

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
METRO CODE CHAPTER 5.02 TO)
CONVERT THE UNCOVERED LOAD))
SURCHARGE AT METRO TRANSFER))
STATIONS TO A COVERED LOAD))
REBATE)

ORDINANCE NO. 00-874

Introduced by the Rate Review
Committee of the Metro Council

WHEREAS, littering is unlawful and undesirable; and

WHEREAS, in order to educate customers who litter, Metro transfer stations now impose a surcharge on all customers who arrive with uncovered loads of solid waste; and

WHEREAS, collection of the uncovered load surcharge is made difficult by argumentative customers who claim not to have known about the surcharge and by cash customers who arrive without sufficient funds to pay the surcharge; and

WHEREAS, Metro transfer station scale house employees have requested that the uncovered load surcharge be converted to a covered load rebate; and

WHEREAS, the Rate Review Committee voted unanimously to convert the uncovered load surcharge to a covered load rebate; and

WHEREAS, posting a higher disposal rate and providing rebates to all customers who arrive with covered loads of solid waste will provide a more effective means of litter control and public education; now therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Metro Code Section 5.02.025 is amended to read:

5.02.025 Disposal Charges at Metro South & Metro Central Station

(a) The fee for disposal of solid waste at the Metro South Station and at the Metro Central Station shall consist of a Tonnage Charge of ~~\$62.50~~ \$87.50 for each ton of solid waste delivered for disposal and a Transaction Charge of \$5.00 for each Solid Waste Disposal Transaction.

(b) The Tonnage Charge specified in subsection (a) of this section includes:

- (1) A disposal charge of \$29.75 per ton;
 - (2) A regional transfer charge of \$6.56 per ton;
 - (3) The fees specified in section 5.02.045;
 - (4) An enhancement fee of \$.50 per ton; and
 - (5) DEQ fees totaling \$1.24 per ton.
- (6) An uncovered load fee of \$25.00 per ton.

(c) Notwithstanding subsection (a) of this section, there shall be a minimum solid waste disposal charge at the Metro South Station and at the Metro Central Station for loads of solid waste weighing 320 pounds or less of ~~\$15.00~~ \$19.00, which shall consist of a minimum Tonnage Charge of \$10.00, plus an uncovered load fee of \$4.00, plus a Transaction Charge of \$5.00 per Transaction.

(d) Total fees assessed in cash at the Metro South Station and at the Metro Central Station shall be rounded to the nearest whole dollar amount, with any \$0.50 charge rounded down.

(e) The Director of the Regional Environmental Management Department may waive disposal fees created in this section for Non-commercial Customers of the Metro Central Station and of the Metro South Station under extraordinary, emergency conditions or circumstances.

(Ordinance No. 82-146. Amended by Ordinance No. 83-163, Sec. 2; Ordinance No. 85-191, Sec. 3; Ordinance No. 86-214, Sec. 3; Ordinance No. 88-257, Sec. 4; Ordinance No. 88-278, Sec. 3; Ordinance No. 89-269, Sec. 2; Ordinance No. 89-295, Sec. 3.; Ordinance No. 90-337, Sec. 4; Ordinance No. 90-372, Sec. 2; Ordinance No. 91-386C, Sec. 4; Ordinance No. 91-405A, Sec. 1; Ordinance No. 92-455B, Sec. 1; Ordinance No. 93-482, Sec. 2; Ordinance No. 94-531, Sec. 3; Ordinance No. 95-597, Sec. 2; Ordinance No. 97-681B, Sec. 2. Repealed by Ordinance No. 98-720A, Sec. 3; replaced by Ordinance No. 98-720A, Sec. 4. Amended by Ordinance No. 99-825A, Sec. 1.)

SECTION 2. Metro Code Section 5.02.029 is amended to read:

5.02.029 Disposal Charge for Recoverable Solid Waste

(a) There is hereby established a Recoverable Solid Waste Disposal Charge that shall be collected on all Recoverable Solid Waste accepted at the Metro South Station or Metro Central Station.

(b) The Recoverable Solid Waste Disposal Charge shall be based on Metro's actual costs in managing Recoverable Solid Waste. The amount of the Recoverable Solid Waste Disposal Charge shall consist of a Recoverable Solid Waste Variable Charge as defined in this Section, the Uncovered Load Fee, and a Transaction Charge as defined in Section 5.02.025. The Recoverable Solid Waste Disposal Charge shall be in lieu of all other base disposal charges, user fees, regional transfer charges, rehabilitation and enhancement fees, and certification non-compliance fees that may be required by of this chapter.

(c) The Variable Charge for Recoverable Solid Waste shall be the greater of:

(1) The highest price charged by private solid waste operators for similar Recoverable Solid Waste as reported quarterly in the Market Price Report published by Metro Recycling Information; or

(2) The sum of:

(i) The contractual price paid by Metro to any contract operator of Metro South Station and Metro Central Station for recovering and processing Recoverable Solid Waste;

(ii) The Metro Facility Fee as defined in Section 5.02.025 of this chapter and expressed on a per-unit basis; and

(iii) An amount equal to 21.6 percent of the Regional System Fee as defined by Metro Code Section 5.02.015 and expressed on a per-unit basis.

(d) Notwithstanding subsection (b) of this section, there shall be a minimum tonnage charge for loads of Recoverable Solid Waste as established by the Director of the Regional Environmental Management Department plus an uncovered load fee of \$4.00, plus a transaction charge of \$5.00 per transaction.

(e) Notwithstanding any other provision of this section, the charge for the disposal of a single Christmas tree shall be the Transaction Charge as set forth in Metro Code Section 5.02.025.

(f) All Fees charged for disposal of Recoverable Solid Waste shall be clearly posted at Metro South Station and at Metro Central Station.

(Ordinance No. 98-720A, Secs. 11-12.)

SECTION 3. Metro Code Section 5.02.035 is amended to read:

5.02.035 ~~Litter Control Surcharge Covered Load Discount~~

(a) A fee reduction of \$25.00 per ton shall be granted for all customers disposing of solid waste or Recoverable Solid Waste ~~A surcharge of \$100 per Solid Waste Disposal Transaction shall be levied against a commercial customer who disposes of solid waste or Recoverable Solid Waste at Metro Central Station or Metro South Station if, when entering the facility, any no~~ portion of the commercial customer's waste or Recoverable Solid Waste is visible to Metro scalehouse personnel.

~~(b) A surcharge of \$25 per Solid Waste Disposal Transaction shall be levied against a Non-commercial customer who disposes of solid waste or a Recoverable Solid Waste at Metro Central Station or at Metro South Station if, when entering the facility, any portion of the non-commercial customer's waste or Recoverable Solid Waste is visible to Metro scalehouse personnel.~~

(be) The Discount ~~No surcharge~~ shall be administered levied under this section if the solid waste or Recoverable Solid Waste is only visible through a secure covering, and shall reduce the minimum tonnage charge to \$5.00.

(cd) The Discount ~~surcharge~~ provided for in this section shall be administered collected in the same manner as Metro collects all other disposal fees and charges at the facility.

(Ordinance No. 82-146, Sec. 6. Amended by Ordinance No. 89-269, Sec. 2; Ordinance No. 90-337, Sec. 5; Ordinance No. 91-397, Sec. 1; Ordinance No. 94-531, Sec. 4; Ordinance No. 97-681B,

Sec. 3. Repealed by Ordinance No. 98-720A, Sec. 17; replaced by Ordinance No. 98-720A, Sec. 18.)

ADOPTED by the Metro Council this _____ day of _____, 2000.

WITHDRAWN
David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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Last updated 08/07/00

EXECUTIVE SUMMARY ORDINANCE 00-874

PROPOSED ACTION

- Adopt Ordinance 00-874 that converts the uncovered load surcharge at Metro transfer stations to a covered load rebate.

WHY NECESSARY

- Scalehouse employees have requested the change
- Improve customer education
- Reduce litter on roads and highways

ISSUES/CONCERNS

- Currently, self-haul customers are charged a \$25 surcharge when arriving with an uncovered load of solid waste at a Metro transfer station.
- Scalehouse employees are put in an awkward role of enforcement (not customer service) when self-haul customers arrive with uncovered loads.
- Few self-haul customers carry adequate cash to pay the uncovered load surcharge, and many self-haulers are not even aware of the surcharge.
- Occasionally, customers become argumentative when confronted with an extra \$25 surcharge, again placing scalehouse employees in an awkward position.
- Scalehouse employees believe that incorporating the \$25 uncovered load surcharge into the posted tip fee and granting \$25 rebates to most customers would be an improvement to the occasional, but generally awkward levying, of a \$25 surcharge.
- The new posted rate will be \$87.50, but most customers will receive the \$25 rebate, leaving an effective tip fee of \$62.50.

BUDGET/FINANCIAL IMPACT

None.

STAFF REPORT

Consideration of Ordinance No. 00-874, for the purpose of amending Metro code chapter 5.02 to convert the uncovered load surcharge at Metro transfer stations to a covered load rebate.

September 7, 2000

Presented by Terry Petersen

BRIEF DESCRIPTION OF ORDINANCE

This ordinance would increase the fee for disposal at Metro transfer stations by an uncovered load fee of \$25.00 and would provide a rebate of \$25.00 per ton to all Metro transfer station customers who arrive with their solid waste loads appropriately covered with a tarp to prevent littering. This ordinance makes revenue-neutral changes to Metro's established solid waste rate.

EXISTING LAW

Littering is illegal, under Oregon Revised Statutes Chapter 164 Sections 785 and 805. Metro Code Chapter 5.02 imposes a surcharge on customers whose loads arrive untarped or uncovered.

BACKGROUND

Existing Code imposes either a \$25.00 or \$100.00 per load surcharge, depending on vehicle capacity, for uncovered loads arriving at Metro transfer stations.

Nearly 100% of commercial customers to Metro transfer stations arrive with covered loads. Occasionally, self-haul (and, rarely, commercial) customers arrive at a Metro transfer station with a load not covered by a tarp. These customers typically either carry only enough cash to pay for disposal of their loads and/or are unaware of any uncovered load surcharge. For these reasons, Metro transfer station scale house employees rarely collect the uncovered load surcharge. Furthermore, scale house employees are placed in an awkward position when asked to enforce state litter control laws.

Posting a higher rate at Metro's transfer stations and providing a rebate to all customers with covered loads offers a revenue-neutral, effective means of educating *all* customers, while avoiding uncomfortable situations for scale house employees.

BUDGET IMPACT

None.

OUTSTANDING QUESTIONS

None

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 00-874.