

CITY OF GEORGETOWN, KENTUCKY

ORDINANCE NO. 2021-24

AN ORDINANCE RELATED TO THE GRANTING OF A FRANCHISE FOR THE PROVISION OF SOLID WASTE AND RECYCLING COLLECTION SERVICE WITHIN THE CITY LIMITS OF GEORGETOWN.

SUMMARY

1. Awards an exclusive solid waste collection services franchise to Republic Services of Kentucky, LLC.
2. The full text of the ordinance, Section 4, reads: As compensation for the Franchise created and awarded through this Ordinance, the City shall receive a Franchise Fee of ten percent (10%) of Republic's collected gross receipts from all residential solid waste collection, recycling collection, disposal service and other activities conducted under the Franchise.
3. Authorizes the Mayor to sign the Franchise Agreement.
4. Provides for repeal of inconsistent laws, severability of provisions, and an effective date of February 1, 2022 and upon passage and publication.

The full text of this Ordinance is available for examination in the City Clerk's Office, 100 North Court Street, Georgetown, Kentucky 40324 or at www.georgetownky.gov.

INTRODUCED AND PUBLICLY READ FIRST TIME: November 22, 2021

PUBLICLY READ SECOND TIME AND PASSED: December 13, 2021

APPROVED: *Tom Prather*
Tom Prather (Dec 15, 2021 14:56 EST)
Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
Tracie Hoffman (Dec 22, 2021 09:54 EST)
Tracie Hoffman, City Clerk

I, Devon E. Golden, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky. My office is located at 100 North Court Street, Georgetown, Kentucky 40324. I further certify the foregoing Summary of Ordinance 2021-24 of the City of Georgetown, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9) and is a true and accurate summary of the contents of said Ordinance.



Devon E. Golden

CITY OF GEORGETOWN, KENTUCKY

ORDINANCE NO. 2021-24

AN ORDINANCE RELATED TO THE GRANTING OF A FRANCHISE FOR THE PROVISION OF SOLID WASTE AND RECYCLING COLLECTION SERVICE WITHIN THE CITY LIMITS OF GEORGETOWN.

SPONSORS: Todd Stone and Greg Hampton

WHEREAS, the Kentucky Constitution provides the authority for the City to grant franchises for the use of a city's streets and rights-of-way of the City of Georgetown; and

WHEREAS, the City of Georgetown wishes to continue facilitating the reliable, efficient provision of solid waste collection services to its citizens and public facilities; and

WHEREAS, the provision of solid waste collection service to residents and businesses within the City requires the use of streets and rights-of-way otherwise envisioned by the framers of the Constitution as requiring a franchise; and

WHEREAS, the City of Georgetown advertised for proposals for a solid waste collection service franchise; and

WHEREAS, Republic Services of Kentucky, LLC ("Republic Services") submitted a proposal, pursuant to the advertisement; and

WHEREAS, the City of Georgetown has identified and reviewed the following: (i) the future of solid waste collection related community needs and interests of the City of Georgetown and its citizens; (ii) the financial, technical and legal qualifications of Republic Services; and (iii) the adequacy of the plans that Republic Services has provided for solid waste collection in the City of Georgetown; and

WHEREAS, the City of Georgetown has determined that Republic Services has the legal, financial and technical ability to effectuate its solid waste collection service franchise proposal; and

WHEREAS, the City of Georgetown has determined that Republic Services' solid waste collection service franchise proposal, and the terms of the franchise agreement negotiated therefrom, meets the solid waste collection related community needs and interests of the City of Georgetown and its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF GEORGETOWN, KENTUCKY, AS FOLLOWS:

Section 1. That an exclusive solid waste collection services franchise be created and hereby is awarded to Republic Services for the provision of said services in Georgetown city limits.

Section 2. That the Mayor shall be, and hereby is, authorized and directed to execute a franchise agreement consistent with the terms and conditions established in the duly advertised Request for Proposals and/or negotiated between the Parties. The franchise agreement is attached hereto as Exhibit "A" ("Franchise Agreement").

Section 3. The Franchise Agreement granted to and acquired Republic Services, under which Republic Services will provide such solid waste collection service, will expire by its terms on January 31, 2027 unless lawfully renewed pursuant to the terms of the Franchise Agreement.

Section 4. As compensation for the Franchise created and awarded through this Ordinance, the City shall receive a Franchise Fee of ten percent (10%) of Republic's collected gross receipts from all residential solid waste collection, recycling collection, disposal service and other activities conducted under the Franchise.

Section 5. That the statements set forth in the Preamble to this ordinance are hereby incorporated in this ordinance by reference, the same as if set forth at length herein.

Section 6. All prior ordinances, municipal orders, or policies or parts thereof in conflict herewith, are to the extent of such conflict, hereby repealed.

Section 7. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unlawful by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 8. This Ordinance shall become effective on February 1, 2022 and upon passage and publication.

PUBLICLY INTRODUCED AND READ FIRST TIME: November 22, 2021

PUBLICLY READ SECOND TIME AND PASSED: December 13, 2021

APPROVED: *Tom Prather*
[Tom Prather \(Dec 15, 2021 14:56 EST\)](#)
Tom Prather, Mayor

ATTEST: *Tracie Hoffman*
[Tracie Hoffman \(Dec 22, 2021 09:54 EST\)](#)
Tracie Hoffman, City Clerk











2021-11-22 - Solid Waste Franchise Ordinance

Final Audit Report

2021-12-22

Created:	2021-12-15
By:	Tracie Hoffman (tracie.hoffman@georgetownky.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAF8wJLYWokXpm-fFGIdHTgA-2pDZMwxmY

"2021-11-22 - Solid Waste Franchise Ordinance" History

-  Document created by Tracie Hoffman (tracie.hoffman@georgetownky.gov)
2021-12-15 - 6:44:03 PM GMT- IP address: 96.11.21.18
-  Document emailed to Tom Prather (tom.prather@georgetownky.gov) for signature
2021-12-15 - 6:46:50 PM GMT
-  Email viewed by Tom Prather (tom.prather@georgetownky.gov)
2021-12-15 - 7:55:40 PM GMT- IP address: 198.37.253.34
-  Document e-signed by Tom Prather (tom.prather@georgetownky.gov)
Signature Date: 2021-12-15 - 7:56:03 PM GMT - Time Source: server- IP address: 198.37.253.34
-  Document emailed to Tracie Hoffman (tracie.hoffman@georgetownky.gov) for signature
2021-12-15 - 7:56:05 PM GMT
-  Document e-signed by Tracie Hoffman (tracie.hoffman@georgetownky.gov)
Signature Date: 2021-12-22 - 2:54:52 PM GMT - Time Source: server- IP address: 96.11.21.18
-  Document emailed to Devon Golden (devon.golden@georgetownky.gov) for signature
2021-12-22 - 2:54:53 PM GMT
-  Email viewed by Devon Golden (devon.golden@georgetownky.gov)
2021-12-22 - 3:12:11 PM GMT- IP address: 208.102.8.117
-  Document e-signed by Devon Golden (devon.golden@georgetownky.gov)
Signature Date: 2021-12-22 - 3:12:22 PM GMT - Time Source: server- IP address: 208.102.8.117
-  Agreement completed.
2021-12-22 - 3:12:22 PM GMT