

RESOLUTION NO. 14-052

RESOLUTION AMENDING RESOLUTION 13-031 TO ADJUST RATES AND FEES FOR GARBAGE AND REFUSE COLLECTION AND DISPOSAL SERVICE WITHIN THE CITY OF WILLISTON AND THE CITY OF WILLISTON LANDFILL

WHEREAS, Section 19-9 of the Code of Ordinances of the City of Williston charges the Board of City Commissioners with the responsibility of establishing by Resolution appropriate rates for the various categories of refuse collection service; and

WHEREAS, it appears necessary to adjust the rates for collection and the charges for landfill disposal;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WILLISTON, NORTH DAKOTA, THAT RATES FOR GARBAGE COLLECTION AND DISPOSAL AND FEES FOR THE CITY LANDFILL ARE ESTABLISHED AS FOLLOWS:

RESIDENTIAL: For each single family residence where service is provided under Ordinance No. 543, the sum of \$7.35 per month.

MULTIPLE FAMILY DWELLING UNITS:

A. For multiple family dwelling units consisting of four or fewer units, the sum of \$7.35 per month per unit in dwellings receiving weekly collection.

B. Multiple family dwelling units containing more than four units shall be charged at the same rate as commercial property. The Director of Public Works shall have the sole discretion and authority to order the use and placement of extra garbage containers should an overflow of trash in the present containers justify the use of additional containers.

COMMERCIAL: For commercial service to hotels, restaurants, commercial, industrial, and other business institutions classified within this section, the fees charged by the City shall be placed upon the number of containers, size of containers, and number of pickups per week as follows:

1. For commercial accounts using either the 300-gallon plastic tubs, or steel containers having a one to three yard capacity, there shall be a charge of \$6.20 per yard per week for once-a-week pickup. For purposes of this Resolution, the 300-gallon plastic tubs shall be deemed to equal one yard of refuse, and for purposes of computing a monthly charge; it is deemed that there shall be four weeks per month. Additional pickups per week shall be charged at 80% of the basic charge of \$6.230 per yard. While the City shall own the containers, there shall be no direct charge for rental or usage of such containers imposed upon commercial users under this paragraph other than the rate provided herein.

2. For commercial accounts using steel containers having a capacity of four yards there shall be a charge of \$5.60 per yard for once a week pickup. Additional pickups per week shall be charged at 80% of the basic charge of \$5.60 per yard.

3. For commercial accounts using steel containers having a capacity of six yards there shall be a charge of \$5.25 per yard for once a week pickup. Additional pickups per week shall be charged at 80% of the basis charge of \$5.25 per yard.

4. For commercial accounts using steel containers having a capacity of eight yards there shall be a charge of \$5.00 per yard for once a week pickup. Additional pickups per week shall be charged at the basic charge of \$5.00 per yard.

5. There shall be a charge of \$74.30 per pickup plus a landfill cost for a 22-yard roll off unit.

6. There shall be a charge of \$169.80 per pickup plus a landfill cost for a 40-yard compactor unit.

7. Any container over four yard and loose trash and refuse picked up by the rear packer truck of the City shall be charged to the user on a time basis at rates established by the Director of Public Works, subject to approval by the Street and Sanitation Commissioner acting on behalf of the Board of City Commissioners.

8. Minimum charge shall be \$24.80 per month per container with the total charge prorated among the businesses using the container. However, each business shall be charged a minimum of \$7.00 per month for refuse collection service.

9. Fees for garbage collection by the City of Williston will be allocated 70% to collection service fees and 30% to landfill fees.

10. All garbage accounts are subject to the following fees, whether residential, multiple family dwelling units or commercial:

<u>Account Type</u>	<u>Monthly Surcharge</u>
(1) Household account (includes a single residence, multiple residence of not more than three units, bunkhouse, crew quarters, campground, picnic ground, or farmstead.)	\$0.20
(2) Commercial account (includes a unit in a multiple residence of four or more units, mobile home in a mobile home park, motel, hotel, store, office building, restaurant, or warehouse.)	
(a) Commercial account – Payment of \$0.01 through \$10.00 per month.	\$0.20
(b) Commercial account – Payment of \$10.01 through \$50.00 per month.	\$0.75
(c) Commercial account – Payment of \$50.01 through \$100.00 per month.	\$1.50
(d) Commercial account – Payment of \$100.01 through \$500.00 per month.	\$3.00
(e) Commercial account – Payment of \$500.01 or more per month.	1% of monthly fee
(3) Multiple unit commercial account (includes multiple residence of four or more units, mobile home park, shopping center, office building, and any other commercial account in which four or more units pay a single collection fee.)	\$0.20 per unit or the applicable commercial rate [see Account Type (2)(a) through (2)(e)] whichever is greater.

LANDFILL DISPOSAL: Charges for landfill disposal costs shall be as follows:

1. All refuse hauled to the landfill disposal site shall be weighted and charged according to weight.
2. The Director of Public Works shall have authority to negotiate with individual haulers bringing extra large loads or multiple loads of refuse to the landfill site.

3. Rates:

	<u>Charge/Ton</u>
A. Regular Refuse	\$42/Ton
Oil Field Refuse	\$165/Ton
B. Construction Materials/Trees	\$20/Ton
Surcharge dumping fee for licensed construction debris	
Oil Field Construction Inert	\$100/Ton
C. Haulers	10%
D. Shredded tires and crushed chemical barrels	\$ 22/Ton
E. Unshredded tires and uncrushed barrels	\$200/Ton
Tires – Car/Pickup	\$ 7.00 each
Truck	\$20.00 each
Tractor	\$25.00 each
or	\$200/Ton
F. Asbestos (\$30.00 minimum)	\$61.00
G. Clean asphalt and concrete (recyclable)	\$ 2.00
Minimum charges for regular refuse of 300 pounds or less	\$ 5.00
H. Unsecured load surcharge	\$25.00
I. Pallets	\$40/Ton
J. Appliances (Minimum Charge by Weight)	\$20/Ton
K. Regular Refuse Surcharge	10%
L. Construction Material Surcharge	10%
M. All Loads Containing Unauthorized Waste in Accordance with the North Dakota Department of Health Guideline 42	\$10,000.00 fee
N. Recycled Oil Field Waste from NDDOH permitted Transfer Station/Resource Recovery Facilities	1.5 X Regular Refuse

4. All new municipal users as of the date of this Resolution are subject to City Commission approval (example, new city or governmental entities not currently regular customers of landfill).
5. Construction debris haulers as allowed by sections 19-5 and 19-16 of the City of Williston Code of Ordinances must be licensed by the City and pay an annual license fee of \$90.00.
6. In the event the weight of the refuse being hauled to the landfill site cannot be weighed because of a malfunction in the scale or for any other reason, the Director of Public Works shall have the authority to set fees based upon his estimate of tonnage.
7. All refuse delivered to the city landfill by non-city refuse carriers is subject to the following fees:

Account Type

Monthly Surcharge

(1) Commercial account (includes a unit in a multiple residence of four or more units, mobile home in a mobile home park, motel, hotel, store, office building, restaurant, or warehouse.)	
(a) Commercial account – Payment of \$0.01 through \$10.00 per month.	\$0.20
(b) Commercial account – Payment of \$10.01 through \$50.00 per month.	\$0.75
(c) Commercial account – Payment of \$50.01 through \$100.00 per month.	\$1.50
(d) Commercial account – Payment of \$100.01 through \$500.00 per month.	\$3.00
(e) Commercial account – Payment of \$500.01 or more per month.	1% of monthly fee
(2) Multiple unit commercial account (includes multiple residence of four or more units, mobile home park, shopping center, office building, and any other commercial account in which four or more units pay a single collection fee.)	\$0.20 per unit or the applicable commercial rate [see Account Type (2)(a) through (2)(e)] whichever is greater.
(3) Landfill fees (Note – Landfill fees are subject to the surcharge only if the waste has not yet been subjected to the surcharges	Equivalent commercial rate [see Account Type (1)(a) through (1)(c)].

8. The above rates shall be in full force and effect from and after the 1st day of January, 2015, and shall remain in effect until amended by resolution of the Board of City Commissioners.

Commissioner Cymbaluk moved the adoption of this Resolution. Commissioner Brostuen seconded the motion and upon being put to a vote, the following Commissioners voted "AYE": Cymbaluk, Brostuen, Bekkedahl, Piesik and Klug; and the following Commissioners voted "NAY": None. Absent and not voting: None.

WHEREUPON, the motion was passed and the Resolution declared adopted this 29th day of October, 2014.

HOWARD KLUG, President
Board of City Commissioners

ATTEST:

JOHN KAUTZMAN, City Auditor