

ORDINANCE NO. 669

AN ORDINANCE ESTABLISHING THE RATES FOR COLLECTION OF GARBAGE IN THE CITY OF STAYTON, OREGON; AMENDING ORDINANCE NO. 578, SECTION 13; REPEALING ORDINANCE NO. 516; AND DECLARING AN EMERGENCY.

THE CITY OF STAYTON ORDAINS AS FOLLOWS:

SECTION 1

Section 3A., Ordinance No. 578, is hereby amended to read:

1. Rates for monthly service, effective 1 November 1989, shall be:

Residential Service

One 32-gallon can	\$ 10.00
Second or additional can	\$ 7.50

Container Service

Once Weekly

Twice Weekly

1-1/2 yds	\$ 75.00	\$139.00
2 yds	\$ 96.00	\$176.00
3 yds	\$136.00	\$245.00
4 yds	\$169.00	\$296.00
6 yds	n/a	\$417.00

Drop Box Service

\$3.30/yd. + disposal fee

Senior Citizen and Handicapped Service

Per can (or will-call basis) \$ 6.00

2. In determining rates, the Council shall give due consideration to current and projected revenues and expenses, actual and overhead expense, the cost of acquiring and replacing equipment, the services of owner, family and management, the cost of providing for future, added or different service, recycling, reuse, or other resource recovery services, a reasonable return to the franchisee for doing business based on a percentage of the gross receipts, research and development, systems to avoid or recover the cost of bad

debts, interest on late payments, costs of landfill or other disposal sites on their charges, and such other factors as the Council deems relevant.

The Council may consider rates charged by other persons performing the same or similar services in the same or similar service areas under the same or similar service conditions.

3. On all but emergency or interim rates, the franchisee shall provide thirty (30) days' written notice of the proposed rate change together with accompanying justification. An emergency or interim rate for a new or altered service may be adopted by written order of the City Administrator and is valid for a stated period not to extend in excess of six months.
4. Rates charged shall be those provided in Section 1.1 of this ordinance. Non-scheduled service may be provided at the reasonable cost of providing the service, giving due consideration to Subsection 1.2 of this ordinance.
5. Franchisee may require payment for residential service and multi-family residential service up to two (2) months in advance. Franchisee may bill up to two (2) months in advance, arrears, or any combination thereof. Where billed in advance, the franchisee will refund a pro rata portion of the payment of any complete month in which service is not to be provided.
6. The following system may be used by the franchisee to reduce bad debts which would otherwise become a charge against legitimate paying customers:
 - a. The franchisee may require payment at the time service is provided to drop box or roll-off box customers or any other customer who has not previously established credit with the franchisee. In determining credit, the franchisee may take into consideration non-payment for service to other service providers in other areas and any other relevant information;
 - b. Subject to the amount or rate being approved in the rate schedule, the franchisee may charge:

- i. A starting charge for a new service;
 - ii. A restart charge or advance deposit or both for any customer who has previously been terminated for failure to pay for service;
 - iii. Interest on past due accounts, not to exceed legal maximums.
 - c. In addition to the other provisions of this section and not in lieu thereof, the franchisee may collect the entire cost of billing and collecting bad debts including, without limitation, the cost of professional debt collection.
- 7. The rates to be charged to all persons, firms, or corporations shall be reasonable and uniform, taking into consideration the service rendered, and shall not be in excess of the rate schedule established in Section 3A-1 of this ordinance.
- 8. The commercial and residential rates specified in Section 3A-1 of this Ordinance are based on government regulations requiring weekly service for putrescible solid wastes. The rates are based on a per unit charge for each residential unit or commercial establishment.
- 9. So long as these rates remain in effect, the franchise holder shall be permitted to adopt reasonable rules, with prior written approval of the Stayton City Council, for the pick up of solid wastes on driveways, curbs, or elsewhere, although special consideration shall be given for aged or infirm persons, and the maximum rates described herein shall not prohibit the franchise holder from billing in advance.

SECTION 2

Ordinance No. 516 is hereby repealed in its entirety.

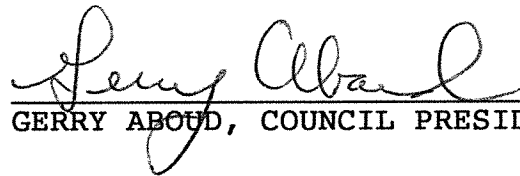
SECTION 3

This Ordinance being necessary for the immediate preservation of the public health and safety, an emergency is hereby

declared to exist and this Ordinance shall be in full force and effect from and after its date of passage.


PASSED BY THE COMMON COUNCIL this 2nd day of October, 1989.

SIGNED BY THIS MAYOR this 16th day of October, 1989.



GERRY ABOUD, COUNCIL PRESIDENT 10-20-89
Date

ATTEST



DAVID W. KINNEY, CITY ADMINISTRATOR 10-17-89
Date

APPROVED AS TO FORM



DAVID A. RHOTEN, CITY ATTORNEY OCT 21 1989
Date

b(9-19-89)