(Prior Code, § 7-112)

…

§ 92.033 BUSINESS GARBAGE FEES.

From and after the effective date of this subchapter, the business garbage collection fee shall be by the following classes:

(A) (1) Class I - ~~set by Council from time to time~~$42.43 (forty two dollars and fifty three cents) per bi-monthly billing; and

(2) Class I is as follows: businesses in residence that also pays the town a residential garbage rate; churches; fraternal organization; veterans organizations.

(B) (1) Class II - ~~set by Council from time to time~~$67.60 (sixty seven dollars and fifty cents) per bi-monthly billing; and

(2) Class II is as follows: free standing beauty shops; barber shops; lawyer offices; insurance offices; general business offices; dentist offices; doctor offices; veterinary offices; car detail shops; clinics; eye doctors; tanning salons; amusement centers; game rooms; auction houses; ~~second hand stores; indoor flea markets;~~ health care clinics; tourism offices; free standing information centers; museums; newspapers; printing shops; gift shops; craft/hobby stores; computer stores; utility offices; fuel suppliers offices; real estate offices; architect/engineering offices; pawn shops; fortune telling; spiritualist; tattoo parlors.

(C) (1) Class III - ~~set by Council from time to time~~$101.25 (one hundred one dollars and twenty five cents) per bi-monthly bills; and

(2) Class III is as follows: car body shops; muffler shops; bed/breakfast with five to ten rooms; inns with five to ten rooms; flower shops; funeral homes; animal/medical supply offices; coffee shops; rooming houses with four of less rooms; restaurant with less than 25 seating; second hand stores; and indoor flea markets.

(D) (1) Class IV - ~~set by Council from time to time~~$151.88 (one hundred fifty one dollars and eighty eight cents) per bi-monthly billing; and

(2) Class IV is as follows: post offices; gasoline stations; auto part stores; sporting goods stores; auto dealers; liquor stores; medical suppliers; car washes; contractors; fuel suppliers; bulk plants; parks; laundromats; dry cleaners; clothing stores; taverns; pubs; glass repair shops; restaurants with 26 to 50 seating.

(E) (1) Class V - ~~set by Council from time to time~~$210.94 (two hundred ten dollars and ninety four cents) per bi-monthly billing; and

(2) Class V is as follows: pre-schools; warehouses; construction companies; variety stores; building supply stores; motels; hotels; convenience stores; day care centers; drug stores; senior citizens centers; banks; farm supply companies and warehouses; day-care schools; hardware stores; restaurants with 51 to 75 seating.

(F) (1) Class VI - ~~set by Council from time to time~~$295.31 (two hundred ninety five dollars and thirty one cents) per bi-monthly billing; and

(2) Class VI is as follows: restaurants with more than 76 seating; fast food with high take-out service; hotels with restaurant; motels with restaurant.

(G) (1) Class VII - ~~set by Council from time to time~~$337.50 (three hundred thirty seven dollars and fifty cents) per bi-monthly billing; and

(2) Class VII is as follows: grocery stores.

(H) (1) Class VIII - ~~set by Council from time to time~~$759.38 (seven hundred fifty nine dollars and thirty eight cents) per bi-monthly billing; and

(2) Class VIII is as follows: hospitals; nursing homes; industries; manufacturing companies; public schools; government forest centers; maintenance garages.

(I) R.V. park~~s~~ (bi-m~~M~~onthly rates) shall be as follows~~)~~: ~~set by Council from time to time.~~

(1) Up to three R.V. lots - $127.58 (one hundred twenty seven dollars and fifty eight cents);

(2) Four to six R.V. lots - $255.15 (two hundred fifty five dollars and fifteen cents);

(3) Seven to twelve R.V. lots - $337.50 (three hundred thirty seven dollars and fifty cents);

(4) More than twelve R.V. lots - $506.25 (five hundred six dollars and twenty five cents).

(J) Class IX dumpster rates for special pick-ups (bi-monthly rates)~~,~~ shall be as follows: ~~set by Council from time to time~~.

(1) 4 cu. yd. - $338.00 (three hundred thirty eight dollars);

(2) 6 cu. yd. - $506.25 (five hundred six dollars and twenty five cents);

(3) 8 cu. yd. - $675.00 (six hundred seventy five dollars).

(Prior Code, § 7-114)

…

This Ordinance shall be effective upon passage

I, the undersigned Recorder of the Town of Marlinton, State of West Virginia, do hereby certify that the foregoing amendment to an Ordinance was duly passed and adopted by the Town Council of the Town of Marlinton, and that the proposed Ordinance was read by title at not less than three (3) meetings of the Town Council with at least one (1) week intervening between each meeting, and that the Ordinance is now in full force and effect.

10/07/24
Passed First Reading

11/04/24
Passed Second Reading

Passed Third Reading

Mary Clendenen, Recorder