

1 General Manager's decision. Pending review by the Board of Direc-
2 tors, the following rules shall apply:

3 A. Enterprises not utilizing curbside service at the
4 time of the General Manager's decision shall utilize the
5 District's bin service until review by the Board of Direc-
6 tors;

7 B. Enterprises utilizing curbside service at the time
8 of the General Manager's decision may continue to utilize
9 such service until review by the Board of Directors.

10 **Section 4:** The Board of Directors shall consider an
11 application for review no later than thirty (30) days following its
12 filing with the District. The Board, in its discretion, may con-
13 sider such application on the date of a regular or special meeting
14 of the Board of Directors. The applicant shall be informed not
15 less than five (5) days in advance of the date and time on which
16 the Board shall consider the application.

17 **Section 5:** The Board's decision with respect to an ap-
18 plication for review filed pursuant to this Ordinance shall be
19 effective immediately upon rendition, and shall be final and unap-
20 pealable.

21 **Section 6:** For all properties in the District requiring
22 bin service for trash and garbage collection, a collection fee
23 shall be established as follows; effective July 1, 1986:

24 A. For once per week pick-up, the charge
25 shall be \$39.00 per bin per month. The determina-
26 tion of whether a user will have once per week or
27 twice per week collection shall be at the discre-
28

1 tion of the Orange County Health Department or the
2 **Midway City Sanitary District.**

3 B. For twice per week pick-up, the charge
4 shall be \$49.00 per bin per month.

5 C. For pick-up three times per week, the
6 charge shall be \$54.00 per bin per month.

7 D. For pick-up four times per week, the
8 charge shall be \$59.00 per bin per month.

9 E. For pick-up five times per week, the
10 charge shall be \$64.00 per bin per month.

11 F. Charges for residential bins for ten
12 (10) days shall be \$39.00.

13 G. A surcharge of \$14.00 per pick-up shall
14 be added for each pick-up in excess of the maxi-
15 mums set forth above.

16 H. The charges set forth in subparagraphs A-G,
17 inclusive, above, are for standard service based upon
18 reasonable, usual and ordinary access and ability of
19 **District** equipment and personnel to provide the service to
20 the customer. The General Manager is authorized to
21 establish a collection fee in an amount greater or lesser
22 than for standard service when, in his determination,
23 factors such as access to the customer's bins by **District**
24 vehicles or a quantity of bins are all served in the same
25 proximate area resulting in a level of service other than
26 standard.

27 **Section 7:** The **District** may enter into lease agreements
28 with the users of its bin service covering periods in excess of one

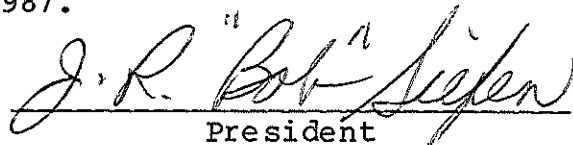
1 (1) month. Fees under such Lease Agreements shall be the same as
2 those set forth in Section 1 of this Ordinance, provided, however,
3 that users paying six (6) months' rental fee, in advance, shall
4 receive a five percent (5%) discount and users paying one (1)
5 year's rental fee, in advance, shall receive a ten percent (10%)
6 discount for such advance payment.

7 **Section 8:** The bin rental fees set forth in any such
8 Lease Agreement shall be effective for at least one (1) year from
9 the date of execution of the Lease Agreement, or throughout the
10 term of the Lease Agreement if the term is less than one (1) year,
11 notwithstanding any subsequent amendment to the District's bin fee
12 schedules.

13 **Section 9:** That Ordinance Nos. 33 and 35 and all other
14 Resolutions and Ordinances, and parts thereof, inconsistent here-
15 with be and the same are hereby repealed to the extent of such
16 inconsistency and no further.

17 **Section 10:** The Secretary of the District is hereby
18 authorized and directed to cause a certified copy of this Ordinance
19 to be published in a newspaper of general circulation and to be
20 posted in three (3) public places within the District.

21 **ADOPTED, SIGNED AND APPROVED** at a regular meeting of the
22 Board of Directors of Midway City Sanitary District held this 3rd
23 day of March, 1987.

24 
25 President

26 **ATTEST:**

27 
28 Secretary

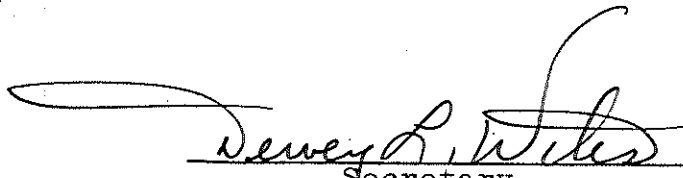
(C41B)

C E R T I F I C A T E

I, Dewey Wiles, Secretary of the MIDWAY CITY SANITARY DISTRICT of Orange County, California, do hereby certify that the foregoing Ordinance No. 37 was duly adopted at a xxx regular meeting of the Governing Board of said District held on the 3rd day of March, 1987, by the following vote of the members of the Board:

AYES:	DIRECTORS	<u>Evans, Nelson, Siefen, Wiles</u>
NOES:	DIRECTORS	<u>Kirkpatrick</u>
ABSENT:	DIRECTORS	<u>None</u>

and I further certify that J. R. "Bob" Siefen, as President xx and Dewey Wiles, as Secretary, signed and approved said Ordinance on the 3rd day of March, 1987.

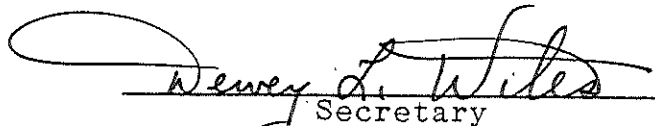

Secretary
MIDWAY CITY SANITARY DISTRICT

(District Seal)

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, Dewey Wiles, Secretary of the MIDWAY CITY SANITARY DISTRICT of Orange County, California, do hereby certify that the foregoing is a full, true and correct copy of Ordinance No. 37, passed and adopted by the Board of Directors of said District at a xxx regular meeting thereof held on the 3rd day of March, 1987.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of said District this 3rd day of March, 1987.


Secretary
MIDWAY CITY SANITARY DISTRICT

(District Seal)