

ORDINANCE NO. 2134

AN ORDINANCE TO AMEND THE FEES CHARGED FOR THE USE OF THE CITY LANDFILL; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

BE IT ORDANINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA, THAT:

SECTION 1. The existing Sanitation Service Fees be amended as follows:

SANITATION SERVICE, FEES, COLLECTION OF FEES, DEPOSIT AND EXEMPTION:

The following schedule of fees for sanitation services shall be in effect as of the 1st day of October 2023, to wit:

- (A) Minimum billing, \$25.35 per month residential.
- (B) Single family residence, \$25.35 per month.
- (C) Multiple unit dwellings, such as houses with basements or upstairs apartments, duplexes and triplexes, when all units are charged to the owner or manager on a single bill, and not more than three (3) separate households are maintained in the units, \$25.35 per month for the first unit and \$25.35 per month for each additional unit up to a total of three (3).
- (D) Multiple unit dwellings housing four (4) or more separately maintained households and billed to the owner or manager on a single bill shall be deemed commercial units, and shall be included in the commercial rate structure.
- (E) **COMMERCIAL/BUSINESS RATES.** The monthly charges for collection and disposal of solid waste for commercial, business establishments shall be based upon volume and service.

Includes all structures or parts thereof not included as a residential or multiple residential units.

The existing commercial/business rates are based upon a rate for a 3 cubic yard container per month for once-a-week collection. Additional pick-ups are \$61.65 each. A tabular form summarizing rates to be effective for all billings made on or after October 1, 2023 shall be as follows:

COMMERCIAL/BUSINESS RATES:

No. of Containers	Collections Per Week				
	1	2	3	4	5
1	\$137.12	\$274.25	\$411.37	\$548.49	\$685.60
2	\$274.25	\$548.49	\$822.74	\$1,096.98	\$1,371.23
3	\$411.37	\$822.74	\$1,234.11	\$1,645.47	\$2,056.83
4	\$548.49	\$1,096.98	\$1,645.47	\$2,193.95	\$2,742.45
5	\$685.61	\$1,371.23	\$2,056.83	\$2,742.45	\$3,428.06

Commercial/business units that share a common container shall have the above rates prorated as determined by the City. The minimum shall be \$68.55 for shared containers. Commercial roll-out carts (90-gallon) \$54.00/month, one pick up per week minimum. (Only allowed when alley access or access to 3 cubic yard container is not available.)

(F) Charges for regular sanitation services shall be due and payable on or before the 10th day of each month, payable at the City of Gering business office.

(G) The monthly customer fee for Sanitation customers outside the City Limits shall be 50% higher than in City Limit rates.

LICENSE REQUIRED; FEES

(A) No person shall deposit any material at the Gering City Landfill facility without first obtaining a license or franchise for said purpose from the City, or by paying the applicable disposal fees as herein provided.

(B) The following fees shall be collected by the City's agent at the City Landfill facility and shall be applicable to loads of solid waste, as herein defined, provided, however, the rates shall not apply to persons or corporations who are under contract with the City or as a franchise refuse collector who collects refuse within the City utility service area – the City zoning jurisdiction.

The City of Gering requires all loads going to the solid waste facility to be tarped or secured. The City of Gering reserves the right to assess a 50% surcharge on any unsecured solid waste material being hauled for disposal.

Rates at Scale Facility	\$64.50 per ton
Minimum Gate Fee	\$14.00 under 420 pounds

The City of Gering reserves the right to adjust the tonnage rate to customers under contract for special conditions.

Miscellaneous

- Tires (each); Car \$7.00; Truck \$12.00; Tractor \$27.00
- Appliance, Water Heater (residential, each \$11.00)

Additional charges may be assessed.

(C) **ROLL-OFFS:** The fees for solid waste collection and disposal from an open top roll-off container for construction waste shall be as follows:

- 1) Temporary weekly Roll-Off Box Charge
\$94.50 per haul charge with a 1 haul minimum per week
- 2) Temporary Monthly Roll-Off Box Charge
\$420.00 per haul charge with a 1 haul minimum per month
- 3) Additional Charges \$64.50 per ton of waste in box.
- 4) Permanent Roll-Off Box Charges
\$477.50 per haul charge with at 1 haul minimum per month, no tonnage fee applies
- 5) Delivery: The City reserves the right to add a delivery fee for roll-off containers over 15 miles outside of the City service area.

Additional items that can't be landfilled, that are removed out of the waste stream will be charged based on current rates schedule.
Banned items will not be accepted.

NOTE: Fee is based upon monthly pick up, thus a monthly minimum. The City may negotiate other than monthly fees depending upon availability of containers and/or scheduled usages above the monthly minimum.

(D) RESIDENTIAL CONSTRUCTION CONTAINER: The fees for solid waste collection and disposal from a 3-yard construction container for construction waste shall be as follows:

- 1) 3-yard Construction Container Charges, \$137.10 per month with a 1-haul minimum per week.
- 2) Maximum of 4-week rental.
- 3) Additional items that can't be landfilled, that are removed out of the waste stream will be charged based on current rates schedule.
- 4) Banned items will not be accepted.

NOTE: Fee is based upon weekly pick up, thus a monthly minimum. The City may negotiate other than monthly fees depending upon availability of containers and/or scheduled usages above the monthly minimum.

(E) FUEL SURCHARGE: The City reserves the right to add a fuel surcharge for roll-off containers over 15 miles outside of the City service area.

(F) COMPACTORS: Compactors will be charged on a per pull fee based on signed agreements with the City of Gering based upon a minimum of (1) once a month pull.
Note: All rates will be reviewed annually.

Haul only (customer-owned container)

Size	Rate
30 yd.	\$868.22
40 yd.	\$1,018.71

Haul only (City-owned container)

Monthly rental fee	\$413.44
30 yd. dump fee	\$868.22

(G) SPECIAL WASTE: \$55.65 filing fee and \$105.75 per ton charge depending on waste.

(H) Hazardous waste unacceptable. No hazardous wastes identified and contained in the RCRA regulations may be disposed of at the City Landfill

(I) Individuals or corporations will be permitted to arrange for monthly billing in advance of entry through the City Treasurer. All other entries not arranged for in advance for monthly billings shall be on a cash basis, to be collected by the City's agent at the sanitary landfill.

(J) All other licenses, fees, terms and conditions for the use of the City Landfill shall be established by the Mayor and Council of the City by resolution or by staff in the case of special waste.

- (K) The City of Gering reserves the right to request a deposit on account prior to opening a charge account.

SECTION 2. Service Fees for City of Gering Single-Stream Recycling Program available upon customer demand.

The following service fees for the City of Gering Single-Stream Recycling Program are hereby established, ratified as to prior customer participation, and in effect as the date of adoption of this Ordinance, to wit:

(A) SINGLE STREAM RECYCLING

1. The monthly customer fee for participation in the single-stream recycling program will be \$5.50 per month for a 90-gallon recycle container,
2. \$105.15 per month for a 3-yard recycle container.
3. \$78.75 per ton with a 30-yard roll-off container.
4. Roll-off container rental is \$100.00 per week or \$387.60 per month.
5. Pickup of single-stream recyclable material will be collected in a container approved by the City of Gering Sanitation Department.
6. Pickup of single-stream recyclable material and operation of the City of Gering single-stream recycling program will occur in accordance with procedures adopted by the City of Gering Sanitation Department.
7. The monthly customer fee for participation in the single-stream recycling program for customers outside the City Limits shall be 30% higher than in City Limit rates.

(B) CARDBOARD RECYCLING

1. The monthly customer fee for participation in the cardboard recycling program will be \$5.51 per month for a 90-gallon recycle container,
2. \$66.15 per month for a 3-yard recycle container.
3. \$49.60 per ton with a 30-yard roll-off container.
4. Roll-off container rental is \$94.50 per week or \$378.00 per month.
5. Pickup of cardboard recyclable material will be collected in a container approved by the City of Gering Sanitation Department.
6. Pickup of cardboard recyclable material and operation of the City of Gering recycling program will occur in accordance with procedures adopted by the City of Gering Sanitation Department.
7. The monthly customer fee for participation in the cardboard recycling program for customers outside the City Limits shall be 50% higher than in City Limit rates.

SECTION 2. All single-stream recycling program billings following passage of this Ordinance shall include the foregoing service fees, and all billings prior to the passage of this Ordinance that include said service fees are hereby ratified.

SECTION 3. Any Ordinance or part of any Ordinance of the City of Gering in conflict with this Ordinance is hereby repealed to the extent of such conflict and should any part or section of this Ordinance be declared void and unenforceable, such declaration shall not render any other part of this Ordinance void or unenforceable.

SECTION 4. This ordinance shall be effective upon its adoption and publication in the official city newspaper.

SECTION 3. The effective date of this ordinance shall be as provided by law and the first billing which will include the foregoing rates for service will begin with the first bill for services after the date of passage, approval and publication as provided by law, thus, the billing for October services.

SECTION 4. Any ordinance or part of any Ordinance of the City of Gering in conflict with this Ordinance is hereby repealed to the extent of such conflict and should any part or section of this Ordinance be declared void and unenforceable, such declaration shall not render any other part void and unenforceable. This Ordinance shall take effect and be in full force from and after the date of its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 25th DAY OF SEPTEMBER, 2023.



Kent E. Ewing, Mayor

ATTEST:



Kathleen J. Welfl, City Clerk

