

ORDINANCE NO. 33

AN ORDINANCE ESTABLISHING A USER FEE FOR THE ADMINISTRATION,  
IMPLEMENTATION AND OPERATION OF THE AREAWIDE SOLID WASTE  
MANAGEMENT PROGRAM AND PRESCRIBING AN EFFECTIVE DATE.

PUBLIC HEARINGS

OCTOBER 24, 1975  
NOVEMBER 14, 1975  
NOVEMBER 28, 1975

ADOPTED

NOVEMBER 28, 1975

MODIFICATIONS

ORDINANCE No. 36  
ORDINANCE No. 37  
ORDINANCE No. 46

*Repealed by Ord. 49*

METROPOLITAN SERVICE DISTRICT

ORDINANCE NO. 33

An ordinance establishing a user fee for the administration, implementation and operation of the areawide Solid Waste Management Program and prescribing an effective date.

APPROVED METROPOLITAN  
SERVICE DISTRICT  
BOARD OF DIRECTORS

ACTION NO. 75-429

DATE 11-28-75

BY Jean Wood  
CLERK OF THE BOARD

ORDINANCE NO. 33

The Metropolitan Service District hereby ordains:

SECTION I. Definitions.

As used in this ordinance, unless the context requires otherwise:

- A. DISTRICT. District means the Metropolitan Service District and all of the land and territory included within the boundaries of the Metropolitan Service District as established by electorate.
- B. OPERATOR. Operator means a person who has obtained and holds a waste disposal certificate issued by the MSD pursuant to Ordinance 32.
- C. PHASE I. Phase I means the first phase of the Program from the effective date of this ordinance to the activation and operation of the first processing facility and transfer station.
- D. PHASE II. Phase II means the second phase of the Program from the activation and operation of one processing facility and one transfer station to the activation and operation of the second processing facility.
- E. PHASE III. Phase III means the third phase of the Program from the activation and operation of two processing facilities and one transfer station and thereafter.
- F. PLAN/PROGRAM. Plan/Program means the Solid Waste Management Plan adopted by the Board on May 10, 1974 and amended by the Board on August 8, 1975.
- G. PROCESS/PROCESSED. Process/Processed means a method or system of altering the form, condition or content of solid wastes, such as but not limited to shredding, milling or pulverizing. This definition does not include compaction.
- H. PROCESSING FACILITY. Processing Facility means a place or piece of equipment where or by which solid wastes are processed. This definition does not include commercial and home garbage disposal units, which are used to process food wastes and are part of the sewage system.

- I. SOLID WASTE. Solid Waste means all putrescible and nonputrescible wastes, including without limitation, garbage, rubbish, refuse, ashes, paper and cardboard; vehicles or parts thereof; sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction wastes; home and industrial appliances; provided that this definition does not include:
1. Environmentally hazardous wastes as defined in ORS 459.410(6), (1974 Replacement Part), and
  2. Radioactive material produced by nuclear installations, as defined by ORS 459.410(7) (1974 Replacement Part),
  3. Materials used for fertilizer on land in agricultural operations and the growing or harvesting of crops and the raising of fowls or animals, and
  4. Explosives.
- J. TRANSFER STATION. Transfer station means a fixed or mobile facility used as part of a solid waste collection and disposal system or resource recovery system between the point of collection and a processing facility or a disposal site.
- K. USER FEE. User fee means a charge for services rendered by the District in administering, implementing and operating the Program.
- L. WASTE means any material considered to be useless, unwanted or discarded by the person who last used the material for its intended and original purpose.
- M. WASTE DISPOSAL SITE/DISPOSAL SITE. Waste disposal site/disposal site means a disposal site, whether or not open to the public, permitted by DEQ except those sites permitted as industrial solid waste disposal sites by DEQ. This definition does not include transfer stations or processing facilities.

SECTION 2. User Fees.

- A. The attached schedule of user fees is adopted for Phase I of the Program.
- B. User fees shall be in addition to any other fees or charges an operator is required to pay.

SECTION 3. Effective Date.

This ordinance shall take effect 60 days subsequent to the execution of a grant/loan offer and acceptance with the State of Oregon for implementation of the construction phase of the Program.

Nov. 28, 1975

DATE



ROBERT SCHUMACHER, CHAIRMAN

METROPOLITAN SERVICE DISTRICT

SCHEDULE OF USER FEES

PHASE I

- A. The following user fees shall be paid by the operators of waste disposal sites in accordance with Ordinance No. 32.
1. Non-compacted solid waste 15¢ per cubic yard delivered.
  2. Compacted solid waste 26¢ per cubic yard delivered.
  3. All material delivered in private cars, station wagons, single and two-wheel trailers, and trucks with rated capacities less than one ton will be computed at a fixed fee of 15¢ per load.
- B. Inert material, including without limitation, earth, sand, stone, crushed stone, crushed concrete and broken asphaltic concrete used at a landfill for cover, diking or road base and for which no dumping charge is made shall be exempt from these fees.