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ORDINANCE NO. 52

AMENDMENTS TO DISTRICT ORDINANCES 44 AND 46 AS OF JUNE 19, 1995

AN ORDINANCE OF THE MIDWAY CITY SANITARY DISTRICT OF ORANGE COUNTY, CALIFORNIA, REGULATING THE COLLECTION, TRANSFER AND REMOVAL OF SOLID WASTE

WHEREAS, the Midway City Sanitary District enacted Ordinance 44, effective February 7, 1992, and Ordinance 46, effective September 1, 1992, (which Ordinance amended certain provisions of Ordinance 44), each regulating the collection, transfer and removal of solid waste;

WHEREAS, Section 8 of Ordinance 44 provides that the District may further regulate all aspects of solid waste handling, including but not limited to frequency and means of collection, transportation, delivery points, levels of services, charges and fees, nature, location and extent of the provision of solid waste handling services;

WHEREAS, the Board of Directors desires to amend certain provisions of Ordinance 44 and Ordinance 46 for the sole purpose of addressing changes appropriate due to the District's automated curbside collection program, which began on or about January 1, 1995;

NOW, THEREFORE, the Board of Directors of the Midway City Sanitary District of Orange County, California, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Definitions

Ordinance 44, Section 1.3 is hereby repealed and reinstated as follows:

"'Curbside Service' shall mean that service provided solely by the District by which solid wastes are collected and disposed of in containers owned by the District."

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Section 2: Solid Waste Removal Responsibility

Ordinance 44, Section 2.6 is hereby repealed and reinstated as follows:

"Text intentionally deleted."

Ordinance 44, Section 2.3.1.c (as the same was adopted by District Ordinance No. 46) is hereby repealed.

Ordinance 46, Section 2 is hereby repealed and reinstated as follows:

"Text intentionally deleted."

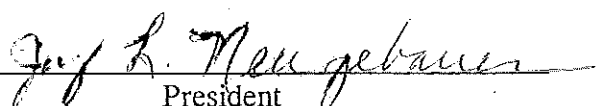
Section 14: Automated Curbside Collection Program

Ordinance 44, is hereby amended by the addition of Section 14 to state:


"The provisions of District's Ordinance 52 governing the District's automated curbside collection program shall supersede any provision or part of this Ordinance 44 to the extent of any inconsistency herewith, provided, however, that all other provisions and requirements of this Ordinance 44 shall remain in full force and effect."

This Ordinance No. 52, an Amendment to District Ordinances 44 and 46 as of June 19, 1995, shall take effect thirty (30) days after the date of adoption hereof and shall be posted for the notice of the general public in accordance with Health and Safety Code Section 6490.

ADOPTED, SIGNED AND APPROVED this 20 day of June, 1995.



President

ATTEST:


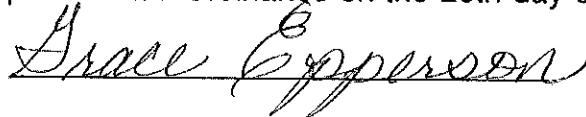
Secretary/Assistant Secretary

CERTIFICATION

I, Grace P. Epperson, Secretary of the Midway City Sanitary District of Orange County, California, do hereby certify that the foregoing Ordinance No. 52, effecting amendment to District Ordinances 44 and 46 was duly adopted at a regular meeting of the Board of Directors of said District, held on the 20th day of June, 1995, by the following vote of the members of the Board:

AYES: Directors Epperson, Evans, Neugebauer, Littrell, Rice
NOES: None

and I further certify that Joy L. Neugebauer, as President, and Grace P. Epperson, as Secretary, signed and approved said Ordinance on the 20th day of June, 1995.


Secretary

District Seal


STATE OF CALIFORNIA)

)SS.

COUNTY OF ORANGE)

I, Grace P. Epperson, 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. 52, passed and adopted by the Board of Directors at a regular meeting thereof held on the 20th day of June, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal of said District this 20th day of June, 1995.


Secretary

District Seal