

Washington County, Minnesota Ordinances

Ordinance No. 137

An Ordinance Amending the Washington County Solid Waste Management Ordinance #130.

Date Approved: 11/10/1998

Date Published: 11/25/1998

Effective Date: 01/01/1999

Resolution No. 98 - 169

Adopting Amendments to the Washington County Solid Waste Management Ordinance No. 130 Ordinance No. 137

Whereas,

the Waste Management Act, which imposes various mandates upon counties was created out of concern for the protection of water, air and land resources, as well as protection of public health; and

Whereas,

pursuant to State law Washington County has adopted and received approval for its Solid Waste Master Plan, which acknowledges the State's preferential order for waste management, and which plans for the implementation of an integrated waste management system in order to protect public health and environment; and

Whereas,

in order to discharge the mandate imposed upon counties by the Minnesota Waste Management Act to manage mixed municipal solid waste in a more environmentally sound manner than land disposal, Washington County provides or contracts with others to provide various solid waste management service for residents; and

Whereas,

the Washington County Board of Commissioners adopted the Washington County Solid Waste Management Ordinance No. 130 on November 18, 1997; and

Whereas,

1984 Minnesota Laws Chapter 644, Section 80, Minnesota Statutes Sc400.08 and Sc473.811 Subd 3a, authorize Washington County to establish and collect a service charge for the solid waste management services provided by the County or by others under contract with Washington County.

Now, Therefore, be it Resolved,

that the Washington County Board of Commissioners adopts the attached amendments to the Washington County Solid Waste Ordinance to be effective January 1, 1999, said amendments establish the rates and charges for the solid waste management service charge and method of collection.

Attest:

James R. Schug, County Administrator

Dennis C. Hegberg, Chairman, County Board

Abrahamson - X - Yes

Hauser - X - Yes

Hegberg - X - Yes

Peterson - X - Yes

Stafford - X - Yes

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The Board of Commissioners of Washington County ordains:

SECTION 1:

The Washington County Solid Waste Management Ordinance #130 is hereby amended as follows:

Delete Section 13 in its entirety and replace with new Section 13.

13.0 SERVICE CHARGE

13.1 Purpose and Authority:

Pursuant to Laws 1984, Chapter 644, Section 80, and Minn. Stat. Sections 400.03, 473.811, Subd. 3A, the County hereby imposes on all owners, lessees or occupants of property, including properties owned, leased or used by the State or a political subdivision of the State a service charge for solid waste management services provided to their properties by the County or by those under contract with the County.

13.2 Definitions:

For the purpose of this section, the terms used herein shall have the following meaning unless the context clearly indicates otherwise.

13.2.1 Residential Property

is any property which is a single family residence, personal property mobile home, residential apartment building or any property classified as residential by the County Assessor.

13.2.2 Non-Residential Property

is all improved real property in Washington County classified by the County Assessor as commercial, industrial, institutional, utility, tax exempt or other non-residential property.

13.3 Rates and Charges:

Rates and charges imposed may take into account the character, kind and quality of the service and of the solid waste; the method of disposition including but not limited to activities such as recycling, composting, co-composting, resource recovery, the number of people served at each place of collection, and all other factors that enter into the cost of service, including but not limited to depreciation and payment of principal and interest on money borrowed by the County for the acquisition or betterment of solid waste facilities, the establishment of a reserve fund for payments of a fee to the Facility vendor for services to be provided at the Facility, and administrative costs associated with providing waste management services to County residents; and specifically may take into account as an additional cost of service, the amount of waste estimated to be generated by different classifications of solid waste generators, as determined by the County.

13.3.1

The rate of the solid waste management service charge for Residential Property shall be as follows:

- 1) \$15.00 per improved parcel for personal property mobile homes
- 2) \$42.00 per improved parcel for single family residence with a building value over \$20,000
- 3) \$42.00 per improved parcel for buildings with 2 or 3 dwelling units and a building value over \$20,000
- 4) \$21.00 per dwelling unit for residential apartment buildings with 4 or more units and a building value over \$20,000.

13.3.2

The rate of the solid waste management service charge for non-residential property shall be as follows:

Category I Non-Residential Property	The solid waste management service charge shall be \$100.00 for each parcel with an estimated building value, as determined by the County Assessor, of \$20,000 but less than \$100,000.
Category II Non-Residential Property	The solid waste management service charge shall be \$300.00 for each parcel with an estimated building value, as determined by the County Assessor, of \$100,000 but less than \$250,000.
Category III Non-Residential Property	The solid waste management service charge shall be \$500.00 for each parcel with an estimated building value, as determined by the County Assessor, of \$250,000 but less than \$500,000.
Category IV Non-Residential Property	The solid waste management service charge shall be \$1,600.00 for each parcel with an estimated building value, as determined by the County Assessor of \$500,000 but less than \$1,000,000.
Category V Non-Residential Property	The solid waste management service charge shall be \$2,700.00 for each parcel with an estimated building value, as determined by the County Assessor, of \$1,000,000 or more.

13.3.3

The owner of a parcel of property classified as both residential and non-residential property shall pay solid

waste management charges pursuant to both sections 13.3.1 and 13.3.2.

13.4.1

Service charges shall be billed directly to every owner of property through the County property tax statements as a separate item and shall be due, payable and collected in the same manner as property taxes subject to the same penalties and interest as overdue real property taxes. In such instances, no charge shall become payable in any year unless first certified by the County Board to the County Auditor in the year prior to its being payable.

13.5 Unpaid Charges.

13.5.1 Taxable Properties:

On or before October 15 in each year, the County Board shall certify to the County Auditor all unpaid outstanding charges for services hereunder, and a statement of the description of the lands which were serviced and against the charges arose. It shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments with interest of six percent upon the tax rolls of the County of the taxes of the year in which the assessment is filed.

For each year ending October 15 the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the state. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the state.

13.5.2 Tax-Exempt Properties:

Unpaid charges may be collected as otherwise provided in Section 13 of this ordinance.

13.5.3 Civil Action:

In addition to each and every other remedy available to the County, unpaid solid waste management charges, penalties and interest may be recovered in a civil action against a property owner, lessee or occupant.

13.6 Administrative Appeal

13.6.1

A person assessed a service charge may appeal the amount of the charge billed to the Department by requesting in writing an adjustment to the charge. If the Department denies the request for adjustment, the person may appeal the decision to the County Board.

SECTION 2:

The Director of the Washington County Health, Environment and Land Management Department is hereby directed to change the Washington County Solid Waste Management Ordinance #130 in accordance with the foregoing instrument.

SECTION 3:

Effective Date. This Ordinance shall be and is hereby declared to be in full force and effect on January 1, 1999.
