

ORDINANCE NO. 21-20

AN ORDINANCE PERTAINING TO LANDFILL AND GATE FEES AMENDING SECTION 22-1-4-144, CHAPTER 22, LAWTON CITY CODE, 2015, MODIFYING THE APPROPRIATION OF THE GATE FEE COLLECTED AT THE LANDFILL; PROVIDING FOR THE TRANSFER OF ANY REMAINING FUNDING; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

Section 1. Section 22-1-4-144 is hereby amended to read as follows:

**22-1-4-144 Landfill fees—Gate fee—Exceptions.**

\* \* \*

J. The gate fee authorized in paragraph A of this section and set forth in the fee schedule shall be deposited in a separate account, which shall be nonfiscal and shall be an interest-bearing account if feasible. Two-thirds ( $\frac{2}{3}$ ) of the funds accumulated in the account will be appropriated ~~to the Lawton Enhancement Trust Authority~~ to provide litter abatement operations on and adjacent to the landfill and along the primary travel routes that are used to haul solid waste to the landfill ~~by agreement with the Authority and inclusion in their budget to properly account for the funds.~~ The remaining one-third ( $\frac{1}{3}$ ) of the funds accumulated in the account will be split equally among the eight (8) wards of the city and shall be used for making improvements to infrastructure in the respective wards, i.e., street and/or sidewalk improvements, drainage structural improvements, park facility improvements, etc., or for the collection of bulk solid waste at properties within the city limits that do not have active utility accounts. The councilmember of each ward will determine the improvements to be made or the bulk solid waste to be collected in his or her ward, in compliance with the contracting/purchasing policies of the city.

Section 2. Any remaining funds generated by the landfill gate fee and appropriated to LETA prior to the effective date of this ordinance, shall be transferred to a city account for the purpose of litter abatement as set forth above.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 4. Effective Date. The provisions of this ordinance shall become effective thirty (30) days after the date of passage of the ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma, this 10th day of August, 2021.

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STANLEY BOOKER, MAYOR

ATTEST:

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TRACI L. HUSHBECK, CITY CLERK

APPROVED as to form and legality this \_\_\_\_\_ day of August, 2021.

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JOHN RATLIFF, CITY ATTORNEY

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Brief Gist

This ordinance modifies the appropriation of the gate fees collected at the Lawton landfill and provides that 2/3 of the funding be used to provide litter abatement operations on and adjacent to the landfill and along the primary travel routes that are used to haul solid waste to the landfill.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma, this 10th day of August, 2021.

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STANLEY BOOKER, MAYOR

ATTEST:

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TRACI L. HUSHBECK, CITY CLERK