

ORDINANCE 23-34

AN ORDINANCE UPDATING THE NIBLEY CITY CODE 7.06.010 - 7.06.070, ADOPTING PROVISIONS FOR THE COLLECTION OF WASTE WITHIN CITY LIMITS

WHEREAS, the Utah Code § 10-11-1(2)(ii) grants municipalities the right to regulate the abatement of garbage and refuse;

WHEREAS, in response to Logan City's termination of waste collection services to cities in Cache Valley, Nibley City (the "City") in concert with several other municipalities and Cache County formed an interlocal entity called the Cache Waste Consortium (the "Consortium") to procure waste collections services for Cache County and the participating municipalities;

WHEREAS, the Consortium entered into that certain Solid Waste Services Agreement with Waste Management of Utah, Inc. ("Waste Management") dated March 22, 2023 (the "Services Agreement") by which Waste Management agreed to provide waste collection services for all cities in the Consortium;

WHEREAS, as a condition of Waste Management entering into the Services Agreement, Waste Management demanded exclusive ability to provide waste collection services in all jurisdictions that are part of the Consortium;

WHEREAS, the Services Agreement requires the City to adopt an ordinance making Waste Management the exclusive waste collection services provider in the City; and

WHEREAS, the Nibley City Council determined it was in the best interests of the residents of the City to participate as part of the Consortium and adopt an ordinance as required by the Services Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

1. That attached amendments to Nibley City Code 7.06.010 - 070 be amended into City Code.
2. Waste Management Inc. Is designated as the sole provider of waste collection services

Dated this 26 day of October, 2023.




Larry Jacobsen, Mayor

ATTEST


Cheryl Bodily, City Recorder