

RESOLUTION NO. 141-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, LEVYING AND ADOPTING CHARGES, RATES, AND FEES FOR WASTE COLLECTION SERVICES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on October 3, 2017, the City Commission of the City of Delray Beach (“City”) passed and adopted Ordinance 29-17, removing the charges, rates, and fees for waste collection services from the City Code of Ordinances; and

WHEREAS, pursuant to Section 51.70 of the Code of Ordinances, the City Commission may amend the levied collection charges, rates, and fees for waste collection services by resolution; and

WHEREAS, the City Commission finds it necessary and appropriate to amend the charges, rates, and fees for waste collection services in accordance with the terms of the City’s franchise agreement; and

WHEREAS, the City Commission deems approval of this Resolution to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Delray Beach and the public at large.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, that:

Section 1. The foregoing recitals are hereby confirmed and ratified.

Section 2. In accordance with Section 51.70 of the Code of Ordinances of the City of Delray Beach, the following service charges, rates, and fees are levied for waste collection services, unless a different type of service is approved by the City and then each unit/development shall be billed in accordance with the type of service that it is receiving.

(A) Residential Service (Single Family Homes, Duplexes, Triplexes, Quadplexes and Mobile Homes):

Curbside Roll-Out Carts

Monthly Service	Cost Per Unit
Garbage Collection	\$8.84 \$9.15
Recycling	\$3.86 \$4.00
Yard Trash	\$2.30 \$2.38
Bulk Waste	\$2.28 \$2.36
Total Fees—Contractor	\$17.28 \$17.89
Administrative Fee	\$0.35
Franchise Fee (5%)	\$0.86 \$0.89
Total Fees	\$18.49 \$19.13

Curbside Disposable Bags With Vegetative Waste and Bulk Trash Pickup

Monthly Service	Cost Per Unit
Garbage/Trash Collection	\$8.84 \$9.15
Recycling	\$3.86 \$4.00
Yard Trash	\$2.30 \$2.38
Bulk Waste	\$2.28 \$2.36
Total Fees—Contractor	\$17.28 \$17.89
Administrative Fee	\$0.35
Franchise Fee (5%)	\$0.86 \$0.89
Total Fees	\$18.49 \$19.13

(B) Multi-Family Service

Multiple-family dwelling units containing five (5) units or more shall use containers emptied by mechanical means, except as otherwise approved by the City because of lack of suitable space for a mechanical container or other good reason. Multiple-family monthly fees shall be based on a per-unit charge. These monthly rates assume two (2) pickups per week. If the amount of refuse generated requires more than two (2) pickups per week, then the third and all subsequent collections shall be charged by the Contractor at the commercial collection rate only. If the Contractor furnishes the roll-out carts, as approved by the City, then a monthly fee of \$1.00 per cart may be charged by the Contractor directly to the customer.

Collection & Hauling Rate Per Unit

Monthly Service	Cost Per Unit
Garbage Collection	\$8.54 \$8.84
Recycling	\$3.62 \$3.75
Bulk	\$0.74 \$0.77
Total Per-Unit Fee—Contractor	\$12.90 \$13.36
Administrative Fee	\$0.35
Franchise Fee (5%)	\$0.65 \$0.67
Total Monthly Fees Per Unit	\$13.90 \$14.38

(C) Commercial Service

(1) Commercial customers shall use mechanical containers or rollout carts. Commercial customers shall include all customers other than residential or multi-family customers. Commercial customers may use any of the following containers for accumulation of refuse:

(a) *Rollout Carts.* Any commercial customer needing more than six (6) rollout carts is required to use mechanical containers, if feasible.

(b) *Mechanical Containers.*

(2) The owners/operators of commercial establishments and other commercial customers shall accumulate such refuse in those locations mutually agreed upon by the owner/operator and the City or its contractor, and which are convenient for collection by the City or its contractor.

(3) Mechanical containers emptied by mechanical means shall be provided by the contractor. These containers shall be emptied on a schedule mutually agreed upon by the customer and the City or its contractor, but not less than one day a week nor more than seven (7) days a week.

(4) Commercial customers needing six (6) or less rollout carts, and those approved for this type of service by the City in advance because they lack a suitable location for a mechanical container, shall be serviced at least once per week. All garbage and commercial trash shall be collected from such refuse containers at locations agreed to between the City or its contractor and the customer. The charge shall be based upon the following schedule:

Commercial Rates (Monthly)

Container Size	Container Pickup Frequency (Per Week)						
	1	2	3	4	5	6	7
2 Yard Collection	76.29	152.58	228.87	305.16	381.45	457.74	534.03
	79.00	158.00	237.00	316.00	395.00	474.00	553.00
Disposal	24.33	48.66	72.99	97.32	121.65	145.98	170.31
Container Services	24.00	24.00	24.00	24.00	24.00	24.00	24.00
Total Contractor Fees	124.62	225.24	325.86	426.48	527.10	627.72	728.34
	127.33	230.66	333.99	437.32	540.65	643.98	747.31
Franchise Fee (10%)	10.03	17.66	25.29	32.92	40.55	48.17	55.80
	10.30	18.20	26.10	34.00	41.90	49.80	57.70
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	135.00	243.25	351.50	459.75	568.00	676.24	784.49
	137.98	249.21	360.44	471.67	582.90	694.13	805.36

3 Yard Collection	114.44 118.50	228.88 237.00	343.32 355.50	457.76 474.00	572.20 592.50	686.64 711.00	801.08 829.50
Disposal	36.50	73.00	109.50	146.00	182.50	219.00	255.50
Container Services	26.00	26.00	26.00	26.00	26.00	26.00	26.00
Total Contractor Fees	176.94 181.00	327.88 336.00	478.82 491.00	629.76 646.00	780.70 801.00	931.64 956.00	1,082.58 1,111.00
Franchise Fee (10%)	14.04 14.45	25.49 26.30	36.93 38.15	48.38 50.00	59.82 61.85	71.26 73.70	82.71 85.55
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	191.33 195.80	353.72 362.65	516.10 529.50	678.49 696.35	840.87 863.20	1,003.25 1,030.05	1,165.64 1,196.90

4 Yard Collection	152.59 158.00	305.18 316.00	457.77 474.00	610.36 632.00	762.95 790.00	915.54 948.00	1,068.13 1,106.00
Disposal	48.67	97.34	146.01	194.68	243.35	292.02	340.69
Container Services	28.00	28.00	28.00	28.00	28.00	28.00	28.00
Total Contractor Fees	229.26 234.67	430.52 441.34	631.78 648.01	833.04 854.68	1,034.30 1,061.35	1,235.56 1,268.02	1,436.82 1,474.69
Franchise Fees (10%)	18.06 18.60	33.32 34.40	48.58 50.20	63.84 66.00	79.10 81.80	94.35 97.60	109.61 113.40
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	247.67 253.62	464.19 476.09	680.71 698.56	897.23 921.03	1,113.75 1,143.50	1,330.26 1,365.97	1,546.78 1,588.44

6 Yard Collection	228.88 237.01	457.76 474.02	686.64 711.03	915.52 948.04	1,144.40 1,185.05	1,373.28 1,422.06	1,602.16 1,659.07
Disposal	73.00	146.00	219.00	292.00	365.00	438.00	511.00
Container Services	30.00	30.00	30.00	30.00	30.00	30.00	30.00
Total Contractor Fees	331.88 340.01	633.76 650.02	935.64 960.03	1,237.52 1,270.04	1,539.40 1,580.05	1,841.28 1,890.06	2,143.16 2,200.07

Franchise Fee (10%)	25.89 26.70	48.78 50.40	71.66 74.10	94.55 97.80	117.44 121.51	140.33 145.21	163.22 168.91
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	358.12 367.06	682.89 700.77	1,007.65 1,034.48	1,332.42 1,368.19	1,657.19 1,701.91	1,981.96 2,035.62	2,306.73 2,369.33

8 Yard Collection	305.18 316.01	610.36 632.02	915.54 948.03	1,220.72 1,264.04	1,525.90 1,580.05	1,831.08 1,896.06	2,136.26 2,212.07
Disposal	97.34	194.68	292.02	389.36	486.70	584.04	681.38
Container Services	32.00	32.00	32.00	32.00	32.00	32.00	32.00
Total Contractor Fees	434.52 445.35	837.04 858.70	1,239.56 1,272.05	1,642.08 1,685.40	2,044.60 2,098.75	2,447.12 2,512.10	2,849.64 2,925.45
Franchise Fee (10%)	33.72 34.80	64.24 66.40	94.75 98.00	125.27 129.60	155.79 161.21	186.31 192.81	216.83 224.41
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	468.59 480.50	901.63 925.45	1,334.66 1,370.40	1,767.70 1,815.35	2,200.74 2,260.31	2,633.78 2,705.26	3,066.82 3,150.21

Commercial Compacting Containers

Container Size	Container Pickup Frequency (Per Week)						
	1	2	3	4	5	6	7
2 Yard Collection	208.45 215.84	416.90 431.68	625.35 647.52	833.80 863.36	1,042.25 1,079.20	1,250.70 1,295.04	1,459.15 1,510.88
Disposal	73.00	146.00	219.00	292.00	365.00	438.00	511.00
Total Contractor Fees	281.45 288.84	562.90 577.68	844.35 866.52	1,125.80 1,155.36	1,407.25 1,444.20	1,688.70 1,733.04	1,970.15 2,021.88
Franchise Fee (10%)	20.85 21.58	41.69 43.17	62.54 64.75	83.38 86.34	104.23 107.92	125.07 129.50	145.92 151.09
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35

Total Fees	302.65 310.77	604.94 621.20	907.24 931.62	1,209.53 1,242.05	1,511.83 1,552.47	1,814.12 1,862.89	2,116.42 2,173.32
3 Yard Collection	312.67 323.76	625.34 647.52	938.01 971.28	1,250.68 1,295.04	1,563.35 1,618.80	1,876.02 1,942.56	2,188.69 2,266.32
Disposal	109.51	219.02	328.53	438.04	547.55	657.06	766.57
Total Contractor Fees	422.18 433.27	844.36 866.54	1,266.54 1,299.81	1,688.72 1,733.08	2,110.90 2,166.35	2,533.08 2,599.62	2,955.26 3,032.89
Franchise Fee (10%)	31.27 32.38	62.53 64.75	93.80 97.13	125.07 129.50	156.34 161.88	187.60 194.26	218.87 226.63
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	453.80 466.00	907.24 931.64	1,360.69 1,397.29	1,814.14 1,862.93	2,267.59 2,328.58	2,721.03 2,794.23	3,174.48 3,259.87

4 Yard Collection	416.89 431.68	833.78 863.36	1,250.67 1,295.04	1,667.56 1,726.72	2,084.45 2,158.40	2,501.34 2,590.08	2,918.23 3,021.76
Disposal	146.01	292.02	438.03	584.04	730.05	876.06	1,022.07
Total Contractor Fees	562.90 577.69	1,125.80 1,155.38	1,688.70 1,733.07	2,251.60 2,310.76	2,814.50 2,888.45	3,377.40 3,466.14	3,940.30 4,043.83
Franchise Fee (10%)	41.69 43.17	83.38 86.34	125.07 129.50	166.76 172.67	208.45 215.84	250.13 259.01	291.82 302.18
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	604.94 621.21	1,209.53 1,242.07	1,814.12 1,862.92	2,418.71 2,483.78	3,023.30 3,104.64	3,627.88 3,725.50	4,232.47 4,346.36

6 Yard Collection	625.34 647.53	1,250.68 1,295.06	1,876.02 1,942.59	2,501.36 2,590.12	3,126.70 3,237.65	3,752.04 3,885.18	4,377.38 4,532.71
Disposal	219.01	438.02	657.03	876.04	1,095.05	1,314.06	1,533.07
Total Contractor Fees	844.35 866.54	1,688.70 1,733.08	2,533.05 2,599.62	3,377.40 3,466.16	4,221.75 4,332.70	5,066.10 5,199.24	5,910.45 6,065.78
Franchise Fee (10%)	62.53 64.75	125.07 129.51	187.60 194.26	250.14 259.01	312.67 323.77	375.20 388.52	437.74 453.27
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35

Total Fees	907.23 931.64	1,814.12 1,862.94	2,721.00 2,794.23	3,627.89 3,725.52	4,534.77 4,656.82	5,441.65 5,588.11	6,348.54 6,519.40
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8 Yard Collection	833.78 863.37	1,667.56 1,726.74	2,501.34 2,590.11	3,335.12 3,453.48	4,168.90 4,316.85	5,002.68 5,180.22	5,836.46 6,043.59
Disposal	292.02	584.04	876.06	1,168.08	1,460.10	1,752.12	2,044.14
Total Contractor Fees	1,125.80 1,155.39	2,251.60 2,310.78	3,377.40 3,466.17	4,503.20 4,621.56	5,629.00 5,776.95	6,754.80 6,932.34	7,880.60 8,087.73
Franchise Fee (10%)	83.38 86.34	166.76 172.67	250.13 259.01	333.51 345.35	416.89 431.69	500.27 518.02	583.65 604.36
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	1,209.53 1,242.08	2,418.71 2,483.80	3,627.88 3,725.53	4,837.06 4,967.26	6,046.24 6,208.99	7,255.42 7,450.71	8,464.60 8,692.44

Commercial/Multi-Family Roll-Off Containers:

Commercial/Multi-Family Permanent Roll-Off Containers & Compactors:

Permanent open-top roll-off container: ~~Four Hundred Twelve Dollars and Fifty Cents \$412.50.~~ Four Hundred Twenty-Five and 18/100 Dollars (\$425.18). (Includes franchise fee for haul and container services; excludes disposal and franchise fee on disposal as well as administrative fee) per pickup.

Compactors: ~~Six Hundred Dollars and Forty Two Cents \$600.42.~~ Six Hundred Nineteen and 77/100 Dollars (\$619.77). (Includes franchise fee for haul and container services; excludes disposal and franchise fee on disposal as well as administrative fee) per pickup.

The rates for commercial collection service shall include all charges and fees for the rental of mechanical containers except compactors. The rate for leasing a compactor shall be negotiated by the contractor and the customer.

Permanent Roll-Off Container:

10 Yard Collection	412.50 425.18
15 Yard Collection	412.50 425.18
20 Yard Collection	412.50 425.18
30 Yard Collection	412.50 425.18
40 Yard Collection	412.50 425.18

Permanent Roll-Off Compactor:

10 Yard Collection	600.42 619.77
15 Yard Collection	600.42 619.77
20 Yard Collection	600.42 619.77
30 Yard Collection	600.42 619.77
40 Yard Collection	600.42 619.77

Excludes commercial recycling containers and construction/demolition debris.

Commercial 96-Gallon Cart Service (Does not apply to residential service)

	Pickup Frequency (Per Week)					
	1	2	3	4	5	6
Collection	44.47 46.05	88.94 92.10	133.41 138.15	177.88 184.20	222.35 230.25	266.82 276.30
Disposal	6.08	12.16	18.24	24.32	30.40	36.48
Total Contractor Fees	50.55 52.13	101.10 104.26	151.65 156.39	202.20 208.52	252.75 260.65	303.30 312.78
Franchise Fee (10%)	4.45 4.61	8.89 9.21	13.34 13.82	17.79 18.42	22.24 23.03	26.68 27.63
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	55.35 57.09	110.34 113.82	165.34 170.56	220.34 227.29	275.34 284.03	330.33 340.76

NOTE: The foregoing rates are based on forty-two dollars (\$42.00) per ton (\$2.81 per cubic yard), which is the anticipated Solid Waste Authority tipping fee to be effective October 1, 2024.

NOTE: These rates shall be effective October 1, 2024, through September 30, 2025.

NOTE: City of Delray Beach buildings and locations shall be charged the City Collection Service rate, but shall not be charged for disposal fees, where the Contractor receives the appropriate disposal credits from SWA.

The Contractor shall be allowed to charge the Rates for Special Collection Services, as set forth in Exhibit 7 of the Franchise Agreement, if the Contractor performs any of the services listed on the special services exhibit. The City's franchise fee shall be applied to these rates.

Section 3. The City Clerk is hereby directed to maintain a copy of this Resolution and the Schedule

of Waste Collection charges, rates, and fees adopted thereby in the City Clerk's office for public inspection during normal business hours.

Section 4. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED this ___ day of _____, 2024.

ATTEST:

Katerri Johnson, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney