

ORDINANCE NO. 5346

AN ORDINANCE AMENDING SECTION 8.08.070 AND SECTION 8.08.240 OF CHAPTER 8.08 OF THE RAPID CITY MUNICIPAL CODE RELATING TO RATES CHARGED FOR COLLECTION OF REFUSE.

WHEREAS, the City of Rapid City has previously adopted an ordinance that regulates the rates charged for collection of refuse in the City of Rapid City; and

WHEREAS, the City Council deems that it is in the City's best interest to amend the language of Section 8.08.070 and Section 8.08.240 of the Rapid City Municipal Code to change the amount charged for collection of refuse.

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City Section 8.08.070 of the Rapid City Municipal Code be amended to read as follows:

8.08.070 Collection—Charges.

A. The city shall make a charge for each month for the collection of refuse from each family domestic unit within the garbage service district as established by this chapter. In addition to, and separate from, the charge for collection of refuse, the city shall make a charge for each month for disposal of refuse from each family domestic unit within the garbage service district as established by this chapter. The charges for collection and disposal of refuse shall be payable by, and chargeable to, either the owner or occupant of each dwelling unit occupied by a family domestic unit. The charge shall be billed on the monthly water bill to each such family domestic unit and shall be immediately due and payable upon the billing date and shall be payable with, and addition to, the water bill. In the event of nonpayment of the refuse collection and disposal charges, water service and refuse collection service to the dwelling unit may be forthwith discontinued by the city.

B. In the event refuse collection and disposal service shall be provided by the city under the provisions of this chapter from any family domestic unit within the garbage service district, not independently served by the city water service and billed therefore, the owner and occupant of the dwelling unit occupied by the family domestic unit shall be billed for each month at the same rate that the water users are billed. The refuse collection and disposal service charge shall be forthwith payable to the city by either the owner or occupant of the dwelling unit. In the event of failure of payment of the charges, refuse collection and disposal service to the dwelling unit may be forthwith discontinued.

C. In addition to the foregoing methods of billing and collecting the charges for refuse collection and disposal, the Finance Officer, with the approval of the Mayor, may from time to time adopt, use and enforce such other methods of billing and collection of the charges as may be reasonably efficient, feasible, and appropriate, to the end that in every case all collection and disposal charges provided by this section shall be paid.

D. The following rates are established for charges to be made by the city for collection, recycling and disposal of refuse under this section. These rates will be increased effective on _____, 2007, and then increased on April 1 each year based upon the following table ~~annual percentage change in the consumer price index for urban wage earners and clerical workers as computed by the Bureau of Labor Statistics, United States Department of Labor, for the prior year.~~

-	<i>Rate (per month)</i>
1. Collection	Small \$6.25 per month
-	Medium \$7.75 per month
-	Large \$9.25 per month
2. Recycling	\$3.13 per month
3. Disposal	\$1.71 per month

<u>Year*</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
<u>Collection 35</u>	<u>\$7.87</u>	<u>\$7.87</u>	<u>\$7.87</u>	<u>\$7.87</u>	<u>\$7.87</u>	<u>\$7.87</u>	<u>\$7.87</u>
<u>Collection 65</u>	<u>\$9.76</u>	<u>\$9.76</u>	<u>\$9.76</u>	<u>\$9.76</u>	<u>\$9.76</u>	<u>\$9.76</u>	<u>\$9.76</u>
<u>Collection 95</u>	<u>\$11.65</u>	<u>\$11.65</u>	<u>\$121.65</u>	<u>\$11.65</u>	<u>\$11.65</u>	<u>\$11.65</u>	<u>\$11.65</u>
<u>Recycling</u>	<u>\$3.97</u>	<u>\$4.13</u>	<u>\$4.29</u>	<u>\$4.44</u>	<u>\$4.60</u>	<u>\$4.60</u>	<u>\$4.60</u>
<u>Disposal</u>	<u>\$2.43</u>	<u>\$2.53</u>	<u>\$2.63</u>	<u>\$2.72</u>	<u>\$2.82</u>	<u>\$2.82</u>	<u>\$2.82</u>

*Rate per month

E. The rates established by subsection D. of this section shall be reduced by 20% for family domestic units in which the head of household is not less than 65 years of age, or is totally disabled for Social Security purposes, and has established such fact by certification submitted to the Finance Officer on forms provided by him or her. The Public Works Director, subject to Council approval, may adopt policies and fees for excess garbage, loose garbage placed in containers, collection by request of automobiles, appliances, trees, branches, and rubbish of an extraordinary character. The Public Works Director may amend and modify the same with Council approval.

F. Whereas the state has imposed a tax denominated as an environmental fee on the disposal of solid waste, there is imposed a surcharge of \$.08, in addition to the charges for disposal established by subsection D. of this section, which surcharge shall be billed and collected monthly together with the established rate.

BE IT FURTHER ORDAINED by the City of Rapid City that Section 8.08.240 of the Rapid City Municipal Code be amended to read as follows:

8.08.240 Charges.

A. No person, firm, corporation or other entity shall place or cause to be placed any refuse, of any type or source, upon the landfill without having first paid the fee prescribed by this section.

B. 1. The following rates are established for the disposal of refuse at the landfill:

a. By automobile: \$ ~~4~~ 2007 - \$1.50, 2010 - \$2.00; and

b. By pickup or single-axle trailer: ~~\$10~~ 2007 - \$15.00, 2010 - \$20.00.

2. As an alternative to the above rates, a person may request that his or her pickup or single-axle trailer be charged based on weight, but in no event shall the disposal fee be less than \$5.

3. The landfill manager or his or her designee may require that any vehicle or trailer or combination be weighed and disposal fees be charged according to the per ton fee schedule.

a. The schedule is as follows:

~~\$44.00 per ton until December 31, 2005, and \$46.00 per ton starting January 1, 2006.~~

<u>Year*</u>	<u>2007</u>	<u>2008*</u>	<u>2009*</u>	<u>2010*</u>	<u>2011*</u>
<u>Collection 35</u>	<u>\$50.00</u>	<u>\$52.00</u>	<u>\$54.00</u>	<u>\$56.00</u>	<u>\$58.00</u>

*Effective rate as of April 1 of each year.

b. The per ton revenue shall be divided between the MRF and the landfill as follows:

i. ~~MRF - \$30.00 until December 31, 2005, and \$28.52 after December 31, 2005; plus~~

ii. ~~Landfill - \$14.00 until December 31, 2005, and \$17.48 after December 31, 2005.~~

<u>Year</u>	<u>Tip Fee/Ton</u>	<u>Landfill</u>	<u>MRF</u>
<u>2007</u>	<u>50.00</u>	<u>19.84</u>	<u>30.17</u>
<u>2008</u>	<u>52.00</u>	<u>20.63</u>	<u>31.37</u>
<u>2009</u>	<u>54.00</u>	<u>21.42</u>	<u>32.58</u>
<u>2010</u>	<u>56.00</u>	<u>22.22</u>	<u>33.78</u>
<u>2011</u>	<u>58.00</u>	<u>23.01</u>	<u>34.99</u>

4. Per cubic yard.

a. ~~MRF - \$12.00 after 1995, and \$11.50 after December 1, 2000; plus~~

b. ~~Landfill~~ \$5.15 after 1995.

<u>Year</u>	<u>Tip Fee/Yard</u>	<u>Landfill</u>	<u>MRF</u>
<u>2007</u>	<u>18.38</u>	<u>7.29</u>	<u>11.09</u>
<u>2008</u>	<u>19.12</u>	<u>7.59</u>	<u>11.53</u>
<u>2009</u>	<u>19.85</u>	<u>7.87</u>	<u>11.98</u>
<u>2010</u>	<u>20.59</u>	<u>8.17</u>	<u>12.42</u>
<u>2011</u>	<u>21.32</u>	<u>8.46</u>	<u>12.86</u>

eb. The cubic yard rate shall be employed only during such time as the scale is not operating.

C. In lieu of the foregoing charges, there is imposed a special charge for the disposal of certain materials as follows:

Tires not greater than 16 inches inside diameter	\$2.25
Tires greater than 16 inches inside diameter	\$7.00
Tires, per ton	\$185.00
Asbestos-containing materials:	
Per ton	\$46.00 <u>Same as tip fee.</u>
Minimum charge	\$150.00
Dead animals under 200 pounds	\$1.00
Dead animals over 200 pounds	2 times the per ton rate
Other items requiring special handling	1.5 times the per ton rate

D. The applicability of any charge shall be determined by the landfill site manager in the exercise of his or her discretion. The charge shall be twice the scheduled charge if the site manager is not informed of the presence of special materials at the time of entry upon the landfill.

E. Whereas the state has imposed a tax denominated as an environmental fee on the disposal of solid waste, there is imposed a surcharge of \$1, in addition to the charges for disposal established by subsection B of this section, which charge shall be paid along with the established rate for disposal of solid waste.

F. The Public Works Director is authorized to negotiate contracts, for terms not exceeding 10 years, for the disposal of yard waste at the Rapid City landfill. Such contracts may include a fixed charge per ton for the life of the contract, maximum and minimum tonnages, provisions for changes in rates, or any other appropriate provisions. Such contracts shall not be effective until approved by the Council.

THE CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: