

**ORDINANCE NO. 1261**

**AN ORDINANCE ADOPTING CHANGES TO PRINEVILLE CODE SECTIONS 50.22  
AND ADDING 50.24**

**Whereas**, on January 14, 2020, the City of Prineville City Council, following a public hearing, which was publicly noticed, adopted Resolution 1421 approving the transfer of the solid waste franchise agreement from Holiday Enterprises, LLC (“Holliday”) to Allied Waste Transfer Services of Oregon, LLC, dba Republic Services of Oregon (“Republic”).

**Whereas**, Holliday and Republic have executed appropriate transfer documents that were filed with the City Recorder.

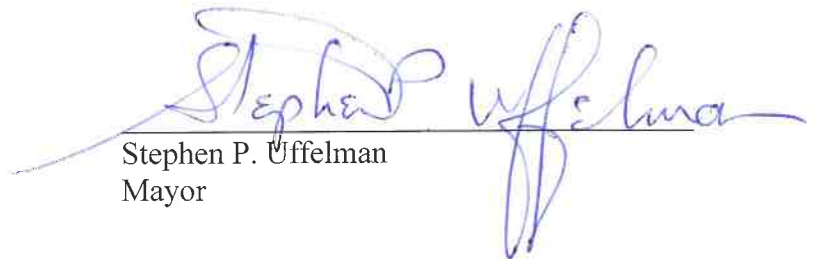
**Whereas**, Republic also has a Franchise Agreement with Crook County; and

**Whereas**, changes in rate determination are required to the Code to make the Franchise Agreement consistent with the County’s Franchise Agreement.

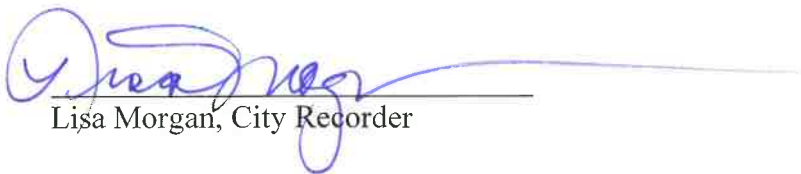
**NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE DO  
ORDAIN AS FOLLOWS:**

1. Section 50.22 is hereby revoked in its entirety and replaced with the language set forth on Exhibit A attached hereto and by reference made a part hereof.
2. Section 50.24 is hereby added to the Code with the language set forth on Exhibit A attached hereto and by reference made a part hereof.

Presented for the first time at a regular meeting of the City Council held on June 9, 2020, and the City Council finally enacted the foregoing ordinance this 11<sup>th</sup> day of August, 2020.

  
Stephen P. Uffelmann  
Mayor

ATTEST:

  
Lisa Morgan, City Recorder

## 50.22 Rate Determination

(A) Rates for service shall be those contained in the document marked Exhibit A, attached to Ordinance 1261, passed June 23, 2020 and by this reference hereby incorporated in this chapter.

(B) The franchisee may file an application yearly for an adjustment in rates. In a scheduled public hearing, the City shall act upon the request for rate adjustment no later than 30 days following receipt of request for adjustment. The new rate increase or decrease will begin 30 days following conclusion of the hearing if approval is granted for a rate change. Rates shall be changed by resolution of the City Council. Subject to this section, franchisee may increase each category of its maximum rates for service by a percentage not greater than the lesser of the last reported U.S. Consumer Price Index of trash/garbage services or water/sewer trash services. Prior to implementing such rate increase, franchisee shall provide written notice to customers not less than 30 days before mailing billing statements or invoices utilizing the new rate's bills. Such notice shall clearly explain the relationship between the rate structure and relevant consumer price index. Prior to notifying customers of the rate increase, franchisee shall provide written notice to the City Council of intent to increase rates in accordance with this section.

(C) In the event franchisee wishes to increase maximum rates for service by a percentage greater than the lesser of the last reported U.S. Consumer Price Index of trash/garbage services or water/sewer trash services, franchisee may, by May 1<sup>st</sup> of each calendar year following the adoption of the ordinance codified in this chapter file an application for an adjustment in rates. In support, the franchisee shall provide the City with all information deemed necessary by the City with respect to the operations of franchisee in order to make a reasonable and rational decision on the application. In a scheduled public hearing, the City Council shall act upon such request for rate adjustment no later than 60 days following receipt of request for adjustment. The new rate increase or decrease will begin 30 days following conclusion of the hearing if approval is granted for a rate change. Rates shall be changed by resolution of the City Council.

(D) In determining the appropriate rate to be charged by the franchisee, the City Council may consider any or all of the following.

(1) The cost of performing the service provided by the franchisee.

(2) The anticipated increase in the cost of providing this service.

(3) The need for equipment replacement and the need for additional equipment to meet service needs; compliance with federal, state, local law, ordinances and regulations; or technological change.

(4) The investment of the franchisee and the value of the business and the necessity that the franchisee have a reasonable annual rate of return on revenues in the range of eight percent (8%) to twelve percent (12%), with a target of ten percent (10%). Return on investment shall be determined based upon generally accepted accounting principles (GAAP). Franchisee's books shall be made available to City Council upon request to verify profits.

(5) The rates charged in other cities of similar size in surrounding jurisdictions for similar service.

(6) The public interest in assuring reasonable rates to enable the franchisee to provide efficient and beneficial service to the residents and other users of the service.

(7) The local wage scales, cost of management facilities and land fill and disposal of fees or charges.

(8) Any profit or cost savings resulting from recycling, and any additional costs resulting from recycling.

(9) Other factors affecting the cost of providing service.

(E) Rates charged shall not be greater than those established as provided herein, but nothing shall preclude franchisee from charging a lesser rate than the maximum imposed rate provided in the rate schedule approved by City Council. Non-scheduled services may be provided at the reasonable cost of providing the service.

(F) The franchisee shall bill and collect on a current billing basis. When the franchisee has experienced collection problems on a particular account, it may require other than current billing basis. Such other procedures will be according to reasonable business practices and, if objected to by a customer will be subject to disapproval by the City.

(G) If approved in the rate schedule, the franchisee may charge a starting charge to any customer who has been previously terminated for failure to pay for service.

(H) Rates shall be uniform or uniform within zones or classes of service.

(I) Nothing in the above section shall prohibit the franchisee from allowing qualified senior citizen rates. Qualifications for the senior citizen rates shall be determined by the franchisee.

(J) The franchisee may require the owner of rented or leased premises to accept responsibility, upon notification of delinquency, for payment of service to the facilities as a condition for providing the service.

#### 50.24 Franchisee Records and Reports

(A) Franchisee shall keep accurate books of account through the term of this franchise. Franchisee shall produce its books of account for inspection by City at any time during normal business hours, after reasonable notice by the City.

Garbage		
CODE	SVC	CTY
433100	35 SO weekly	\$14.77
433105	35 SO 1st&3rd	
433110	35 SO 1xmo	\$9.94
433120	35 CO weekly- city 70+ or disabled	\$14.77
433125	35 CO 1st&3rd- city 70+ or disabled	
433130	35 CO 1xmo- city 70+ or disabled	\$9.94
436100	65 SO weekly	\$23.36
436105	65 SO 1st&3rd	
436110	65 SO 1xmo	\$13.70
436120	65 CO weekly- city 70+ or disabled	\$23.36
436125	65 CO 1st&3rd- city 70+ or disabled	
436130	65 CO 1xmo- city 70+ or disabled	\$13.70
439100	95 SO weekly	\$30.29
439105	95 SO 1st&3rd	
439110	95 SO 1xmo	\$19.07
439120	95 CO weekly- city 70+ or disabled	\$30.29
439125	95 CO 1st&3rd- city 70+ or disabled	
439130	95 CO 1xmo- city 70+ or disabled	\$19.07
430110	1yd temp-3 days	\$42.24
430115	1 1/2yd temp-3 days	\$77.25
430170	Additional temp days	\$2.45

## Recycling

CODE	SVC	CTY
420100	95 recycle	\$0.00
420110	95 CO recycle	\$0.00
420115	addt'l 95 recycle	\$1.12
420125	Yard Debris EOW	\$15.45
420130	Yard Debris 1XMONTH	\$10.30
420210	SWL (per each 35RC)	\$5.15
443200	LEED Billing	\$206.00
420280	1 1/2yd occ	\$11.94
420290	2yd occ	\$23.88
420300	3yd occ	\$23.88
420310	4yd occ	\$35.82
420320	5yd occ	\$35.82
420330	6yd occ	\$35.82
420340	8yd occ	\$47.76
421010	10yd rec monthly rental	
421015	15yd rec monthly rental	
421020	20yd rec monthly rental	
421030	30yd rec monthly rental	
421040	40yd rec monthly rental	
422000	Rec haul fee	
422100	Rec truck time per hour	

## Commercial

CODE	SVC	CTY
400100	1yd 1xweek	\$63.35
400110	1yd 2xweek	\$106.40
400120	1yd 3xweek	\$146.62
400130	1yd 4xweek	\$189.66
400140	1yd 5xweek	\$232.93
400150	1 1/2yd 1xweek	\$80.42
400160	1 1/2yd 2xweek	\$139.76
400170	1 1/2yd 3xweek	\$199.09
400180	1 1/2yd 4xweek	\$258.35
400190	1 1/2yd 5xweek	\$328.00
400200	2yd 1xweek	\$101.61
400210	2yd 2xweek	\$187.87
400220	2yd 3xweek	\$268.69
400230	2yd 4xweek	\$349.87
400240	2yd 5xweek	\$430.63
400250	3yd 1xweek	\$132.12
400260	3yd 2xweek	\$251.61
400270	3yd 3xweek	\$318.12
400280	3yd 4xweek	\$423.75
400290	3yd 5xweek	\$480.05
400300	4yd 1xweek	\$160.90
400310	4yd 2xweek	\$297.53
400320	4yd 3xweek	\$396.18
400330	4yd 4xweek	\$515.39
400340	4yd 5xweek	\$634.61
400350	5yd 1xweek	\$199.56
400360	5yd 2xweek	\$371.63
400370	5yd 3xweek	\$461.36
400380	5yd 4xweek	\$600.38
400390	5yd 5xweek	\$790.11
400400	6yd 1xweek	\$238.24
400410	6yd 2xweek	\$442.25
400420	6yd 3xweek	\$551.80
400430	6yd 4xweek	\$718.33
400440	6yd 5xweek	\$884.85
401000	1yd special mt	\$18.92
401010	1 1/2yd special mt	\$24.06
401020	2yd special mt	\$32.65
401030	3yd special mt	\$42.97
401040	4yd special mt	\$48.54
401050	5yd special mt	\$60.52
401060	6yd special mt	\$72.48

### Monthly Commercial Bins

CODE	SVC	CTY
401005	1yd Will call	\$15.45
401015	1 1/2yd Will call	\$18.03
401025	2yd Will call	\$20.60
401035	3yd Will call	\$23.18
401045	4yd Will call	\$25.75
401055	5yd Will call	\$28.33
401065	6yd Will call	\$30.90
400105	1yd 1xmo	\$23.00
400155	1 1/2yd 1xmo	\$29.34
400205	2yd 1xmo	\$35.69
400265	3yd 1xmo	\$45.81
400305	4yd 1xmo	\$55.93
400355	5yd 1xmo	\$66.05
400405	6yd 1xmo	\$76.17
400115	1yd 2xmo	\$38.09
400165	1 1/2yd 2xmo	\$51.97
400215	2yd 2xmo	\$65.87
400275	3yd 2xmo	\$91.08
400315	4yd 2xmo	\$116.29
400365	5yd 2xmo	\$141.50
400415	6yd 2xmo	\$166.71



## Roll-offs

CODE	SVC	CTY
410110	10yd monthly rental	\$105.05
410115	15yd monthly rental	\$118.18
410120	20yd monthly rental	\$131.31
410130	30yd monthly rental	\$157.58
410140	40yd monthly rental	\$183.84
410210	10yd yearly rental	\$73.53
410215	15yd yearly rental	\$83.08
410220	20yd yearly rental	\$91.93
410230	30yd yearly rental	\$110.30
410240	40yd yearly rental	\$128.70
410310	10yd daily rental	\$4.78
410315	15yd daily rental	\$5.38
410320	20yd daily rental	\$5.97
410330	30yd daily rental	\$7.17
410340	40yd daily rental	\$8.35
410500	Set-up fee	\$41.78
410510	Haul Fee	\$84.98
410520	Truck time per hour	
410525	Truck & Trailer time per hour	
410700	Disposal fee	\$50.00
411000	Inactive box fee	\$92.36
411010	Relocate box fee (county+time)	\$56.32



### Extras

CODE	SVC	CTY
440000	Senior Citizen Discount	10%
440010	Extra Trash per can/bag	\$4.12
440020	Extra Trash per yard	\$16.00
440030	Lawn Debris per can/bag	\$4.12
440060	Garbage or glass in recycle cart	\$11.11
440070	1yd occ contaminated with trash	\$18.92
440080	1 1/2yd occ contaminated with trash	\$24.06
440090	2yd occ contaminated with trash	\$32.65
440100	3yd occ contaminated with trash	\$42.97
440110	4yd occ contaminated with trash	\$48.54
440120	5yd occ contaminated with trash	\$60.52
440130	6yd occ contaminated with trash	\$72.48
440140	8yd occ contaminated with trash	\$92.81

## Special Services

CODE	SVC	CTY
441000	Sharps Container (commercial only)	\$5.63
442000	Special Services-1 man	\$61.80
442010	Special Services- 2 man	\$82.40
442020	Special Services- 1 man per hour	
442030	Special Services- 2 man per hour	
443000	Refrigerator	\$23.91
443010	Washer or dryer	\$17.92
443020	Stove (Range)	\$17.92
443030	Dishwasher	\$17.92
443040	Freezer	\$23.91
443050	Air-Conditioner	\$23.91
443060	Water Heater	\$17.92
443070	TV (27" approx)	\$8.37
443075	Vacuum	\$8.37
443080	Propane Tank	\$8.37
443090	Couch/Sofa	\$17.92
443100	Loveseat	\$11.95
443110	Recliner/Chair	\$9.56
443120	Mattress or Box spring-twin	\$5.97
443130	Mattress or Box spring-full	\$8.37
443140	Mattress or Box spring-queen	\$11.95
443150	Mattress or Box spring-king	\$14.34
443160	Pass Tire w/o rim	\$3.58
443170	Pass Tire w/ rim	\$9.56
443180	Truck Tire w/o rim	\$9.56
443190	Truck Tire w/ rim	\$16.74

Fees		
CODE	SVC	CTY
444000	Go back fee	\$8.45
445000	Stop svc fee-delinquent	\$35.00
445020	RC Rental	\$5.77
445030	NSF check fee	\$30.00
445040	Collection fee	\$10.00
445050	Comm cont pull fee	\$55.00
447000	35 RC purchase (lost/stolen)	\$50.00
447010	65 RC purchase (lost/stolen)	\$55.00
447020	95 RC purchase (lost/stolen)	\$60.00
447100	Equipment damage (per hr + parts)	\$75.00
447110	Locking Lids F/L	\$5.15
447120	Locking Lids Roll Carts	\$1.03
447130	Roll Off Lids Standard	\$10.30
447140	Roll Off Lids High Risk	\$25.75