

ORDINANCE NO. 698

AN ORDINANCE ESTABLISHING THE RATES FOR COLLECTION OF GARBAGE IN THE CITY OF STAYTON, OREGON; AMENDING ORDINANCE NO. 578, SECTION 3A.; AND DECLARING AN EMERGENCY.

WHEREAS, Santiam Sanitary Service requested approval of a rate increase to certain users for garbage collection services; and

WHEREAS, the Common Council of the City of Stayton conducted a public hearing on November 18, 1991 to receive public testimony and to consider and render a decision concerning the rate increase proposal; and

WHEREAS, the Common Council of the City of Stayton, determined that the rate increase was fair and reasonable and competitive;

NOW, THEREFORE,

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 January 1992, shall be:

Residential Service

One 20-gallon can	\$ 10.00
One 32-gallon can	\$ 11.50
Second or additional can	\$ 8.80
One 90 gallon rollcart, limit 150 lbs for single-family residence	\$ 17.50

Multi-Family Apartments and Mobile Home Parks

This rate applies to multi-family apartments and mobile home parks when there are five or more adjoining units and a single billing is used.

First can per residence/unit	\$ 10.50
Each additional can per residence/unit	\$ 8.80

Commercial Service

One 90 gallon rollcart, limit 150 lbs per approved business (rollcart must be placed next to roadway)	\$ 29.00
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Commercial Cardboard Service

One yard minimum. \$ 10.00/yd
Cardboard must be kept clean and must be accessible.

<u>Container Service</u>	<u>Once Weekly</u>	<u>Twice Weekly</u>
1 yd	\$ 70.00	\$140.00
1½ yds	\$ 88.00	\$163.00
2 yds	\$112.00	\$206.00
3 yds	\$159.00	\$287.00
4 yds	\$198.00	\$342.00
5 yds	\$230.00	\$425.00
6 yds	n/a	\$488.00

Drop Box Service

\$116.00 per load plus disposal fee
\$3.50 per day rental charge up to a maximum \$70.00/month.

Compacted Drop Box and Container Service

2.5 times normal rate. Customer provides compatible containers.

Will Call Service

Per can \$ 7.00
Senior Citizens and disabled customers may request will-call pickups.

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 putricible 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.

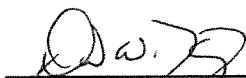
SECTION 2: The rates established in this ordinance shall be effective beginning 1 January 1992.

SECTION 3: It is hereby adjudged and declared that existing conditions are such that this ordinance amending the Stayton Municipal Code sections relating to historic preservation is necessary to serve the public health, safety, welfare, convenience, and environmental amenities of the City of Stayton and the inhabitants thereof, and this ordinance shall be in full force and effect when executed by the mayor.

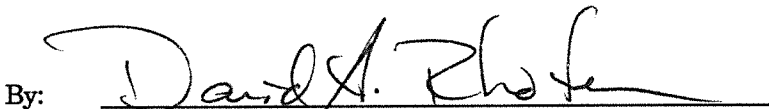
PASSED BY THE COMMON COUNCIL of the City of Stayton this 16 day of December, 1991.

Dated: 12-18-91 By: 
WILLMER VAN VLEET, Mayor

ATTEST

Dated: 12-17-91 By: 
DAVID W. KINNEY, City Administrator

APPROVED AS TO FORM

Dated: DEC 6 1991 By: 
DAVID A. RHOTEN, City Attorney

dk:b(11-21-91)