

ORDINANCE NO. 460-0

AN ORDINANCE AMENDING ORDINANCE NO. 309, ADOPTED BY THE CITY OF TROUTDALE ON NOVEMBER 13, 1979, TO SET FORTH THE MANDATES REQUIRED BY SENATE BILL 405 OF THE 1983 LEGISLATIVE ASSEMBLY, KNOWN AS THE "OPPORTUNITY TO RECYCLE ACT," WHICH IS NOW INCORPORATED IN CHAPTER 459 OF OREGON REVISED STATUTES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

SECTION 1:

Section 5 (a) through (d) shall be amended to read as follows:

(5) (a) The Franchisee must provide all customers within the City of Troutdale with the opportunity to recycle and must comply with the requirements of Senate Bill 405 (1983) which became Chapter 729 of Oregon Laws of 1983, and which is now incorporated in Chapter 459 of Oregon Revised Statutes, together with all rules and regulations promulgated thereunder by the Department of Environmental Quality.

(b) If the Franchisee does not provide the opportunity to recycle as set forth herein, Council may terminate this Franchise in accordance with Section 10. of Ordinance No. 309.

SECTION 2:

Section 9, subsection (4) shall be amended to read as follows:

(4) On or before December 31 of each year, the Franchisee shall supply a report of current income and expense together with projected income and expense for the year beginning January 1st and ending the following December 31st together with existing and proposed rates. The income and expense reported may include any or all of those listed in paragraph (3) (b) of this section and any other which may be applicable to the franchised business. Each fiscal year the Franchisee shall estimate revenue and expense from date of actual expense and income records to June 30th. This report may be included as part of the justification for a proposed rate change required by paragraph (3)(b) of this section.

**SECTION 3:**

All other provisions of Ordinance No. 309 shall remain in full force and effect.

**SECTION 4:**

This Ordinance, being necessary for the immediate preservation of the peace, health and safety of the City of Troutdale and its citizens, an emergency is hereby declared to exist, in that the City desires to continue the good service of the Franchisee, and this Ordinance shall be in full force and effect upon passage by the Council and approval by the Mayor.

**SECTION 5: EFFECTIVE DATE**


The terms and provisions of this ordinance, shall become effective on November 15, 1985.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 12 DAY OF NOVEMBER, 1985.

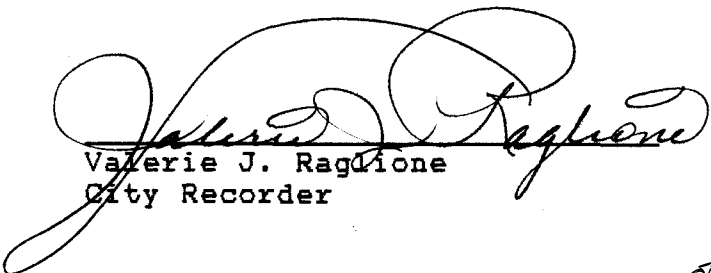
YEAS: 5

NAYS: 0

ABSTAINED: 0

  
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SAM K. COX, MAYOR

ATTEST:

  
Valerie J. Ragdione  
City Recorder

Accepted by Franchisee this 12 day of November, 1985.

EDWIN O. EGE SANITARY SERVICE, INC.  
BY:   
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PRESIDENT