

OCT 06 2009 *CS/TB*

RESOLUTION NO. 2009-M-50

A RESOLUTION PERTAINING TO SOLID WASTE DISPOSAL; ADOPTING A REVISED FEE SCHEDULE FOR SOLID WASTE DISPOSAL AT COUNTY DISPOSAL FACILITIES; REVISING CERTAIN SOLID WASTE DISPOSAL FEES; PROVIDING FOR AN AUTOMATIC ANNUAL INCREASE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Orange County (the "Board") is authorized to establish, operate, and maintain a waste collection and disposal system within Orange County pursuant to its powers as a charter county, Florida law, and Section 32-16, Orange County Code; and

WHEREAS, the Board is also authorized to prescribe, fix, establish and collect fees, rentals, or other charges for the facilities and services furnished by such waste collection and disposal system, or any part thereof; and

WHEREAS, the Board last adopted a revised fee schedule for solid waste disposal at County disposal facilities on November 11, 2008, pursuant to Resolution 2008-M-59; and

WHEREAS, the Board finds it necessary to revise the fee schedule in order to enable the System to better fund its cost requirements; and

WHEREAS, the Board authorized, scheduled, and publicized a notice of public hearing to consider the adoption of the revised fee schedule in accordance with Section 32-16, Orange County Code:

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

Section 1. Revised Fee Schedule. The Board of County Commissioners hereby adopts the revised fee schedule attached to and incorporated in this Resolution as Exhibit "A". The attached schedule supersedes and hereby repeals the presently existing fee schedule as adopted on November 11, 2008.

Section 2. Automatic Annual Rate Increase. The Board adopts the provision for an automatic annual rate increase for the fee categories listed on Exhibit "A". Effective on October 1st of 2012 and each year thereafter, an automatic annual increase shall be three percent (3%) of all listed fee categories contained in the then current Solid Waste System Charge Schedule in effect

immediately prior to the effective date of such automatic annual rate increase. The Board further directs that on the effective date of each automatic annual rate increase, the Solid Waste System Charge Schedule in effect immediately prior to the effective date of such increases shall be revised to include the three percent (3%) increase, and that a copy of such revised Schedule shall be maintained for public inspection by the Clerk to the Board of County Commissioners. The automatic annual rate increase shall not apply to the minimum charge established for all vehicles.

Section 3. Severability of Provisions. If any provision of this Resolution or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of this Resolution, which can be given effect without the invalid provision or application, and to this end the provisions of the Resolution are declared severable.

Section 4. Effective Date. This Resolution shall take effect on December 1, 2009.

RESOLVED THIS \_\_\_\_\_ DAY OF OCT 06 2009, 2009.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: Richard T. Crotty  
Richard T. Crotty, Mayor

ATTEST: Martha O. Haynie, County Comptroller  
As Clerk to the Board of County Commissioners

By: Martha O. Haynie  
Deputy Clerk

## EXHIBIT "A"

### SOLID WASTE SYSTEM CHARGE SCHEDULE

All vehicle types pay the prevailing fee for the applicable category for covered loads. Any mixed loads will be charged for the higher fee category.

Uncovered loads are charged at 2 times the rate for covered loads of the applicable fee category.

Minimum charge for all vehicles is \$6.00.

<u>Fee Category</u>	<u>Fee Per Ton Effective December 1, 2009</u>	<u>Fee Per Ton Effective December 1, 2010</u>
1. Class I Solid Waste Residential (Putrescible garbage)	\$34.80	\$37.10
2. Class I Solid Waste Commercial (Putrescible garbage)	\$37.40	\$39.80
3. Class III Solid Waste (Construction and demolition debris)	\$25.60	\$25.60
4. Yard Waste	\$29.00	\$29.00
5. Dewatered Wastewater Treatment Sludge	Accepted by agreement only at the prevailing Class I Commercial waste rate plus a per-ton Sludge Handling Surcharge as set by agreement.	Accepted by agreement only at the prevailing Class I Commercial waste rate plus a per-ton Sludge Handling Surcharge as set by agreement.
6. Asbestos	\$110.00	\$110.00
7. Waste Tires	\$148.00	\$148.00

### AUTOMATIC ANNUAL RATE INCREASE

Consistent with and pursuant to Chapter 32 of the Orange County Code, the Board of County Commissioners hereby adopts annually, effective October 1<sup>st</sup> of 2012 and each year thereafter, an automatic increase of three percent (3%) to all listed fee categories contained in this Solid Waste System Charge Schedule in effect immediately prior to the effective date of such annual increase. The automatic increase shall not apply to the minimum charge established for all vehicles.