

**RESOLUTION NO. 10
SERIES OF 2020**

A RESOLUTION CONCERNING GARBAGE COLLECTION RATES

WHEREAS, the City of Rocky Ford owns and operates a municipal garbage collection service; and

WHEREAS, Ordinance 757 paragraphs 9 and 12 of the City of Rocky Ford, Colorado, provides that the following may be established and amended from time to time by resolution: (a) charges for collection, removal and hauling of garbage and refuse, (b) regulations deemed necessary and appropriate for garbage and refuse collection and removal; and

WHEREAS, land fill rates to the City of Rocky Ford are assessed per capita; and

WHEREAS, land fill volume rates and other fixed costs to the City of Rocky Ford generally increase annually and revenues are necessary to ensure these costs are covered; and

WHEREAS, the estimated cost of closing old landfills in the County will require the City meet this obligation in the future with reserve funds; and

WHEREAS, the city desires to ensure vehicles and equipment necessary for the operation of garbage service are maintained and replaced as needed on a regular schedule; and

WHEREAS, cleanup days for the community are being restored to beautify the city and reduce the amount of junk being treated as garbage and thus overburdening the garbage collection services; and

WHEREAS, the City of Rocky Ford desires to provide the best and most consistent and efficient trash service it can for its residents first and foremost;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROCKY FORD, COLORADO AS FOLLOWS:

SECTION 1. Definitions.

1. The term "unit" in this chapter shall mean each residence, business, apartment, mobile home, motel, hotel, residential rooms within a nursing home, residential rooms within an assisted living facility, school and other business establishment, residence and dwelling.
2. The term "Single Family Unit" in this chapter shall mean a dwelling designed to house a single family.

3. The term "Apartment" or "multi-family" in this chapter shall mean dwelling units not constructed as a standalone structure and for more than one family where each family does not have garbage pickup as a single family unit.
4. The term "Land Fill" charge in this chapter shall mean a charge assessed per unit for dwellings designed for multiple families or multiple un-related individuals where no city garbage services are purchased or where garbage services are purchased for the entire facility rather than by individual units. Examples include but are not limited to apartments, town houses, nursing homes and assisted living facilities. Land fill charges defray per capita charges assessed by OCLI regardless of use of city garbage services.

SECTION 2. Each unit must pay a minimum monthly garbage collection or land fill rate as set forth in Section 4 below.

SECTION 3. Effective upon the January 2013 reading of the City of Rocky Ford water meters with the first billing at the new rate in February 2013, the following monthly garbage collection or land fill rate rates shall be in effect for the City of Rocky Ford.

A. Single Family Unit.

A1 Monthly charge per weekly collection of any of the following.....\$28.50

- (1) One (1) Toter®

If a customer requests an additional tote, there will be a one-time non-refundable fee of \$25.00 in addition to the \$10.00 per month fee for collection.

A2 Charge per month for collection of each additional Toter® \$10.00 each

B. Small Commercial and Industrial (Commercial users with low volume)

B1 Monthly charge per weekly collection of any of the following: \$28.50

- (1) 1 Toter®

C. Medium Commercial

C1 Monthly charge per weekly collection of the following:

(1) One (1) 1.5 cu. Yd container..... \$37.75

(2) Each additional 1.5 cu. Yd. container \$27.00

(3) One (1) 3.0 cu. Yd container..... \$53.75

(4) Each additional 3.0 cu. Yd. container \$38.50

D. Apartments and multi-family dwellings

D1 Monthly charge per weekly collection of any of the following:..... \$28.50

(1) One Toter per two apartments

D2 Monthly charge for collection of each additional Toter®.....\$10.00 each

E. Other

E1 Monthly charge per weekly collection of the following:

(1) One (1) 1.5 cu. Yd container.....\$36.75

(2) Each additional 1.5 cu. Yd. container.....\$31.25

(3) One (1) 3.0 cu. Yd container.....\$52.75

(4) Each additional 3.0 cu. Yd. container..... \$38.50

F. Special Event Use.

a Charge per week for short term use of container

(1) One and one-half cu. Yd. container..... \$15.00

(2) Three cu. Yd. container.....\$26.50

SECTION 4. Rates, other than land fill rates, are based on one collection each week. Each additional requested collection during the week shall be billed at the per extra toter charge per toter rate (\$10 per toter per pickup.

SECTION 5. Regulations governing trash collections.

a Open Garbage Burning. No open garbage burning allowed within the municipal limits of the City of Rocky Ford.

b Acceptable containers are:

(1) City provided Toters® with lid, wheels and hookups for the City's mechanized dumping system.

c Acceptable Number of Containers and Surcharge.

(1) Where the amount of garbage exceeds the capacity of the containers, the Director of Public Works Department shall give written notice concerning the need to clean up the overflow and the need for additional toters to the owner, manager or occupant of the premises or by first class mail addressed to the billing address on file with the city utility department. The notice shall state that overflow must be cleaned up within seven days of the notice, the

estimated number and size(s) of containers required to contain the garbage indefinitely if this is a constant problem, and that additional toter(s) will be

automatically assigned by the next billing cycle if the owner/occupant has not made arrangements to reduce garbage sufficient to continue using the already assigned toters.

- (2) Where the owner, manager or occupant fails to appropriately address any overflow of garbage outside the toter within seven days of the notice date, the city shall assess a minimum surcharge of fifty dollars (\$50) per pickup or one-hundred (\$100.00) per hour where the additional time required for pickup due to the lack of containers exceeds one-half hour.
- d Grass Clippings and Leaves will be picked up if in the proper container.
 - e Tree Trimmings will be picked up so long as they are in the toter and meet the following criteria:
 - (1) All trimmings have a diameter of one inch or less;
 - (2) All tree trimmings must be able to fit in the toter. Trimmings on the ground will not be collected.
 - (3) The trimmings do not exceed the normal weight capability of the truck to lift the toter.
 - f No garbage of any kind shall be picked up from the ground. All garbage must be within the toter.
 - g. If the toter is filled with articles and rubbish that is not domestic in nature and is clearly construction or other junk or otherwise not allowable garbage, it will be picked up once the owner brings the garbage into compliance with this policy. The city is not under any obligation to come and collect garbage in this instance until the next regular pickup, or the owner can arrange a re-pickup for an extra \$10 on a different day
 - h. In the event junk or other rubbish prevents the truck from picking up the normal garbage, the toter will not be picked up until it can do so normally, and as per (g) above stating the owner can rectify and call for an additional pickup for \$10 or wait until the next week.
 - i There are no special order pickups for junk articles or other rubbish. These will be handled in community cleanup days.
 - j Orders for additional normal pickups may be made by calling the city utility office.

An additional charge of \$10 will be assessed for special pickups.

SECTION 6 Clean Up Days

6A. The City of Rocky Ford shall begin providing the community with two community wide cleanup weeks with correct equipment, one in the Spring and one in the Fall. Junk and rubbish and other non-hazardous and properly prepared items will be collected free of charge during these two weeks. Residents are encouraged to save non-domestic rubbish and materials and junk for these days. The first clean up days will be announced once the city is ready and has the correct equipment to execute this activity.

Any excess funds not utilized for cleanup days shall be reallocated to other garbage related expenses.

SECTION 7. Rural Route Eliminated

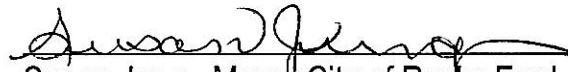
The City will eliminate the rural route as part of its trash collection service, provided a local trash service provider is willing and able to provide this service instead of the city.

SECTION 8. Vehicle Replacement

The City will budget for the replacement of garbage vehicles on an appropriate schedule to maintain the efficient operation of the garbage service. At such point as the cost of a vehicle has been reserved in its replacement cycle, any excess funds shall be applied to other garbage related expenses incurred by the city.

This resolution supersedes Resolution No. 9, 2012 Series.

ADOPTED AND APPROVED this 28th day of July, 2020.


Susan Jung, Mayor City of Rocky Ford

ATTEST:


Rebecca Korinek, Deputy City Clerk

