

ORDINANCE NO. 25-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 51, "GARBAGE AND TRASH", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, BY AMENDING SECTION 51.70, "REGULAR CHARGES LEVIED", TO PROVIDE FOR NEW RESIDENTIAL AND COMMERCIAL COLLECTION SERVICE RATES FOR FISCAL YEAR 2017; PROVIDING A GENERAL REPEALER CLAUSE, A SAVING CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Commission finds it necessary and appropriate to increase the collection rates for sanitation services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That Title V, "Public Works", Chapter 51, "Garbage and Trash", Section 51.70, "Regular Charges Levied", of the Code of Ordinances of the City of Delray Beach, Florida, is hereby amended to read as follows:

Sec. 51.70 REGULAR CHARGES LEVIED.

The following service charges or fees are levied for collection service, unless the City has approved a different type of service and then each unit/development shall be billed in accordance with the type of service that it is receiving:

Charges for the below-described collection service shall be as follows and shall commence when a certificate of occupancy is issued by the City for any residential or commercial units, and shall continue monthly thereafter unless service is discontinued in accordance with Section 51.73:

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

Curbside Roll-Out Carts

Monthly Service	Cost Per Unit
Garbage Collection	\$4.59 <u>4.66</u>
Recycling	\$2.01 <u>2.04</u>
Yard Trash	\$1.20 <u>1.22</u>

Bulk Waste	\$1.19 <u>1.21</u>
Total Fees—Contractor	\$8.99 <u>9.13</u>
Administrative Fee	.35
Franchise Fee (5%)	0.45 <u>0.46</u>
Total Fees	\$9.79 <u>9.94</u>

Rear-Door Owner Container	
Monthly Service	Cost Per Unit
Garbage Collection	\$11.05 <u>11.21</u>
Recycling	2.01 <u>\$2.04</u>
Yard Trash	\$0.00
Total Fees--Contractor	\$13.06 <u>13.25</u>
Administrative Fee	0.35
Franchise Fee (5%)	\$0.65 <u>0.66</u>
Total Fees	\$14.06 <u>\$14.26</u>
Curbside Disposable Bags With Vegetative Waste and Bulk Trash Pickup	
Monthly Service	Cost Per Unit
Garbage/Trash Collection	\$4.59 <u>4.66</u>
Recycling	\$2.01 <u>2.04</u>
Yard Trash	\$1.20 <u>1.22</u>

Bulk Waste	\$1.19 <u>1.21</u>
Total Fees--Contractor	\$8.99 <u>9.13</u>
Administrative Fee	0.35
Franchise Fee (5%)	\$0.45 <u>0.46</u>
Total Fees	\$9.79 <u>9.94</u>

(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	Monthly Cost Per Unit
Refuse Collection	\$2.96 <u>3.00</u>
Recycling	\$2.04 <u>2.04</u>
Total Per-Unit Fee--Contractor	\$4.97 <u>5.04</u>
Administrative Fee	\$0.35
Franchise Fee (5%)	\$0.25
Total Monthly Fees Per Unit	\$5.57 <u>5.64</u>

(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.* The City shall require any commercial customer needing more than six (6) rollout carts 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 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	38.71	77.42	116.13	154.84	193.55	232.26	270.97
	<u>39.23</u>	<u>78.46</u>	<u>117.69</u>	<u>156.92</u>	<u>196.15</u>	<u>235.38</u>	<u>274.61</u>
Disposal	24.33	48.67	73.00	97.34	121.67	146.01	170.34

Total Contractor Fees	63.04 <u>63.56</u>	126.09 <u>127.13</u>	189.13 <u>190.69</u>	252.18 <u>254.26</u>	315.22 <u>317.82</u>	378.27 <u>381.39</u>	441.31 <u>444.95</u>
Franchise Fee (10%)	6.30 <u>6.36</u>	12.61 <u>12.71</u>	18.91 <u>19.07</u>	25.22 <u>25.43</u>	31.52 <u>31.78</u>	37.83 <u>38.14</u>	44.13 <u>44.50</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	69.69 <u>70.27</u>	139.05 <u>140.19</u>	208.39 <u>210.11</u>	277.75 <u>280.04</u>	347.09 <u>349.95</u>	416.45 <u>419.88</u>	485.79 <u>489.80</u>
3 Yard Collection	58.07 <u>58.84</u>	116.14 <u>117.68</u>	174.21 <u>176.52</u>	232.28 <u>235.36</u>	290.35 <u>294.20</u>	348.42 <u>353.04</u>	406.49 <u>411.88</u>
Disposal	36.53	73.06	109.59	146.12	182.65	219.18	255.71
Total Contractor Fees	94.60 <u>95.37</u>	189.20 <u>190.74</u>	283.80 <u>286.11</u>	378.40 <u>381.48</u>	473.00 <u>476.85</u>	567.60 <u>572.22</u>	662.20 <u>667.59</u>
Franchise Fee (10%)	9.46 <u>9.54</u>	18.92 <u>19.07</u>	28.38 <u>28.61</u>	37.84 <u>38.15</u>	47.30 <u>47.69</u>	56.76 <u>57.22</u>	66.22 <u>66.76</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	104.41 <u>105.26</u>	208.47 <u>210.16</u>	312.53 <u>315.07</u>	416.59 <u>419.98</u>	520.65 <u>524.89</u>	624.71 <u>629.79</u>	728.77 <u>734.70</u>
4 Yard Collection	77.42 <u>78.46</u>	154.84 <u>156.92</u>	232.26 <u>235.38</u>	309.68 <u>313.84</u>	387.10 <u>392.30</u>	464.52 <u>470.76</u>	541.94 <u>549.22</u>
Disposal	48.71	97.41	146.12	194.83	243.53	292.24	340.95
Total Contractor Fees	126.13 <u>127.17</u>	252.25 <u>254.33</u>	378.38 <u>381.50</u>	504.51 <u>508.67</u>	630.63 <u>635.83</u>	756.76 <u>763.00</u>	882.89 <u>890.17</u>
Franchise Fees (10%)	12.61 <u>12.72</u>	25.23 <u>25.43</u>	37.84 <u>38.15</u>	50.45 <u>50.87</u>	63.06 <u>63.58</u>	75.68 <u>76.30</u>	88.29 <u>89.02</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35

Total Fees	139.09 <u>140.24</u>	277.83 <u>280.11</u>	416.57 <u>420.00</u>	555.31 <u>559.89</u>	694.04 <u>699.76</u>	832.79 <u>839.65</u>	971.53 <u>979.54</u>
6 Yard Collection	116.13 <u>117.69</u>	232.26 <u>235.38</u>	348.39 <u>353.07</u>	464.52 <u>470.76</u>	580.65 <u>588.45</u>	696.78 <u>706.14</u>	812.91 <u>823.83</u>
Disposal	73.06	146.12	219.18	292.24	365.30	438.36	511.42
Total Contractor Fees	189.19 <u>190.75</u>	378.38 <u>381.50</u>	567.67 <u>572.25</u>	756.76 <u>763.00</u>	945.95 <u>953.75</u>	1135.14 <u>1144.50</u>	1324.33 <u>1335.25</u>
Franchise Fee (10%)	48.92 <u>19.08</u>	37.84 <u>38.15</u>	56.76 <u>57.23</u>	75.68 <u>76.30</u>	94.60 <u>95.38</u>	113.51 <u>114.45</u>	132.43 <u>133.53</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	208.46 <u>210.18</u>	416.57 <u>420.00</u>	624.68 <u>629.83</u>	832.79 <u>839.65</u>	1040.90 <u>1049.48</u>	1249.00 <u>1259.30</u>	1457.11 <u>1469.13</u>
8 Yard Collection	154.84 <u>156.92</u>	309.68 <u>313.84</u>	464.52 <u>470.76</u>	619.36 <u>627.68</u>	774.20 <u>784.60</u>	929.04 <u>941.52</u>	1083.88 <u>1098.44</u>
Disposal	97.41	194.83	292.24	389.65	487.07	584.48	681.89
Total Contractor Fees	252.25 <u>254.33</u>	504.51 <u>508.67</u>	756.76 <u>763.00</u>	1009.01 <u>1017.33</u>	1261.27 <u>1271.67</u>	1513.52 <u>1526.00</u>	1765.77 <u>1780.33</u>
Franchise Fee (10%)	25.23 <u>25.43</u>	50.45 <u>50.87</u>	75.68 <u>76.30</u>	100.90 <u>101.73</u>	126.13 <u>127.17</u>	151.35 <u>152.60</u>	176.58 <u>178.03</u>
Administrative Fee	.35	.35	.35.	.35	.35	.35	.35
Total Fees	277.83 <u>280.11</u>	555.31 <u>559.89</u>	832.79 <u>839.65</u>	1110.26 <u>1119.41</u>	1387.75 <u>1399.19</u>	1665.22 <u>1678.95</u>	1942.70 <u>1958.71</u>

Commercial Compacting Containers

<u>Container Size</u>	<u>Pickup Frequency (Per Week)</u>						
	1	2	3	4	5	6	7
2 Yard Collection	48.41 <u>49.10</u>	96.82 <u>98.20</u>	145.23 <u>147.30</u>	193.64 <u>196.40</u>	242.05 <u>245.50</u>	290.46 <u>294.60</u>	338.87 <u>343.70</u>
Disposal	48.67	97.34	146.01	194.68	243.35	292.02	340.69
Total Contractor Fee	97.08 <u>97.77</u>	194.16 <u>195.54</u>	291.24 <u>293.31</u>	388.32 <u>391.08</u>	485.40 <u>488.85</u>	582.48 <u>586.62</u>	679.56 <u>684.39</u>
Franchise Fee (10%)	9.71 <u>9.78</u>	19.42 <u>19.55</u>	29.12 <u>29.33</u>	38.83 <u>39.11</u>	48.54 <u>48.89</u>	58.25 <u>58.66</u>	67.96 <u>68.44</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	407.14 <u>107.90</u>	213.93 <u>215.44</u>	320.71 <u>322.99</u>	427.50 <u>430.54</u>	534.29 <u>538.09</u>	641.08 <u>645.63</u>	747.87 <u>753.18</u>
3 Yard Collection	72.61 <u>73.65</u>	145.22 <u>147.30</u>	217.83 <u>220.95</u>	290.44 <u>294.60</u>	363.05 <u>368.25</u>	435.66 <u>441.90</u>	508.27 <u>515.55</u>
Disposal	73.00	146.01	219.01	292.02	365.02	438.02	511.03
Total Contractor Fee	145.61 <u>146.65</u>	291.23 <u>293.31</u>	436.84 <u>439.96</u>	582.46 <u>586.62</u>	728.07 <u>733.27</u>	873.68 <u>879.92</u>	1019.30 <u>1026.58</u>
Franchise Fee (10%)	14.56 <u>14.67</u>	29.12 <u>29.33</u>	43.68 <u>44.00</u>	58.25 <u>58.66</u>	72.81 <u>73.33</u>	87.37 <u>87.99</u>	101.93 <u>102.66</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	160.52 <u>161.67</u>	320.70 <u>322.99</u>	480.87 <u>484.31</u>	641.06 <u>645.63</u>	801.23 <u>806.95</u>	961.40 <u>968.26</u>	1121.58 <u>1129.59</u>
4 Yard Collection	96.82 <u>98.20</u>	193.64 <u>196.40</u>	290.46 <u>294.60</u>	387.28 <u>392.80</u>	484.10 <u>491.00</u>	580.92 <u>589.20</u>	677.74 <u>687.40</u>
Disposal	97.34	194.68	292.02	389.35	486.69	584.03	681.37
Total Contractor Fee	194.16 <u>195.54</u>	388.32 <u>391.08</u>	582.48 <u>586.62</u>	776.63 <u>782.15</u>	970.79 <u>977.69</u>	1164.95 <u>1173.23</u>	1359.11 <u>1368.77</u>
Franchise Fee (10%)	19.42 <u>19.55</u>	38.83 <u>39.11</u>	58.25 <u>58.66</u>	77.66 <u>78.22</u>	97.08 <u>97.77</u>	116.50 <u>117.32</u>	135.91 <u>136.88</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	213.93	427.50	641.08	854.64	1068.22	1281.80	1495.37

	<u>215.44</u>	<u>430.54</u>	<u>645.63</u>	<u>860.72</u>	<u>1075.81</u>	<u>1290.90</u>	<u>1506.00</u>
6 Yard	<u>145.23</u>	<u>290.46</u>	<u>435.69</u>	<u>580.92</u>	<u>726.15</u>	<u>871.38</u>	<u>1016.61</u>
Collection	<u>147.31</u>	<u>294.62</u>	<u>441.93</u>	<u>589.24</u>	<u>736.55</u>	<u>883.86</u>	<u>1031.17</u>
Disposal	146.01	292.02	438.02	584.03	730.04	876.05	1022.05
Total	<u>291.24</u>	<u>582.48</u>	<u>873.71</u>	<u>1164.95</u>	<u>1456.19</u>	<u>1747.43</u>	<u>2038.66</u>
Contractor Fee	<u>293.32</u>	<u>586.64</u>	<u>879.95</u>	<u>1173.27</u>	<u>1466.59</u>	<u>1759.91</u>	<u>2053.22</u>
Franchise Fee	<u>29.12</u>	<u>58.25</u>	<u>87.37</u>	<u>116.50</u>	<u>145.62</u>	<u>174.74</u>	<u>203.87</u>
(10%)	<u>29.33</u>	<u>58.66</u>	<u>88.00</u>	<u>117.33</u>	<u>146.66</u>	<u>175.99</u>	<u>205.32</u>
Administrative	.35	.35	.35	.35	.35	.35	.35
Fee							
Total Fee	<u>320.71</u>	<u>641.08</u>	<u>961.43</u>	<u>1281.80</u>	<u>1602.16</u>	<u>1922.52</u>	<u>2242.88</u>
	<u>323.00</u>	<u>645.65</u>	<u>968.30</u>	<u>1290.95</u>	<u>1613.60</u>	<u>1936.25</u>	<u>2258.89</u>
8 Yard	<u>193.64</u>	<u>387.28</u>	<u>580.92</u>	<u>774.56</u>	<u>968.20</u>	<u>1161.84</u>	<u>1355.48</u>
Collection	<u>196.41</u>	<u>392.82</u>	<u>589.23</u>	<u>785.64</u>	<u>982.05</u>	<u>1178.46</u>	<u>1374.87</u>
Disposal	194.68	389.35	584.03	778.71	973.38	1168.06	1362.74
Total	<u>388.32</u>	<u>776.63</u>	<u>1164.95</u>	<u>1553.27</u>	<u>1941.58</u>	<u>2329.90</u>	<u>2718.22</u>
Contractor Fee	<u>391.09</u>	<u>782.17</u>	<u>1173.26</u>	<u>1564.35</u>	<u>1955.43</u>	<u>2346.52</u>	<u>2737.61</u>
Franchise Fee	<u>38.83</u>	<u>77.66</u>	<u>116.50</u>	<u>155.33</u>	<u>194.16</u>	<u>232.99</u>	<u>271.82</u>
(10%)	<u>39.11</u>	<u>78.22</u>	<u>117.33</u>	<u>156.44</u>	<u>195.54</u>	<u>234.65</u>	<u>273.76</u>
Administrative	.35	.35	.35	.35	.35	.35	.35
Fee							
Total Fee	<u>427.50</u>	<u>854.64</u>	<u>1281.80</u>	<u>1708.95</u>	<u>2136.09</u>	<u>2563.24</u>	<u>2990.39</u>
	<u>430.55</u>	<u>860.74</u>	<u>1290.94</u>	<u>1721.14</u>	<u>2151.32</u>	<u>2581.52</u>	<u>3011.72</u>

Commercial/Multi-Family Rolloff Containers:

Commercial/Multi-Family Permanent Roll-Off Containers:

Permanent open-top roll-off container: Two hundred thirty-five dollars and forty-two cents (\$235.42) (Includes franchise fee for haul excludes disposal and franchise fee on disposal) per pickup.

Compactors: Two hundred thirty-five dollars and forty-two cents (\$235.42) (Includes franchise fee for haul excludes disposal and franchise fee on disposal) 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.

15 Yard Collection	\$210.97 <u>214.02</u>
20 Yard Collection	\$210.97 <u>214.02</u>
30 Yard Collection	\$210.97 <u>214.02</u>
40 Yard Collection	\$210.97 <u>214.02</u>

Excludes commercial recycling containers and construction/demolition debris.

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

	Pickups Per Week					
	1	2	3	4	5	6
Collection	25.12 <u>25.48</u>	50.24 <u>50.96</u>	75.36 <u>76.44</u>	100.48 <u>101.92</u>	125.60 <u>127.40</u>	150.72 <u>152.88</u>
Disposal	6.08	12.16	18.24	24.32	30.40	36.48
Total Contractor Fees	31.20 <u>31.56</u>	62.40 <u>63.12</u>	93.60 <u>94.68</u>	124.80 <u>126.24</u>	156.00 <u>157.80</u>	187.20 <u>189.36</u>
Franchise Fee (10%)	3.12 <u>3.16</u>	6.24 <u>6.31</u>	9.36 <u>9.47</u>	12.48 <u>12.62</u>	15.60 <u>15.78</u>	18.72 <u>18.94</u>
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	34.67 <u>35.07</u>	68.99 <u>69.78</u>	103.31 <u>104.50</u>	137.63 <u>139.21</u>	171.95 <u>173.93</u>	206.27 <u>208.65</u>

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, 2016.

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 3D 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 2. That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 3. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 4. If passed on second and final reading, this ordinance shall become effective on October 1, 2016.

PASSED AND ADOPTED in regular session on second and final reading on _____.

MAYOR

ATTEST:

City Clerk

First Reading _____

Second Reading _____