

RESOLUTION NO. 135-21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, LEVYING AND ADOPTING CHARGES, RATES, AND FEES FOR SOLID WASTE COLLECTION AND FURTHER PROVIDING THAT THE CITY MANAGER, OR DESIGNEE, MAY ADMINISTRATIVELY AMEND THE SUBJECT CHARGES, RATES, AND FEES IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CITY'S FRANCHISE AGREEMENT; 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 the collection rates for sanitation services in accordance with the terms and conditions 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 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. The subject charges and/or fees shall be subject to administrative amendment by the City Manager, or designee, in accordance with Section 51.70 of the Code of Ordinances and upon any such amendment the City Manager, or designee, shall immediately update the schedule of charges and/or fees and make same available for public inspection in the City Clerk's office.

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

Curbside Roll-Out Carts

Monthly Service	Cost Per Unit
Garbage Collection	\$5.07 \$5.27
Recycling	\$2.22 \$2.30
Yard Trash	\$1.32 \$1.37
Bulk Waste	\$1.31 \$1.36
Total Fees—Contractor	\$9.92 \$10.30
Administrative Fee	\$0.35 \$0.36
Franchise Fee (5%)	\$0.50 \$0.52
Total Fees	\$10.77 \$11.18

Rear-Door Owner Container	
Monthly Service	Cost Per Unit
Garbage Collection	\$12.18 \$12.66
Recycling	\$2.22 \$2.30
Yard Trash	\$0.00
Total Fees—Contractor	\$14.40 \$14.96
Administrative Fee	\$0.35 \$0.36
Franchise Fee (5%)	\$0.72 \$0.75

Total Fees	\$15.47 \$16.07
Curbside Disposable Bags With Vegetative Waste and Bulk Trash Pickup	
Monthly Service	Cost Per Unit
Garbage/Trash Collection	\$5.07 \$5.27
Recycling	\$2.22 \$2.30
Yard Trash	\$1.32 \$1.37
Bulk Waste	\$1.31 \$1.36
Total Fees—Contractor	\$9.92 \$10.30
Administrative Fee	\$0.35 \$0.36
Franchise Fee (5%)	\$0.50 \$0.52
Total Fees	\$10.77 \$11.18

(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	\$3.26 <u>\$3.39</u>
Recycling	\$2.22 <u>\$2.30</u>
Total Per-Unit Fee—Contractor	\$5.48 <u>\$5.69</u>
Administrative Fee	\$0.35 \$0.36
Franchise Fee (5%)	\$0.28 <u>\$0.29</u>
Total Monthly Fees Per Unit	\$6.11 <u>\$6.34</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 (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	42.69 <u>44.34</u>	85.38 <u>88.86</u>	128.07 <u>133.02</u>	170.76 <u>177.36</u>	213.45 <u>221.70</u>	256.14 <u>266.04</u>	298.83 <u>310.38</u>
Disposal	24.33	48.67	73.00	97.34	121.67	146.01	170.34
Total Contractor Fees	67.02 <u>68.67</u>	134.05 <u>137.35</u>	201.07 <u>206.02</u>	268.10 <u>274.70</u>	335.12 <u>343.37</u>	402.15 <u>412.05</u>	469.17 <u>480.72</u>
Franchise Fee (10%)	6.70 <u>6.87</u>	13.40 <u>13.73</u>	20.11 <u>20.60</u>	26.81 <u>27.47</u>	33.51 <u>34.34</u>	40.21 <u>41.20</u>	46.92 <u>48.07</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	74.07 <u>75.89</u>	147.80 <u>151.43</u>	221.53 <u>226.97</u>	295.26 <u>302.52</u>	368.98 <u>378.06</u>	442.71 <u>453.60</u>	516.44 <u>529.14</u>
3 Yard Collection	64.04 <u>66.51</u>	128.08 <u>133.02</u>	192.12 <u>199.53</u>	256.16 <u>266.04</u>	320.20 <u>332.55</u>	384.24 <u>399.06</u>	448.28 <u>465.57</u>
Disposal	36.53	73.06	109.59	146.12	182.65	219.18	255.71
Total Contractor Fees	100.57 <u>103.04</u>	201.14 <u>206.08</u>	301.71 <u>309.12</u>	402.28 <u>412.16</u>	502.85 <u>515.20</u>	603.42 <u>618.24</u>	703.99 <u>721.28</u>

Franchise Fee (10%)	40.06 <u>10.30</u>	20.11 <u>20.61</u>	30.17 <u>30.91</u>	40.23 <u>41.22</u>	50.29 <u>51.52</u>	60.34 <u>61.82</u>	70.40 <u>72.13</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	410.98 <u>113.69</u>	221.60 <u>227.04</u>	332.23 <u>340.38</u>	442.86 <u>453.73</u>	553.49 <u>567.07</u>	664.11 <u>680.41</u>	774.74 <u>793.76</u>
4 Yard Collection	85.39 <u>88.68</u>	170.78 <u>177.36</u>	256.17 <u>266.04</u>	341.56 <u>354.72</u>	426.95 <u>443.40</u>	512.34 <u>532.08</u>	597.73 <u>620.76</u>
Disposal	48.71	97.41	146.12	194.83	243.53	292.24	340.95
Total Contractor Fees	134.10 <u>137.39</u>	268.19 <u>274.77</u>	402.29 <u>412.16</u>	536.39 <u>549.55</u>	670.48 <u>686.93</u>	804.58 <u>824.32</u>	938.68 <u>961.71</u>
Franchise Fees (10%)	13.41 <u>13.74</u>	26.82 <u>27.48</u>	40.23 <u>41.22</u>	53.64 <u>54.96</u>	67.05 <u>68.69</u>	80.46 <u>82.43</u>	93.87 <u>96.17</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	147.86 <u>151.48</u>	295.36 <u>302.60</u>	442.87 <u>453.73</u>	590.38 <u>604.86</u>	737.88 <u>755.97</u>	885.39 <u>907.10</u>	1032.90 <u>1058.23</u>
6 Yard Collection	128.08 <u>133.02</u>	256.16 <u>266.04</u>	384.24 <u>399.06</u>	512.32 <u>532.08</u>	640.40 <u>665.10</u>	768.48 <u>798.12</u>	896.56 <u>931.14</u>
Disposal	73.06	146.12	219.18	292.24	365.30	438.36	511.42
Total Contractor Fees	201.14 <u>206.08</u>	402.28 <u>412.16</u>	603.42 <u>618.24</u>	804.56 <u>824.32</u>	1005.70 <u>1030.40</u>	1206.84 <u>1236.48</u>	1407.98 <u>1442.56</u>
Franchise Fee (10%)	20.11 <u>20.61</u>	40.23 <u>41.22</u>	60.34 <u>61.82</u>	80.46 <u>82.43</u>	100.57 <u>103.04</u>	120.68 <u>123.65</u>	140.80 <u>144.26</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35

Total Fees	221.60 <u>227.04</u>	442.86 <u>453.73</u>	664.11 <u>680.41</u>	885.37 <u>907.10</u>	1106.62 <u>1133.79</u>	1327.87 <u>1360.48</u>	1549.13 <u>1587.17</u>
8 Yard Collection	170.78 <u>177.36</u>	341.56 <u>354.72</u>	512.34 <u>532.08</u>	683.12 <u>709.44</u>	853.90 <u>886.80</u>	1024.68 <u>1064.16</u>	1195.46 <u>1241.52</u>
Disposal	97.41	194.83	292.24	389.65	487.07	584.48	681.89
Total Contractor Fees	268.19 <u>274.77</u>	536.39 <u>549.55</u>	804.58 <u>824.32</u>	1072.77 <u>1099.09</u>	1340.97 <u>1373.87</u>	1609.16 <u>1648.64</u>	1877.35 <u>1923.41</u>
Franchise Fee (10%)	26.82 <u>27.48</u>	53.64 <u>54.96</u>	80.46 <u>82.43</u>	107.28 <u>109.91</u>	134.10 <u>137.39</u>	160.92 <u>164.86</u>	187.74 <u>192.34</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fees	295.36 <u>302.60</u>	590.38 <u>604.86</u>	885.39 <u>907.10</u>	1180.40 <u>1209.35</u>	1475.42 <u>1511.61</u>	1770.43 <u>1813.85</u>	2065.44 <u>2116.10</u>

Commercial Compacting Containers

<u>Container Size</u>	Pickup Frequency (Per Week)						
	1	2	3	4	5	6	7
2 Yard Collection	53.35 <u>55.42</u>	106.70 <u>110.84</u>	160.05 <u>166.26</u>	213.40 <u>221.10</u>	266.75 <u>277.10</u>	320.10 <u>332.52</u>	373.45 <u>387.94</u>
Disposal	48.67	97.34	146.01	194.68	243.35	292.02	340.69
Total Contractor Fee	402.02 <u>104.09</u>	204.04 <u>208.18</u>	306.06 <u>312.27</u>	408.08 <u>416.36</u>	510.10 <u>520.45</u>	612.12 <u>624.54</u>	714.14 <u>728.63</u>
Franchise Fee (10%)	40.20 <u>10.41</u>	20.40 <u>20.82</u>	30.61 <u>31.23</u>	40.81 <u>41.64</u>	51.01 <u>52.05</u>	61.21 <u>62.45</u>	71.41 <u>72.86</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35

Total Fee	442.57 <u>114.85</u>	224.79 <u>229.35</u>	337.02 <u>343.85</u>	449.24 <u>458.35</u>	561.46 <u>572.85</u>	673.68 <u>687.34</u>	785.90 <u>801.84</u>
3 Yard Collection	80.02 <u>83.14</u>	160.04 <u>166.28</u>	240.06 <u>249.42</u>	320.08 <u>332.56</u>	400.10 <u>415.70</u>	480.12 <u>498.84</u>	560.14 <u>581.98</u>
Disposal	73.00	146.01	219.01	292.02	365.02	438.02	511.03
Total Contractor Fee	153.02 <u>156.14</u>	306.05 <u>312.29</u>	459.07 <u>468.43</u>	612.10 <u>624.58</u>	765.12 <u>780.72</u>	918.14 <u>936.86</u>	1071.17 <u>1093.01</u>
Franchise Fee (10%)	45.30 <u>15.61</u>	30.61 <u>31.23</u>	45.91 <u>46.84</u>	61.21 <u>62.46</u>	76.51 <u>78.07</u>	91.81 <u>93.69</u>	107.12 <u>109.30</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	168.67 <u>172.10</u>	337.01 <u>343.87</u>	505.33 <u>515.62</u>	673.66 <u>687.39</u>	841.98 <u>859.14</u>	1010.30 <u>1030.90</u>	1178.64 <u>1202.66</u>
4 Yard Collection	406.69 <u>110.85</u>	213.38 <u>221.70</u>	320.07 <u>332.55</u>	426.76 <u>443.40</u>	533.45 <u>554.25</u>	640.14 <u>665.10</u>	746.83 <u>775.95</u>
Disposal	97.34	194.68	292.02	389.35	486.69	584.03	681.37
Total Contractor Fee	204.03 <u>208.19</u>	408.06 <u>416.38</u>	612.09 <u>624.57</u>	816.11 <u>832.75</u>	1020.14 <u>1040.94</u>	1224.17 <u>1249.13</u>	1428.20 <u>1457.32</u>
Franchise Fee (10%)	20.40 <u>20.82</u>	40.81 <u>41.64</u>	61.21 <u>62.46</u>	81.61 <u>83.28</u>	102.01 <u>104.09</u>	122.42 <u>124.91</u>	142.82 <u>145.73</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	224.78 <u>229.36</u>	449.22 <u>458.37</u>	673.65 <u>687.38</u>	898.07 <u>916.38</u>	1122.50 <u>1145.38</u>	1346.94 <u>1374.39</u>	1571.37 <u>1603.40</u>
6 Yard Collection	160.04 <u>166.27</u>	320.08 <u>332.54</u>	480.12 <u>498.81</u>	640.16 <u>665.08</u>	800.20 <u>831.35</u>	960.24 <u>997.62</u>	1120.28 <u>1163.89</u>
Disposal	146.01	292.02	438.02	584.03	730.04	876.05	1022.05
Total Contractor Fee	306.05 <u>312.28</u>	612.10 <u>624.56</u>	918.14 <u>936.83</u>	1224.19 <u>1249.11</u>	1530.24 <u>1561.39</u>	1836.29 <u>1873.67</u>	2142.33 <u>2185.94</u>
Franchise Fee (10%)	30.61 <u>31.23</u>	61.21 <u>62.46</u>	91.81 <u>93.68</u>	122.42 <u>124.91</u>	153.02 <u>156.14</u>	183.63 <u>187.37</u>	214.23 <u>218.59</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	337.01 <u>343.86</u>	673.66 <u>687.37</u>	1010.30 <u>1030.86</u>	1346.96 <u>1374.37</u>	1683.61 <u>1717.88</u>	2020.27 <u>2061.39</u>	2356.91 <u>2404.88</u>
8 Yard Collection	213.38 <u>221.70</u>	426.76 <u>443.40</u>	640.14 <u>665.10</u>	853.52 <u>886.80</u>	1066.90 <u>1108.50</u>	1280.28 <u>1330.20</u>	1493.66 <u>1551.90</u>

Disposal	194.68	389.35	584.03	778.71	973.38	1168.06	1362.74
Total	408.06	816.11	1224.17	1632.23	2040.28	2448.34	2856.40
Contractor Fee	<u>416.38</u>	<u>832.75</u>	<u>1249.13</u>	<u>1665.51</u>	<u>2081.88</u>	<u>2498.26</u>	<u>2914.64</u>
Franchise Fee	40.81	81.61	122.42	163.22	204.03	244.83	285.64
(10%)	<u>41.64</u>	<u>83.28</u>	<u>124.91</u>	<u>166.55</u>	<u>208.19</u>	<u>249.83</u>	<u>291.46</u>
Administrative Fee	.35	.35	.35	.35	.35	.35	.35
Total Fee	449.22	898.07	1346.94	1795.80	2244.66	2693.52	3142.39
	<u>458.37</u>	<u>916.38</u>	<u>1374.39</u>	<u>1832.41</u>	<u>2290.42</u>	<u>2748.44</u>	<u>3206.45</u>

Commercial/Multi-Family Rolloff Containers:

Commercial/Multi-Family Permanent Roll-Off Containers:

Permanent open-top roll-off container: Two hundred fifty and fifty-one cents \$250.51 (Includes franchise fee for haul excludes disposal and franchise fee on disposal) per pickup.

Compactors: Two hundred fifty and fifty-one cents \$250.51 (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.

10 Yard Collection	256.75-266.30
15 Yard Collection	256.75-266.30
20 Yard Collection	256.75-266.30
30 Yard Collection	256.75-266.30
40 Yard Collection	256.75-266.30

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	27.71 <u>28.82</u>	55.42 <u>57.64</u>	83.13 <u>86.46</u>	110.84 <u>115.28</u>	138.55 <u>144.10</u>	166.26 <u>172.92</u>
Disposal	6.08	12.16	18.24	24.32	30.40	36.48
Total Contractor Fees	33.79 <u>34.90</u>	67.58 <u>69.80</u>	101.37 <u>104.70</u>	135.16 <u>139.60</u>	168.95 <u>174.50</u>	202.74 <u>209.40</u>
Franchise Fee (10%)	3.38 <u>3.49</u>	6.76 <u>6.98</u>	10.14 <u>10.47</u>	13.52 <u>13.96</u>	16.90 <u>17.45</u>	20.27 <u>20.94</u>
Administrative Fee	0.35	0.35	0.35	0.35	0.35	0.35
Total Fees	37.52 <u>38.74</u>	74.69 <u>77.13</u>	111.86 <u>115.52</u>	149.03 <u>153.91</u>	186.20 <u>192.30</u>	223.36 <u>230.69</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, 2021.

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 _____, 2021.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.

Lynn Gelin, City Attorney