

ORDINANCE BILL NO. 13 FOR 2003

ORDINANCE NO. 1158

AN ORDINANCE RELATING TO SOLID WASTE MANAGEMENT AT THE SOLID WASTE DISPOSAL SITE (TRANSFER STATION) IN SWEET HOME OREGON; AMENDING SWEET HOME ORDINANCE 1117 AND DECLARING A NEED FOR EXPEDIENCY.

WHEREAS, Linn County, Oregon has a franchise agreement, Certificate Number 93-558, Order Number 93-557, with Sweet Home Sanitation Services, Inc., an Oregon Corporation, for a solid waste disposal site (Transfer Station) in Sweet Home, Oregon entered into on October 27, 1993, for a period of ten (10) years ending September 30, 2003;

WHEREAS, in 1999 Sweet Home Sanitation Services, Inc. transferred its franchise rights, responsibilities and obligations with all governmental entities for solid waste collection, disposal and recycling to Waste Connections of Oregon Inc. doing business as Sweet Home Sanitation Service;

WHEREAS, Linn County, through its governing body, the Board of Commissioners, has inquired of the City of Sweet Home, through its City Council, whether the City desires to enter into a new franchise agreement with Waste Connections of Oregon Inc. doing business as Sweet Home Sanitation Service upon the expiration of the current franchise agreement with the County to operate the Transfer Station in Sweet Home Oregon;

WHEREAS, the City of Sweet Home has a franchise agreement set forth in Sweet Home Ordinance Number 1117 as amended by Sweet Home Ordinance Number 1144 with Waste Connections of Oregon Inc. doing business as Sweet Home Sanitation Service that provides for an exclusive franchise to collect, transport, and convey solid waste over and upon the streets of the City and to recycle, reuse, dispose of, or recover materials or energy from said solid waste;

WHEREAS, the City of Sweet Home through its City Council, hereby declares that it will enter into a franchise agreement with Waste Connections of Oregon Inc. doing business as Sweet Home Sanitation Service to operate the Transfer Station as part of its franchise agreement upon the passage and in accordance with this Ordinance.

The City of Sweet Home does Ordain as follows:

Section 1. The "service" definition set forth in Section 3 of Sweet Home Ordinance Number 1117 is amended to read as follows:

Section 3 Definitions.

"Service" means storage, collection, transportation, treatment, utilization, processing, and final disposal of, or resource recovery from solid waste; and providing facilities necessary or convenient to those activities including the operation of the Transfer Station located at 1325 18th Avenue, Sweet Home,

Oregon.

Section 2. Subsection 4.1 of Ordinance 1117 is amended to read as follows:

4.1 There is hereby granted to Waste Connections of Oregon Inc. doing business as Sweet Home Sanitation Service the exclusive right, privilege and franchise to provide service in, and for that purpose to use the streets and facilities of, the City.

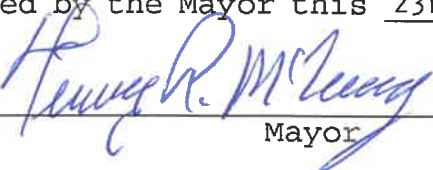
Section 3. Rates for services at the Transfer Station shall be as in the attached Exhibit A by this reference hereby incorporated in this Ordinance. Changes in rates shall be made only by an Ordinance amending Exhibit A.

Section 4. Section 7 Franchise Fee. of Ordinance 1117 is amended to read as follows:

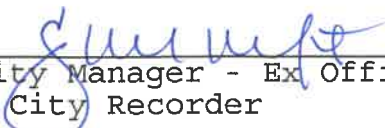
In consideration of the franchise, the franchisee shall pay to the Treasurer of the City an amount equal to 3% of the franchisee's annual gross cash receipts from the operation of the service. This fee is payable monthly. The franchisee shall, by March 31 each year, furnish to the Administrator a written accounting of its gross cash receipts from the operation of the service for the prior year. At that same time, the franchisee shall pay the difference, if any, by which 3% of those gross cash receipts exceeds its monthly payments for the prior year. If those monthly payments exceeded, however, 3% of those gross cash receipts for the prior year, the franchisee shall receive full credit therefor against the next monthly payments coming due under this Section 7. Gross cash receipts do not include those cash receipts generated at the Transfer Station from solid waste that comes from sources outside the City of Sweet Home that have a franchise agreement in place with Waste Connections of Oregon Inc. doing business as Sweet Home Sanitation Service for the disposal of same.

Section 5. It is in the best interest and the benefit of the City that this Ordinance become effective as set forth in the City of Sweet Home Charter Section 29 for the public health and for uninterrupted and continuous service provided for herein. This Ordinance shall be in full force and effect upon the passage by Council and approved by the Mayor on October 1, 2003.

PASSED by the Council and approved by the Mayor this 23rd day of September, 2003.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Manager - Ex Officio  
City Recorder

# Exhibit A

## Sweet Home Sanitation Transfer Station Rate Table October 1<sup>st</sup>, 2003

Solid Waste 0-500lbs Minimum Charge		\$12.50
Solid Waste 500lbs or Greater		\$43.50 Per Ton
32 Gallon Can		\$3.00 Per Can
Yard Waste Clean		\$30.00 Per Ton
Wood Waste Clean		\$15.00 Per Ton
Refrigerators		\$12.00
Washers and Dryers		\$5.00
Scrap Metal Clean		No Charge
Electronic Scrap Computers, Key Boards Mouse,		No charge
Monitors and Copy Machines		\$5.00
Recycling for the following products Glass, Tin, Waste Paper, Cardboard, Plastic Bottles and Tubs, Battries, Propane Bottles		No Charge
Used Motor Oil One Gallon Buckets or Smaller		No Charge
Used Motor Oil Five Gallon Buckets or Larger		\$.20 Per Gallon