

**RESOLUTION NO. 09-03**

**A RESOLUTION OF THE BOARD OF PUBLIC UTILITIES COMMISSIONERS OF THE CITY OF TULARE RESCINDING RESOLUTION 05-626 AND ESTABLISHING REFUSE COLLECTION/DISPOSAL AND STREET SWEEPING RATES EFFECTIVE JULY 1, 2009, JULY 1, 2010 AND JULY 1, 2011.**

**BE IT RESOLVED BY THE BOARD OF PUBLIC UTILITIES COMMISSIONERS OF THE CITY OF TULARE AS FOLLOWS:**

**SECTION 1.** Resolution No. 05-626 is hereby repealed.

**SECTION 2.** The basic service for automated residential refuse collection and disposal shall provide (in addition to street sweeping) one standard 90-gallon container for refuse and one standard 90-gallon container for greenwaste each collected weekly. No container substitutions will be allowed with the basic service. Smaller (60-gallon) containers are available and will be supplied to qualifying customers.

**SECTION 3.** The single family monthly residential rate for refuse collection/disposal and street sweeping services in the City of Tulare shall be as follows (regardless of container size) which includes \$5.00 per month for street sweeping effective:

July 1, 2009	July 1, 2010	July 1, 2011
\$20.90	\$23.00	\$25.30

**SECTION 4.** The multiple family residential rate for refuse collection/disposal (regardless of container size) and street sweeping services shall be as follows: Effective:

July 1, 2009 the first unit will be \$20.90 and each additional unit will be \$17.00

July 1, 2010 the first unit will be \$23.00 and each additional unit will be \$18.70

July 1, 2011 the first unit will be \$25.30 and each additional unit will be \$20.50

if the entire residential development constitutes a single account. If each unit constitutes a separate account, the standard rates in Section 3 will apply to each unit.

**SECTION 5.** Mobile home park residential rate for refuse collection/disposal and street sweeping services shall be the same as the rates in Section 4, if the entire mobile home park constitutes a single account. If each mobile home unit is billed separately, the standard residential rate in Section 3 will apply to each unit.

**SECTION 6.** Additional automated refuse containers will be supplied to a customer upon their request at an additional cost of \$8.00 per month per container (regardless of container size).

**SECTION 7.** Additional automated greenwaste containers will be supplied to a customer upon their request at an additional cost of \$8.00 per month per container (regardless of container size).

**SECTION 8.** Additional non-scheduled automated collection will be provided to a customer upon their request at an additional cost of \$10.00 per collection.

**SECTION 9.** A clean up charge will be assessed to customers for spillage caused by overfilled containers in the amount of \$5.00. Containers will be steam cleaned at customer's request for \$25.00.

**SECTION 10.** The rate for carryout residential service shall be as follows. Carry-out service rate will apply when residential containers are not placed along the curb/gutter; alley or other designated pick up line. New carryout accounts will be opened only if approved by the board.

<u>Effective July 1, 2009</u>	<u>Effective July 1, 2010</u>	<u>Effective July 1, 2011</u>
\$25.90	\$28.00	\$30.30

**SECTION 11.** Any customer whose greenwaste container is contaminated with items other than "greenwaste" as defined in Section 7.16.010 of the Tulare Municipal Code shall be assessed additional charges to offset contractual greenwaste cleaning services as follows:

- 1st Offense - Written Warning
- 2nd Offense - \$5.00
- 3rd Offense - \$10.00
- 4th Offense - \$15.00
- Any Additional Offense - \$20.00

Any customer whose automated containers are left on the curb after collection in violation of Section 7.16.080 of the Tulare Municipal Code shall be assessed additional charges as follows:

- 1<sup>st</sup> Offense – Written Warning
- 2<sup>nd</sup> Offense - \$10.00
- 3<sup>rd</sup> Offense - \$25.00
- 4<sup>th</sup> Offense - \$50.00
- Any Additional Offense - \$100.00

Any customer who has in their possession automated containers not assigned to that address shall be assessed additional charges as follows:

1<sup>st</sup> Offense – Written Warning

2<sup>nd</sup> Offense - \$50.00

3<sup>rd</sup> Offense - \$75.00

4<sup>th</sup> Offense - \$100.00

Any Additional Offense - \$200.00

**SECTION 12.** All commercial and industrial establishments shall contract for commercial service unless residential type service is authorized by the Board.

**SECTION 13.** The commercial rate for refuse collection/disposal and street sweeping services in the City of Tulare includes \$5.00 per month for street sweeping. A \$10 charge will be assessed customers for blocked or overloaded containers not able to be serviced. The following monthly schedule is effective on the date shown:

**EFFECTIVE JULY 1, 2009**

**A) Direct Truck Access Service (Basic rate per container)**

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$46.12</b>					
<b>2 Yard</b>	\$63.84	127.11	173.07	253.65	329.04	380.17
<b>3 Yard</b>	81.53	162.54	243.51	324.47	405.46	486.42
<b>4 Yard</b>	99.26	197.94	296.63	395.32	493.99	592.69
<b>6 Yard</b>	134.67	268.78	402.88	536.99	671.09	805.20

**B) Gated Access Service:** Add \$2.00 per weekly collection (\$8.00 per month) to basic rate per container.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$54.12</b>					
<b>2 Yard</b>	\$71.84	143.11	197.07	285.65	369.04	428.17
<b>3 Yard</b>	89.53	178.54	267.51	356.47	445.46	534.42
<b>4 Yard</b>	107.26	213.94	320.63	427.32	533.99	640.69
<b>6 Yard</b>	142.67	284.78	426.88	568.99	711.09	853.20

**C) Roll-Out Access Service:** Add \$3.00 per weekly collection (\$12.00 per month) to basic rate per container. Maximum container size is three (3) yard.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$58.12</b>					
<b>2 Yard</b>	\$75.84	151.11	209.07	301.65	389.04	452.17
<b>3 Yard</b>	93.53	186.54	279.51	372.47	465.46	558.42

**D) Combined Access Service:** Add \$4.00 per weekly collection (\$16.00 per month) to basic rate per container. Maximum container size is three (3) yard.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$62.12</b>					
<b>2 Yard</b>	\$79.84	159.11	221.07	317.65	409.04	476.17
<b>3 Yard</b>	97.53	194.54	291.51	388.47	485.46	582.42

**EFFECTIVE JULY 1, 2010**

**A) Direct Truck Access Service (Basic rate per container)**

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$50.73</b>					
<b>2 Yard</b>	\$70.22	139.82	190.38	279.02	361.94	418.19
<b>3 Yard</b>	89.68	178.79	267.86	356.92	446.01	535.06
<b>4 Yard</b>	109.19	217.73	326.29	434.85	543.39	651.96
<b>6 Yard</b>	148.14	295.66	443.17	590.69	738.20	885.72

**B) Gated Access Service:** Add \$2.00 per weekly collection (\$8.00 per month) to basic rate per container.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$58.73</b>					
<b>2 Yard</b>	\$78.22	155.82	214.38	311.02	401.94	466.19
<b>3 Yard</b>	97.68	194.79	291.86	388.92	486.01	583.06
<b>4 Yard</b>	117.19	233.73	350.29	466.85	583.39	699.96
<b>6 Yard</b>	156.14	311.66	467.17	622.69	778.20	933.72

**C) Roll-Out Access Service:** Add \$3.00 per weekly collection (\$12.00 per month) to basic rate per container. Maximum container size is three (3) yard.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$62.73</b>					
<b>2 Yard</b>	\$82.22	163.82	226.38	327.02	421.94	490.19
<b>3 Yard</b>	101.68	202.79	303.86	404.92	506.01	607.06

**D) Combined Access Service:** Add \$4.00 per weekly collection (\$16.00 per month) to basic rate per container. Maximum container size is three (3) yard.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$66.73</b>					
<b>2 Yard</b>	\$86.22	171.82	238.38	343.02	441.94	514.19
<b>3 Yard</b>	105.68	210.79	315.86	420.92	526.01	631.06

**EFFECTIVE JULY 1, 2011**

**A) Direct Truck Access Service (Basic rate per container)**

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$55.80</b>					
2 Yard	\$77.24	153.80	9.42	306.92	398.13	460.01
3 Yard	98.65	196.67	294.65	392.61	490.61	588.57
4 Yard	120.11	239.50	358.92	478.34	597.73	717.16
6 Yard	162.95	325.23	487.49	649.76	812.02	974.29

**B) Gated Access Service:** Add \$2.00 per weekly collection (\$8.00 per month) to basic rate per container.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$63.80</b>					
2 Yard	\$85.24	169.80	33.42	338.92	438.13	508.01
3 Yard	106.65	212.67	318.65	424.61	530.61	636.57
4 Yard	128.11	255.50	382.92	510.34	637.73	765.16
6 Yard	170.95	341.23	511.49	681.76	852.02	1,022.29

**C) Roll-Out Access Service:** Add \$3.00 per weekly collection (\$12.00 per month) to basic rate per container. Maximum container size is three (3) yard.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$67.80</b>					
2 Yard	\$89.24	177.80	45.42	354.92	458.13	532.01
3 Yard	110.65	220.67	330.65	440.61	550.61	660.57

**D) Combined Access Service:** Add \$4.00 per weekly collection (\$16.00 per month) to basic rate per container. Maximum container size is three (3) yard.

BIN SIZE	NUMBER OF COLLECTIONS EACH WEEK					
	1	2	3	4	5	6
<b>Commercial Minimum</b>	<b>\$71.80</b>					
2 Yard	\$93.24	185.80	57.42	370.92	478.13	556.01
3 Yard	114.65	228.67	342.65	456.61	570.61	684.57

A) The rates established for gated, roll-out and combined access service will be collected based on enclosure or standard container locations. It is not the City's intent to promote non-use of locations that were established for aesthetic or other reasons.

B) Charges for locked bins: \$50 for automatic lock release, \$25 per lock.

C) Bins with lids must have the lids closed for collection. Failure to have the lids closed when the truck arrives for collection will result in the following additional charges:

1<sup>st</sup> Offense – Written Warning

2<sup>nd</sup> Offense - \$5.00

3<sup>rd</sup> Offense - \$10.00

4<sup>th</sup> Offense – \$15.00

Any Additional Offense - \$25.00

D) Requests for additional bin service in addition to the normal scheduled service shall be billed at the customer's normal single service rate plus \$5.00.

**SECTION 14.** The Board may approve the sharing of a container by multiple commercial establishments. The sharing parties shall agree to a sharing of the cost of service. The amount paid shall be the commercial rate for service provided, plus \$5.00 per month for each additional party. The minimum charge to each business shall be equivalent to the Commercial Minimum container charge. Where customers share a container or containers under one property ownership, the owner of the property will be encouraged to sign up for service to minimize the cost to customers.

**SECTION 15.** The Board may approve residential type service for commercial establishments when unusual circumstances make such service desirable. The residential type service for commercial establishments is up to three brown cans with service available once a week. The rate shall be the equivalent of the Commercial Minimum as determined by the Solid Waste Superintendent. The minimum charge to each business shall be equivalent to the Commercial Minimum.

**SECTION 16.** An "Inactive Business" property that needs to continue water and sewer services for landscaping, or for health and safety reasons shall also contract for refuse service. Qualifying business owners may request of the Solid Waste Superintendent minimal refuse collection/disposal and street sweeping service at a rate equivalent to that of a single family residence.

**SECTION 17.** The commercial rate for scheduled roll-off containerized refuse collection and disposal in the City of Tulare shall be based on actual county landfill or disposal site fees, plus:

A) 30 yard loose container or smaller and 30 yard compacted containers or smaller

\$132.00 per empty

B) 40 Yard Compacted Containers

\$132.00 per empty

C) Requested cleanup by city forces in and around detachable compactor units shall be \$25.00 (minimum) per collection per unit, or as established by the Solid Waste superintendent.

D) Add \$2.00 per collection per container for gated access service.

E) Add \$10.00 per collection per container for integrated compaction units, which require container turn around.

F) A \$40.00 return charge will be assessed customers for blocked or overloaded roll-off containers not able to be serviced.

G) A minimum collection rate of once per week is required.

H) When commercial service includes the handling and disposal of recyclable materials with a resale value, normal collection rates will be applicable and the Solid Waste Superintendent will be authorized to negotiate a revenue sharing of the product value with the customer.

**SECTION 18.** Multiple family residences, Mobile Homes Park and others entitled to residential service may request commercial service at the established commercial rate. Multiple family developments of four (4) or more residences are encouraged to request commercial service.

**SECTION 19.** The level of service required together with the location, orientation and physical surroundings of each pickup site must meet the approval of the Solid Waste Superintendent.

**SECTION 20.** All tires shall be separated from the regular refuse. Commercial accounts will be charged the following special rates: Passenger car, pickup and motorcycle tires -\$3.00 per tire; truck tires - \$5.00 per tire; bulk tires, heavy equipment, tractor, or other tires larger than a truck tire - \$95.00 per ton. If, in the opinion of the Solid Waste Superintendent, an exceptional number of tires are discarded by a residential account, the standard charges for tires will be assessed to that account.

**SECTION 21.** All computer monitors, electronics, televisions, refrigerators, cathode ray tubes (CRT's), and fluorescent ballasts shall be separated from the regular refuse. Special Haul charges and disposal fees may apply for removal of such items. Monitors, televisions and cathode ray tubes are now classified in California as hazardous waste and may not be disposed as refuse. There is a no-cost drop off location at the city corporation yard.

**SECTION 22.** TEMPORARY ROLLOFF SERVICE. The fee charged for a "Special Haul" service, excluding roll-off container service, shall be as follows:

Item 1: Each Man - \$14.00 per hour

Item 2: Each Tractor Loader - \$26.50 per hour

Item 3: Each Dump Truck - \$16.00 per hour

Item 4: The minimum charge shall be \$25.00 for a special haul service.

The fee charged for each temporary roll-off container used for "Special Haul" service, including construction and demolition debris shall be as follows:

A) \$150.00, plus;

B) Actual county landfill or disposal site fees, plus;

C) A container rental rate of \$2.00 per calendar day.

D) A minimum collection of once per month is required.

E) A deposit or down payment of \$150.00 shall be required for this service. Additional billing or refund will be made to the customer as necessary.

**SECTION 23.** Temporary service or additional service for two (2) through six (6) yard containers, inclusive, for material other than concrete, dirt, roofing material and sod will be provided upon request for a maximum of one (1) month at the following rates: Pick-up and delivery of bin shall be \$35.00; each pick-up \$6.00; each yard of bin capacity for each pick-up \$4.15. A \$10 charge will be assessed customers for blocked or overloaded containers not able to be serviced. A minimum collection rate of two (2) times per month is required. Container will be removed after 30 days. An additional charge of \$6.00 per service will be added for location of the bin other than curbside. Temporary service shall not exceed two (2) months per calendar year unless verification of remodeling or construction is supplied to the Solid Waste Superintendent.

**SECTION 24.** Temporary service or additional temporary service for ten (10) yard containers, for concrete, dirt, roofing material and sod will be provided upon request for a maximum of two (2) months at the following rates: each pick-up \$65.00, and \$2.00 per day bin

rental. A pre-payment of \$75.00 is required. Clean concrete and dirt have no dump charge. Contaminated material will be charged at the County landfill rate per ton and Section 22 service charges will apply. A \$10 charge will be assessed customers for blocked or overloaded containers not able to be serviced. A minimum collection rate of one (1) times per month is required. There shall be a maximum of two (2) months rental duration per calendar year except for construction or verified remodeling sites unless verification of remodeling or construction is supplied to the Solid Waste Superintendent.

**SECTION 25.** Billing and collection charges for refuse and street-sweeping services shall be included on the regular city utility bill to customers who have city water service. When the refuse collection and street sweeping customer does not have city water service, a separate bill for refuse collection and street sweeping services shall be mailed in accordance with standard billing procedures to the person who owns or controls the premises serviced.

**SECTION 26.** REFUSE COLLECTION/DISPOSAL AND STREET SWEEPING SERVICES DELINQUENCIES

A) All charges for refuse collection and street sweeping services included on utility bills shall be due and payable at the same time as other city utility charges. If a bill for refuse collection and street sweeping services is not paid within the time provided, the city may discontinue water and other services to the premises.

B) All collection service bills, if not a part of the city utility bills, shall become delinquent at five o'clock (5:00) P.M. on the twentieth (20th) day following each applicable billing month. If a bill for refuse collection and street sweeping services is not paid within such time, a collection charge of ten percent (10%) per month will be added and collection shall be enforced by law.

**SECTION 27.** RENTAL PROPERTY WITH BIN SHARING: It shall be the policy of the Board of Public Utilities Commissioners to encourage property owners to sign-up for accounts involving rental property utilizing shared bins.

**SECTION 28.** Effective date. These rates, rules and regulation shall be in full force and effect from and after the 1<sup>st</sup> day of July, 2009, the 1<sup>st</sup> day of July , 2010 and the 1<sup>st</sup> day of July 2011.

PASSED, ADOPTED AND APPROVED THIS 22nd day of January 2009.

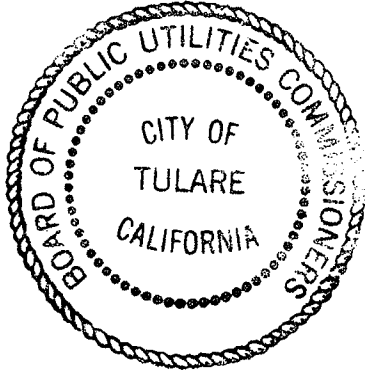
*[Handwritten Signature]*

Vice President of the Board of Public Utilities  
Commissioners of the City of Tulare

ATTEST:

*[Handwritten Signature]*

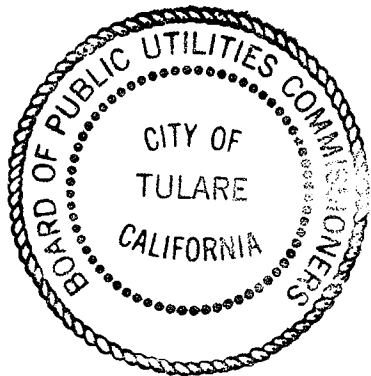
Secretary, Board of Public Utilities  
Commissioner of the City of Tulare




STATE OF CALIFORNIA        )  
COUNTY OF TULARE         ) ss  
CITY OF TULARE             )

I, DARREL L. PYLE, City Clerk of the City of Tulare and Secretary of the Board of Public Utilities Commissioners of said City, do hereby certify that the foregoing **Resolution No. 09-03** was duly adopted by the Board of Public Utilities Commissioners of said City and was signed by the Vice President of said Board, at a special meeting of said Board held on the **22<sup>nd</sup> day of January 2009**, and was approved by the following vote:

<b>AYES:</b>	<b>COMMISSIONERS:</b>	<b>Dick Johnson Ron Quinn Scot Hillman</b>
<b>ABSENT:</b>	<b>COMMISSIONERS:</b>	<b>Wayne Hinman Darlene Jensen</b>
<b>NOES:</b>	<b>COMMISSIONERS:</b>	<b>None</b>



DARREL L. PYLE, CITY CLERK

BY:   
Secretary, Board of Public Utilities  
Commissioners of the City of Tulare