

RESOLUTION NO. R-15-55

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING REVISED RATES, FEES AND CHARGES FOR SOLID WASTE DISPOSAL SERVICES FURNISHED OR TO BE FURNISHED BY MANATEE COUNTY; REVISING DEFINITIONS; ESTABLISHING REVISED LANDFILL TIPPING FEES AND CHARGES; REVISING PROVISIONS FOR CHARGE ACCOUNTS; REVISING MISCELLANEOUS PROVISIONS; PROVIDING DIRECTIONS REGARDING CODIFICATION; REPEALING AND SUPERSEDING PRIOR AND CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Subsection 125.01(k), Florida Statutes, and Chapter 85-457, Laws of Florida, as amended, authorize and empower the Board of County Commissioners of Manatee County, Florida, to provide for and to regulate waste disposal; and

WHEREAS, pursuant to Section 2-16-82, Manatee County Code of Ordinances, Manatee County solid waste service includes the landfill and any other landfill site or property for disposal of solid waste; and

WHEREAS, Chapter 2-16, Manatee County Code of Ordinances, as amended, provides for the establishment of rates, fees and charges to be paid for disposal of solid waste and other waste; and

WHEREAS, on September 9, 2008, the Board of County Commissioners of Manatee County adopted Resolution No. R-08-200, which established revised rates, fees and charges for solid waste disposal services at the landfill or solid waste disposal facility; and

WHEREAS, county staff has recommended changes to certain fees and charges for solid waste disposal services at the landfill or solid waste facility; and

WHEREAS, the Board of County Commissioners has reviewed the recommended changes and has determined that the revised fees and charges set forth in this resolution are fair and equitable and necessary to fund the proper operation of the solid waste disposal services; and

WHEREAS, pursuant to Chapter 2-16, Manatee County Code of Ordinances, as amended, changes to the rates, fees and charges of the solid waste system require a public hearing by the Board of County Commissioners to adopt new fees and charges for solid waste disposal services; and

WHEREAS, notice of public hearing to consider Resolution No. R-15-55 was duly published in a newspaper of general circulation in Manatee County; and

WHEREAS, on September 22, 2015, the Board of County Commissioners held a public hearing to consider Resolution No. R-15-55; and

WHEREAS, the Board of County Commissioners finds that it is in the best interest of the county and the customers of the solid waste system to establish revised fees and charges for solid

waste disposal services.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. Definitions.

(a) Unless the context requires a different meaning, the definitions contained in Section 403.703, Florida Statutes, and Chapter 2-16, Manatee County Code of Ordinances, as amended, shall apply to the terms used in this resolution.

(b) As used in this resolution, the term non-standard waste shall mean any type of waste not identified in subsection 2(a), 2(b), or 2(c) of this resolution which is permitted for disposal at the County's landfill or solid waste facility.

Section 2. Landfill tipping fees and charges.

(a) The tipping fees for disposal of solid waste, including yard trash and white goods, and other standard waste at the landfill or solid waste facility are as follows:

- (1) Non-modified automobiles without trailers..... \$5.00/automobile
- (2) All other vehicles ..... \$40.00/ton
- (3) Minimum fee for loads of 1,000 pounds or less..... \$20.00

(b) The tipping fees for disposal of construction and demolition debris at the County's landfill or solid waste facility are as follows:

- (1) All vehicles ..... \$61.00/ton
- (2) Minimum fee for loads of 1,000 pounds or less..... \$30.50

(c) The tipping fees for disposal of waste tires at the County's landfill or solid waste facility are as follows:

- (1) All vehicles ..... \$86.00/ton
- (2) Minimum fee for loads of 1,000 pounds or less..... \$43.00

(d) The tipping fees for disposal of ash residue, sludge, contaminated soil, asbestos, and other non-standard waste at the County's landfill or solid waste facility are as follows:

- (1) All vehicles ..... \$61.00/ton
- (2) Minimum fee for loads of 1,000 pounds or less..... \$30.50

(e) The tipping fees listed in subsections 2(a), 2(b), 2(c), and 2(d) above shall be double for mixed loads or loads that are insufficiently covered to prevent load loss during transportation.

(f) The tipping fees listed in subsections 2(a), 2(b), 2(c), and 2(d) above shall be triple for out-of-County waste.

(g) The tipping fees for disposal at the County's landfill or solid waste facility shall be waived for the Authorized Collectors disposing of solid waste and/or yard trash collected pursuant to the community service requirements provided in the Franchise Agreements for Unincorporated Manatee County Collection Service Area 1 and Collection Service Area 2.

Section 3. Charge accounts.

(a) A minimum deposit of \$200.00 or a deposit equal to two (2) months tipping fee, whichever amount is greater, is required on any landfill charge account. A security bond will be accepted in lieu of cash deposits exceeding \$2,000.00 for landfill charge accounts. Failure to pay bills in a timely manner may result in an increased deposit.

(b) Unpaid charge accounts will incur a delinquency (late payment) fee of 2% of the current bill.

(c) Charge account privileges will be terminated if payment is not made within thirty (30) days following the billing date and the deposit will be applied to the outstanding balance. Customers whose charge account privileges have been terminated will be required to prepay cash for all transactions.

(d) Any charge account with no activity for twelve (12) consecutive months will be closed and the deposit will be refunded.

(e) No charge account will be established for any customer with an outstanding past due balance on any County public utilities or solid waste account, including, but not limited to, water, reclaimed water, wastewater, and solid waste services

(f) All charge account deposits shall accrue interest. The interest rate will be the regular savings rate of the County's depository effective on October 1 of each year and will remain at that rate throughout the fiscal year. Accrued interest will be credited once a year to the customer's account.

Section 4. Miscellaneous.

(a) The fee for replacement of an unattended scale proximity card is \$25.00.

(b) All unpaid IOUs will be billed to the customer.

Section 5. Directions regarding codification. This resolution shall not be codified in the Manatee County Code of Resolutions.

Section 6. Prior and conflicting resolutions. All prior and conflicting resolutions, including, but not limited to Resolution No. R-08-200, shall be repealed, rescinded, superseded and replaced by this resolution effective November 1, 2015, at 12:01 a.m.

RESOLUTION NO. R-15-55

Section 7. Severability. In the event that any provision, portion or section of this resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining provisions, portions or sections of this resolution which shall remain in full force and effect.

Section 8. Effective date. This resolution and the rates, fees and charges established in this resolution shall become effective November 1, 2015, at 12:01 a.m.

PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 22<sup>nd</sup> day of September, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By:   
Chairperson



ATTEST: Angelina M. Colonnese  
Clerk Ad Interim  
Manatee County Clerk of the Circuit Court and Comptroller

By:   
Angelina M. Colonnese