

RESOLUTION NO. 165-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING RESOLUTION 112-22 TO REMOVE THE ASSESSMENT OF ADMINISTRATIVE AND FRANCHISE FEES FROM THE TOTAL MONTHLY SERVICE FOR SOLID WASTE COLLECTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, on October 3, 2017, the City Commission passed and adopted Ordinance 29-17, removing the charges, rates, and fees for solid waste collection from the Code of Ordinances; and

WHEREAS, the City Commission, pursuant to Section 51.70 of the Code of Ordinances of the City of Delray Beach, may amend the levied collection rates for sanitation services by resolution; and

WHEREAS, the City Commission finds it necessary and appropriate to amend Resolution 112-22 to remove the assessment of administrative and franchise fees from the total monthly service for solid waste collection services; 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 or fees are levied for collection service, 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	\$5.27 \$6.35
Recycling	\$2.30 \$2.77
Yard Trash	\$1.37 \$1.65
Bulk Waste	\$1.36 \$1.64
Total Fees—Contractor	\$10.30 \$12.41
Administrative Fee	\$0.36 \$0.36
Franchise Fee (5%)	\$0.52 \$0.62
Total Fees	\$11.18 \$12.41

Rear-Door Owner Container	
Monthly Service	Cost Per Unit
Garbage Collection	\$12.66 \$15.25
Recycling	\$2.30 \$2.77
Yard Trash	\$0.00 \$0.00
Total Fees—Contractor	\$14.96 \$18.02
Administrative Fee	\$0.36 \$0.36
Franchise Fee (5%)	\$0.75 \$0.90
Total Fees	\$16.07 \$18.02
Curbside Disposable Bags With Vegetative Waste and Bulk Trash Pickup	

Monthly Service	Cost Per Unit
Garbage/Trash Collection	\$5.27 \$6.35
Recycling	\$2.30 \$2.77
Yard Trash	\$1.37 \$1.65
Bulk Waste	\$1.36 \$1.64
Total Fees—Contractor	\$10.30 \$12.41
Administrative Fee	\$0.36 \$0.36
Franchise Fee (5%)	\$0.52 \$0.62
Total Fees	\$11.18 \$12.41

(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	\$3.39 \$4.08
Recycling	\$2.30 \$2.77
Total Per-Unit Fee—Contractor	\$5.69 \$6.86
Administrative Fee	\$0.36 \$0.36
Franchise Fee (5%)	\$0.29 \$0.34
Total Monthly Fees Per Unit	\$6.34 \$6.86

(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 (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	44.34 53.52	88.86 107.05	133.02 160.57	177.36 214.10	221.70 267.62	266.04 321.15	310.38 374.67
Disposal	24.33	48.67	73.00	97.34	121.67	146.01	170.34
Total Contractor Fees	68.67 77.86	137.35 155.72	206.02 233.58	274.70 311.44	343.37 389.29	412.05 467.15	480.72 545.01
Franchise Fee (10%)	6.87 7.79	13.73 15.57	20.60 23.36	27.47 31.14	34.34 38.93	41.20 46.72	48.07 54.50
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	75.89 77.86	151.43 155.72	226.97 233.58	302.52 311.44	378.06 389.29	453.60 467.15	529.14 545.01
3 Yard Collection	66.51 80.29	133.02 160.57	199.53 240.86	266.04 321.15	333.55 401.43	399.06 481.72	465.57 562.00
Disposal	36.53	73.06	109.59	146.12	182.65	219.18	255.71
Total Contractor Fees	103.04 116.82	206.08 233.63	309.12 350.45	412.16 467.27	515.20 584.08	618.24 700.90	721.28 817.71
Franchise Fee (10%)	10.30 11.68	20.61 23.36	30.91 35.04	41.22 46.73	51.52 58.41	61.82 70.09	72.13 81.77

Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	113.69 116.82	227.04 233.63	340.38 350.45	453.73 467.27	567.07 584.08	680.41 700.90	793.76 817.71
4 Yard Collection	88.68 107.05	177.36 214.10	266.04 321.15	354.72 428.19	443.40 535.24	532.08 642.29	620.76 749.34
Disposal	48.71	97.41	146.12	194.83	243.53	292.24	340.95
Total Contractor Fees	137.39 155.76	274.77 311.51	412.16 467.27	549.55 623.02	686.93 778.78	824.32 934.53	961.71 1,090.29
Franchise Fees (10%)	13.74 15.58	27.48 31.15	41.22 46.73	54.96 62.30	68.69 77.88	82.43 93.45	96.17 109.03
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	151.48 155.76	302.60 311.51	453.73 467.27	604.86 623.02	755.97 778.78	907.10 934.53	1058.23 1,090.29
6 Yard Collection	133.02 160.57	266.04 321.15	399.06 481.72	532.08 642.29	665.10 802.86	798.12 963.44	931.14 1,124.01
Disposal	73.06	146.12	219.18	292.24	365.30	438.36	511.42
Total Contractor Fees	206.08 233.63	412.16 467.27	618.24 700.90	824.32 934.53	1030.40 1,168.16	1236.48 1,401.80	1442.56 1,635.43
Franchise Fee (10%)	20.61 23.36	41.22 46.73	61.82 70.09	82.43 93.45	103.04 116.82	123.65 140.18	144.26 163.54
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	227.04 233.63	453.73 467.27	680.41 700.90	907.10 934.53	133.79 1,168.16	1360.48 1,401.80	1587.17 1,635.43

8 Yard Collection	177.36 214.10	354.72 428.19	532.08 642.29	709.44 856.39	886.80 1,070.48	1064.16 1,284.58	1241.52 1,498.68
Disposal	97.41	194.83	292.24	389.65	487.07	584.48	681.89
Total Contractor Fees	274.77 311.51	549.55 623.02	824.32 934.53	1099.09 1,246.04	1373.87 1,557.55	1648.64 1,869.06	1923.41 2,180.57
Franchise Fee (10%)	27.48 31.15	54.96 62.30	82.43 93.45	109.91 124.60	137.39 155.76	164.86 186.91	192.34 218.06
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	302.60 311.51	604.86 623.02	907.10 934.53	1209.35 1,246.04	1511.61 1,557.55	1813.85 1,869.06	2116.10 2,180.57

Commercial Compacting Containers

<u>Container Size</u>	Pickup Frequency (Per Week)						
	1	2	3	4	5	6	7
2 Yard Collection	55.42 66.77	111.84 133.55	166.26 200.32	221.10 267.10	277.10 333.87	332.52 400.65	387.94 467.42
Disposal	48.67	97.34	146.01	194.68	243.35	292.02	340.69
Total Contractor Fee	104.09 115.44	208.18 230.89	312.27 346.33	416.36 461.78	520.45 577.22	624.54 692.66	728.63 808.11
Franchise Fee (10%)	10.41 11.54	20.82 23.29	31.23 34.63	41.64 46.18	52.05 57.72	62.45 69.27	72.86 80.81
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	114.85 115.44	229.35 230.89	343.85 346.33	458.35 461.78	572.85 577.22	687.34 692.66	801.84 808.11
3 Yard Collection	83.14 100.16	166.28 200.32	249.42 300.49	332.56 400.65	415.70 500.81	498.84 600.97	581.98 701.14
Disposal	73.00	146.01	219.01	292.02	365.02	438.02	511.03

Total Contractor Fee	156.14 173.17	312.29 346.33	468.43 519.50	624.58 692.66	780.72 865.83	936.86 1,039.00	1093.01 1,212.16
Franchise Fee (10%)	15.61 17.32	31.23 34.63	46.84 51.95	62.46 69.27	78.07 86.58	93.69 103.90	109.30 121.22
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	172.10 173.17	343.87 346.33	515.62 519.50	687.39 692.66	859.14 865.83	1030.90 1,039.00	1202.66 1,212.16
4 Yard Collection	110.85 133.55	221.70 267.10	332.55 400.65	443.40 534.20	554.25 667.75	665.10 801.30	775.95 934.85
Disposal	97.34	194.68	292.02	389.35	486.69	584.03	681.37
Total Contractor Fee	208.19 230.89	416.38 461.78	624.57 692.66	832.75 923.55	1040.94 1,154.44	1249.13 1,385.33	1457.32 1,616.22
Franchise Fee (10%)	20.82 23.09	41.64 46.18	62.46 69.27	83.28 92.36	104.09 115.44	124.91 138.53	145.73 161.62
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	229.36 230.89	458.37 461.78	687.38 692.66	916.38 923.55	1145.38 1,154.44	1374.39 1,385.33	1603.40 1,616.22
6 Yard Collection	166.27 200.32	332.54 400.65	498.81 600.97	665.08 801.30	831.35 1,001.62	997.62 1,201.95	1163.89 1,402.27
Disposal	146.01	292.02	438.02	584.03	730.04	876.05	1022.05
Total Contractor Fee	312.28 346.33	624.56 692.66	936.83 1,039.00	1249.11 1,385.33	1561.39 1,731.66	1873.67 2,077.99	2185.94 2,424.32
Franchise Fee (10%)	31.23 34.63	62.46 69.27	93.68 103.90	124.91 138.53	156.14 173.17	187.37 207.80	218.59 242.43
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	343.86 346.33	687.37 692.66	1030.86 1,039.00	1374.37 1,385.33	1717.88 1,731.66	2061.39 2,077.99	2404.88 2,424.32
8 Yard Collection	221.70 267.10	443.40 534.20	665.10 801.30	886.80 1,068.40	1108.50 1,335.50	1330.20 1,602.60	1551.90 1,869.70
Disposal	194.68	389.35	584.03	778.71	973.38	1168.06	1362.74
Total Contractor Fee	416.38 461.78	832.75 923.55	1249.13 1,385.33	1665.51 1,847.11	2081.88 2,308.88	2498.26 2,770.66	2914.64 3,232.44
Franchise Fee (10%)	41.64 46.18	83.28 92.35	124.91 138.53	166.55 184.71	208.19 230.89	249.83 277.07	291.46 323.24
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	458.37 461.78	916.38 923.55	1374.39 1,385.33	1832.41 1,847.11	2290.42 2,308.88	2748.44 2,770.66	3206.45 3,232.44

Commercial/Multi-Family Roll-Off Containers:

Commercial/Multi-Family Permanent Roll-Off Containers:

Permanent open-top roll-off container: ~~Two hundred forty-two dollars and one cent \$242.01~~ Two Hundred Ninety-One Dollars and Thirty-Two Cents \$291.32 (Excludes franchise fee for haul, excludes disposal and franchise fee on disposal as well as administrative fee) per pickup.

Compactors: ~~Two hundred forty-two dollars and one cent \$242.01~~ Two Hundred Ninety-One Dollars and Thirty-Two Cents \$291.32 (Excludes franchise fee for haul, 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.

10 Yard Collection	266.30 291.32
15 Yard Collection	266.30 291.32
20 Yard Collection	266.30 291.32
30 Yard Collection	266.30 291.32
40 Yard Collection	266.30 291.32

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	28.82 34.72	57.64 69.44	86.46 104.17	115.28 138.89	144.10 173.61	172.92 208.33
Disposal	6.08	12.16	18.24	24.32	30.40	36.48

Total Contractor Fees	34.90 40.80	69.80 81.60	104.70 122.41	139.60 163.21	174.50 204.01	209.40 244.81
Franchise Fee (10%)	3.49 4.08	6.98 8.16	10.47 12.24	13.96 16.32	17.45 20.40	20.94 24.48
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	38.74 40.80	77.13 81.60	115.52 122.41	153.91 163.21	192.30 204.01	230.69 244.81

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, 2022.

NOTE: These rates shall be effective October 1, 2022, through April 30, 2023.

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 3. The City Clerk is hereby directed to maintain a copy of this Resolution and the Schedule of Solid Waste Collection charges and/or 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 _____, 2022.

Shelly Petrolia, Mayor

ATTEST:

Katerri Johnson, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.

Lynn Gelin, City Attorney