

IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

**Ordinance No. D-2-19-1**

AN ORDINANCE AUTHORIZING THE MAYOR AND THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH KIMBLE RECYCLING & DISPOSAL INC. COMPETITIVELY BID BY THE CITY OF MUNROE FALLS FOR REFUSE COLLECTION AND DISPOSAL AND CURBSIDE RECYCLING, SECOND READING.

**WHEREAS**, Ohio Revised Code Section 9.48 permits a political subdivision to participate in a contract that another political subdivision has competitively bid for the “acquisition of equipment, materials, supplies or services”: and,

**WHEREAS**, the Village of New Concord desires to contract exclusively with Kimble Recycling & Disposal Inc. for refuse and recycling services: and,

**WHEREAS**, this ordinance supersedes sections 945.06 and 945.07 of the Part 7. Business Regulations of the Codified Ordinances of the Village of New Concord; and,

**WHEREAS**, the City of Munroe Falls has entered into a contract with Kimble Recycling & Disposal Inc. for refuse collection and disposal and curbside recycling services with contract having been competitively bid by the City: and,

**WHEREAS**, the Village of Munroe Falls has requested that it be permitted to participate in the contract with Kimble Recycling & Disposal Inc., as entered into by the City of Munroe Falls: and,

**WHEREAS**, the City of Munroe Falls will permit the Village of New Concord to participate in the contract which Munroe Falls has entered into with Kimble Recycling & Disposal Inc.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NEW CONCORD, STATE OF OHIO:**

**SECTION 1.** That the Mayor and the Village Administrator are hereby authorized to enter into a contract with Kimble Recycling & Disposal Inc., competitively bid through the City of Munroe Falls, for refuse collection and disposal and curbside recycling services on the terms and conditions contained in the contract entered into by the City of Munroe Falls, and on such further terms contained in the contract between the City of Munroe Falls, and on such further terms contained in the contract between the Village of New Concord and Kimble Recycling & Disposal Inc., and the Village of New Concord shall be responsible for payment for services to Kimble Recycling & Disposal Inc. directly.

**SECTION 2.** All residences in the Village of New Concord will have trash service and recycling. A residence is to include any property used for personal, family, or household use and

which contains three or fewer dwelling units, and a business shall be considered any property used for commercial purposes or which contains more than three dwelling units.

**SECTION 3.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**SECTION 4.** That this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: February 11, 2019



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Robert Dickson, President of Council


APPROVED: February 11, 2019



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Brett Essex, Mayor


ATTEST:



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Lynn Marlatt, Fiscal Officer

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.



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Lynn Marlatt, Fiscal Officer