

ORDINANCE NO. 5392

AN ORDINANCE RAISING THE SPECIAL CHARGE FOR DISPOSING OF TIRES AT THE CITY LANDFILL BY AMENDING SECTION 8.08.240 OF THE RAPID CITY MUNICIPAL CODE.

WHEREAS, the City of Rapid City has established by ordinance a special charge at the City landfill for the disposal of tires; and

WHEREAS, New Deal Tire (“New Deal”), a private contractor, recycles the landfill’s waste tires; and

WHEREAS, New Deal is the only licensed tire recycler in the area; and

WHEREAS, New Deal has informed the City that due to rising fuel costs they are increasing their recycling fee to \$190 per ton; and

WHEREAS, the City’s special disposal charge for tires is currently \$185 per ton; and

WHEREAS, the City landfill has two employees who stack the waste tires for shipping which adds approximately \$20 per ton to the City’s disposal costs; and

WHEREAS, if the City does not increase the special disposal charge, the amount of the charge will be insufficient to cover the City’s actual cost of recycling the tires; and

WHEREAS, the Common Council of the City of Rapid City deems it to be in the City’s best interests to raise the special disposal charge for tires so it is sufficient to cover the City’s costs in having the tires recycled by amending Section 8.08.240 of the Rapid City Municipal Code.

NOW THEREFORE, BE IT ORDAINED by the City of Rapid City, that Section 8.08.240 of the Rapid City Municipal Code is hereby 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: 2007 - \$1.50, 2010 - \$2.00; and

b. By pickup or single-axle trailer: 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:

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

*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>Year</i>	<i>Tip fee/ton</i>	Landfill	MRF
2007	\$50.00	\$19.84	\$30.17
2008	52.00	20.63	31.37
2009	54.00	21.42	32.58
2010	56.00	22.22	33.78
2011	58.00	23.01	34.99

4. Per cubic yard.

a. The schedule is as follows:

<i>Year</i>	<i>Tip fee/ton</i>	Landfill	MRF
2007	\$18.38	\$7.29	\$11.09
2008	19.12	7.59	11.53
2009	19.85	7.87	11.98
2010	20.59	8.17	12.42
2011	21.32	8.46	12.86

b. 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	\$2.2555
Tires greater than 16 inches inside diameter	\$7.0095
Tires, per ton	\$185210.00
Asbestos-containing materials:	
Per ton	Same as tip fee
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.

CITY OF RAPID CITY

Mayor

ATTEST:

Finance Officer
(SEAL)

First Reading:
Second Reading:
Published:
Effective: