

**ORDINANCE NO. 511**  
**AN ORDINANCE FOR THE CITY OF SPRINGFIELD, SOUTH DAKOTA TO**  
**AMEND OR REVISE TITLE IV, CHAPTER 4.03, "GARBAGE AND REFUSE",**  
**SECTION 4.0308 "FEES" FOR THE MUNICIPALITY OF SPRINGFIELD, SOUTH**  
**DAKOTA.**

BE IT ORDAINED by the City of Springfield, South Dakota, Title IV, Chapter 4.03, Section 4.0308 of the Revised City Ordinances of the City of Springfield 1989, be amended as follows:

4.0308 Fees

The maximum fees which shall be charged by collectors for the collection of a standard, routine, or normal quantity of residential and/or commercial business garbage and refuse from the respective service classifications herein set forth shall be as follows:

- (a) Single Person Household: One pickup per week, rate, charge, and/or fee to be established by City Council from time to time by resolution.
- (b) Two or more Person Household: One pickup per week, rate, charge, and/or fee to be established by City Council from time to time by resolution.
- (c) Commercial Business Establishments: Individual negotiations with licensed contractor.
- (d) Manufacturing and Industrial Plants: As negotiated between such license collector and manufacturing and industrial plant; and depending upon volume and type of garbage and refuse hauled.
- (e) Special (vacation residential) and Emergency Pickups: Individual negotiations with licensed collector.

The monthly service fees, as determined by the collector, shall be normal course of the operation as part of the City of Springfield's Water Department. Said service charge for an occupied active residential household, shall, however, be billed separately by the Garbage collector at his/her fees.

If such charge by the collector is not paid when due, set by the collector, the water service to the occupied premises may be terminated by the City of Springfield in such the manner as provided for in the event for delinquent water and sewer charges, and such water service shall not be restored until the charge in question has been paid in full, together with any penalty otherwise provided by this Ordinance.

Occupied Premises, defined: Any place of abode, dwelling, or active residential household that is occupied, that has water and sewer services, will automatically receive garbage services by said collector. It will be required to utilize the garbage services for the City of Springfield contracted hauler. You will receive a garbage utility bill from collector whether you utilize the service or not. It is the responsibility of the property owner to pay said bill, or uncollected garbage bills will result in the disconnection of water services. In the result of disconnection of water service, a \$10.00 reconnect charge for service will be charged to your water and sewer bill.

In addition to fees any applicable state and/or municipal sales taxes as required by State Statues will be added.

A collector may assess a reasonable additional fee for collection of garbage and refuse in excess of the standard, routine, or normal quantity of residential or commercial business establishments garbage and refuse, and may assess a reasonable additional fee in the event such collector is required to carry garbage, refuse, or both garbage and refuse a distance of more than eighty feet (80') to the nearest point of reasonable vehicle access for pickup purposes.

All fees assessed by the collector in addition to the fee for the standard quantity of residential and/or commercial business garbage and refuse shall be separately set forth on the collector's billing and a complete explanation shall be provided therefore.

Each residential unit in a mobile home park shall be classified as a single apartment for the purpose of this Article.

Upon request of a collector, the owner or manager of an apartment house or mobile home park containing in excess of two (2) living units may at said owner's or manager's option consent to collect the fees herein set forth from his tenants and remit the same to said collector in one sum.

Any licensed garbage collector violating the terms and conditions of this Section by charging fees in excess of those hereinabove provided for the services rendered shall be guilty of a misdemeanor and subject to license revocation.

All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

Should any section or sections of this ordinance be declared unconstitutional by a court of last resort, the same shall not invalidate the remaining sections of this ordinance.

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George Heisinger, Mayor

ATTEST: \_\_\_\_\_  
Ashlea Pruss, Finance Officer

SEAL

Placed upon its first reading September 12, 2016  
Placed upon its second reading October 3, 2016  
Approved this 3th day of October, 2016  
Published the 12<sup>th</sup> day of October, 2016