

## ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE amending Section 8.32.150 of the Lincoln Municipal Code to  
2 increase the occupation tax imposed on refuse haulers from \$7.00 per ton to \$9.00 per ton; and  
3 repealing Section 8.32.150 of the Lincoln Municipal Code as hitherto existing.

4 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

5 Section 1. That Section 8.32.150 of the Lincoln Municipal Code be amended to read  
6 as follows:

7 **8.32.150 Occupation Tax.**

8 (a) There is hereby imposed an occupation tax of ~~\$7.00~~ \$9.00 on each ton of refuse  
9 collected by a refuse hauler within the corporate limits of the City of Lincoln, and a tax of ~~\$7.00~~  
10 \$9.00 on each ton of refuse collected by a refuse hauler outside the corporate limits of the City of  
11 Lincoln and deposited in the public sanitary landfills as designated in Section 8.32.040 of the  
12 Lincoln Municipal Code. The occupation taxes authorized herein shall be used exclusively for  
13 funding solid waste management programs, including the payment of principal and interest on  
14 revenue bonds issued by the City of Lincoln.

15 (b) Each refuse hauler shall remit to the Public Works and Utilities Department payment  
16 of occupation taxes due and owing from the previous calendar month, together with a complete and  
17 detailed statement of (1) the tonnage of refuse collected within the corporate limits of the City of  
18 Lincoln, and (2) the tonnage of refuse collected outside of the corporate limits of the City of Lincoln  
19 and deposited in the public sanitary landfills during that period. The statement shall identify any  
20 tonnage claimed to fall under an exemption to the occupation tax set forth in subparagraph (d)  
21 hereof. Such statement shall be duly verified and sworn to by the officer or officers in charge of the  
22 business. All such businesses shall at all reasonable times during business hours permit the City,  
23 through its officers, agents, or representatives, to inspect the books and records of any such business  
24 for the purpose of verifying such report or reports.

1 (c) All refuse collected by refuse haulers within the corporate limits, whether destined for  
2 deposit in the public sanitary landfills as designated in Section 8.32.040 or for deposit elsewhere,  
3 shall, before leaving the corporate limits of the City of Lincoln, be weighed at the scales located at  
4 the public sanitary landfill at 56th Street and Bluff Road or at such other scales approved by the  
5 Director of Public Works and Utilities. The refuse hauler shall, at that time, advise the sanitary  
6 landfill operator or his designated representative of the amount of such tonnage destined for deposit  
7 outside the State of Nebraska. Any refuse not being deposited at the public sanitary landfills  
8 designated under Section 8.32.040, whether destined for deposit inside or outside the State of  
9 Nebraska, shall be weighed and the driver of the vehicle shall be provided a certificate of weight  
10 which shall be displayed upon demand to any police officer of the City of Lincoln.

11 (d) The occupation tax provided herein shall not be imposed upon (1) refuse destined for  
12 deposit at any location outside the State of Nebraska, or (2) building rubbish or demolition debris  
13 lawfully being deposited in the 48th Street public sanitary landfill, or (3) liquid waste, as defined  
14 in Section 8.32.080 herein.

15 Section 2. That Section 8.32.150 of the Lincoln Municipal Code as hitherto existing be  
16 and the same is hereby repealed.

17 Section 3. That this ordinance shall take effect and be in force from and after passage  
18 and publication in one issue of a daily or weekly newspaper of general circulation in the City,  
19 according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

Approved this \_\_\_ day of \_\_\_\_\_, 2012:

\_\_\_\_\_  
Mayor