

**RESOLUTION 20-\_\_**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX  
ESTABLISHING MAXIMUM RATES COLLECTED BY MARIN SANITARY SERVICE  
FOR SOLID WASTE SERVICES, TO BE EFFECTIVE JANUARY 1, 2021, IN THE  
TOWN OF FAIRFAX**

**WHEREAS**, Fairfax Town Code Section 8.08.110 provides that the Town may enter into an exclusive contract with any responsible individual, firm or corporation for the collection, removal and disposal of garbage collected and accumulated within the Town, under the terms and conditions as may be prescribed by the Town Council; and

**WHEREAS**, the Town of Fairfax has entered into such an agreement with Marin Sanitary Service for the provision of solid waste and recycling services (the “Franchise Agreement”); and

**WHEREAS**, in accordance with the Franchise Agreement, Marin Sanitary Service may submit an application to the Town for an increase in garbage and recycling service rates; and

**WHEREAS**, Marin Sanitary Service has submitted an application for rate review, requesting an increase in service charges to be effective January 1, 2021; and

**WHEREAS**, the Town conducted an independent review of the rate application in accordance with the rate-setting methodology set forth in the Franchise Agreement; and

**WHEREAS**, the new rate schedule proposed by Marin Sanitary Service is attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, in accordance with the requirements of the Franchise Agreement, as well as state law, the Town of Fairfax posted a notice of the December 16, 2020, public hearing in the three designated places in Town as well as on the Town website; and

**WHEREAS**, the Town Council of the Town of Fairfax held a public hearing on December 16, 2020, to consider the requested increase, at which time any person interested, including all persons owning property within the Town, was invited to appear and be heard on the matters set forth in the public hearing notice; and

**WHEREAS**, Fairfax Town Code Section 8.08.030 provides that garbage service charges will be set forth in a resolution of the Town Council,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Fairfax as follows:

**SECTION 1.** The recitals set forth above are adopted as further findings of the Town Council.

**SECTION 2.** The Town Council has reviewed the rate schedule requested by Marin Sanitary Service, as set forth in Exhibit A hereto, and finds that the proposed rates and charges are not discriminatory or excessive and will be sufficient under California Government Code Section 54515 and will comply with the provisions of Chapter 6 of Part 1 of Division 2 of Title 5 of the California Government Code and will be in compliance with law.

**SECTION 3.** The Town Council hereby adopts the rate schedule set forth in Exhibit A, with such new rates effective as of the 1<sup>st</sup> day of January 2021.

The forgoing Resolution was duly passed and adopted at a special meeting of the Town Council of the Town of Fairfax held in said Town on the 16<sup>th</sup> day of December 2020 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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BRUCE ACKERMAN, Mayor

Attest:

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Michele Gardner, Town Clerk

Exhibit A attached

**TOWN OF FAIRFAX**  
**EXHIBIT - SCHEDULE OF RATES**

RESIDENTIAL REFUSE COLLECTION RATES					
		Rate increase: 4.73%			
		Effective date: 01/01/2021			
<i>Residential Service (Bundled service includes 1 landfill (garbage) cart, 1 organic waste cart*, &amp; 1 Recycling split cart )</i>					
REOCCURRING CHARGES	Weekly Service Rates (Billed Quarterly)	2021 Flat rate		2021 Hill Rate	
		Monthly Rate	Quarterly Rate	Monthly Rate	Quarterly Rate
	20 gallon cart	\$37.38	\$112.14	\$43.63	\$130.89
	32 gallon cart	\$44.80	\$134.40	\$52.34	\$157.02
	64 gallon cart	\$89.63	\$268.89	\$104.70	\$314.10
	96 gallon cart	\$134.43	\$403.29	\$157.04	\$471.12
	Low income - 20 gal** cart	\$29.90	\$89.70	\$34.90	\$104.70
	Low income - 32 gal** cart	\$35.84	\$107.52	\$41.87	\$125.61
	Low income - 64 gal** cart	\$71.70	\$215.10	\$83.76	\$251.28
	Low income - 96 gal** cart	\$107.54	\$322.62	\$125.63	\$376.89
	Additional Organics Cart Rental (35 or 64 gallon cart)	\$2.37	\$7.11	\$2.37	\$7.11
	Additional Split Cart Rental (64 or 96 gallon cart)	\$2.37	\$7.11	\$2.37	\$7.11
	<b>Additional Monthly Charges</b>	<b>Monthly Fee</b>	<b>Quarterly Fee</b>		
	(per cart, each way)				
Distance 5' - 50'	\$6.69	\$20.07			
Distance Over 50'	\$13.31	\$39.93			

\*Residential Customers may request one additional Organic Waste Cart, for a total of two, as part of the service

\*\*Must meet PG&E CARE program eligibility requirements. 20% discount on regular rates.

NOTE: We may not be able to accommodate any collection requests NOT at the curb due to a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

Additional Service Fees per Occurrence	Fee
Return Fees - Off day	\$25.00
Return Fees - Same day	\$10.00
Resume Service/Late Fee	\$35.00
Contamination (cart) any size cart	\$30.00
Overload/Overweight (cart)	\$25.00
Extra bag garbage	\$15.00
Extra bag yard waste	\$10.00
Steam Clean (cart)	\$15.00
Special Collection	\$35.00
Special Handling (Bulky items)	\$30.00
Bulky item fees per item	Fees Vary
Cart Strap Set-up Admin Fee	\$25.00
20 Gal Cart Replacement Fee	\$55.00
32 Gal Cart Replacement Fee	\$60.00
64 Gal Cart Replacement Fee	\$65.00
96 Gal Cart Replacement Fee	\$75.00
64 Gal Split Cart Replacement Fee	\$90.00
96 Gal Split Cart Replacement Fee	\$100.00

**TOWN OF FAIRFAX**  
**EXHIBIT - SCHEDULE OF RATES**

**COMMERCIAL REFUSE COLLECTION RATES**

Rate increase: **4.73%**  
Effective date: **01/01/2021**

RECURRING CHARGES	Residential Service (Bundled service incl	Collections per Week						Additional One Time Empty
	Garbage	1	2	3	4	5	6	
20 gallon cart*	\$44.92	\$89.84	\$134.76	\$179.68	\$224.60	\$269.52	\$10.37	
32 gallon cart	\$52.85	\$105.70	\$158.55	\$211.40	\$264.25	\$317.10	\$12.20	
64 gallon cart	\$105.70	\$211.40	\$317.10	\$422.80	\$528.50	\$634.20	\$24.39	
96 gallon cart	\$158.55	\$317.10	\$475.65	\$634.20	\$792.75	\$951.30	\$36.59	
1 yard bin	\$263.46	\$443.86	\$624.03	\$804.56	\$984.89	\$1,165.21	\$60.80	
2 yard bin	\$440.48	\$780.50	\$1,120.38	\$1,460.32	\$1,800.48	\$2,140.36	\$101.65	
3 yard bin	\$617.66	\$1,117.30	\$1,616.79	\$2,116.44	\$2,615.79	\$3,024.77	\$142.54	
4 yard bin	\$881.33	\$1,626.60	\$2,302.85	\$2,979.09	\$3,655.32	\$4,331.55	\$203.38	
5 yard bin	\$994.96	\$1,817.20	\$2,605.13	\$3,393.03	\$4,180.99	\$4,968.89	\$229.61	
6 yard bin	\$1,108.57	\$2,007.80	\$2,907.39	\$3,806.99	\$4,706.66	\$5,606.25	\$255.82	
10 yard roll-off	\$1,847.62	\$3,346.32	\$4,845.65	\$6,344.98	\$7,844.42	\$9,343.76	\$426.37	
18 yard roll-off	\$3,325.71	\$6,023.38	\$8,722.18	\$11,420.96	\$14,119.97	\$16,818.77	\$767.47	
20 yard roll-off	\$3,695.22	\$6,692.64	\$9,691.31	\$12,689.96	\$15,688.86	\$18,687.51	\$852.74	
25 yard roll-off	\$4,619.03	\$8,365.81	\$12,114.13	\$15,862.45	\$19,611.08	\$23,359.40	\$1,065.93	
	<b>Organics (F2E or Compost)</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Additional One Time Empty</b>
32 gallon	\$20.63	\$41.26	\$61.89	\$82.52	\$103.15	\$123.78	\$4.76	
64 gallon	\$41.25	\$82.50	\$123.75	\$165.00	\$206.25	\$247.50	\$9.52	
64 gallon	\$144.12	\$288.24	\$432.36	\$576.48	\$720.60	\$864.72	\$33.26	
2 yard	\$288.24	\$576.48	\$864.72	\$1,152.96	\$1,441.20	\$1,729.44	\$66.52	
3 yard	\$432.35	\$864.70	\$1,297.05	\$1,729.40	\$2,161.75	\$2,594.10	\$99.77	
10 yard roll-off	\$1,293.32	\$2,586.64	\$3,879.96	\$5,173.28	\$6,466.60	\$7,759.92	\$298.46	
18 yard roll-off	\$2,327.98	\$4,655.96	\$6,983.94	\$9,311.92	\$11,639.90	\$13,967.88	\$537.23	
20 yard roll-off	\$2,586.65	\$5,173.30	\$7,759.95	\$10,346.60	\$12,933.25	\$15,519.90	\$596.92	
25 yard roll-off	\$3,233.31	\$6,466.62	\$9,699.93	\$12,933.24	\$16,166.55	\$19,399.86	\$746.15	
<b>Garbage Compactors (Per empty)</b>								
Roll-off Compactor Tipping fee per ton		\$175.74		Roll-off Compactor Hauling charge		\$224.54		
Stationary FL (Per Compacted Yard)		\$113.63		Roll-off Compactor Special handling		Rates Vary		
<b>Other Charges</b>	<b>Service</b>	<b>Fee</b>		<b>Details</b>				
	Lock	\$25.00		Monthly fee				
	Box rental	Fees Vary		Minimum Bimonthly fee				
	Distance < 50ft	\$6.69		Monthly fee per cart, each way				
	Distance > 50ft	\$13.31		Monthly fee per cart, each way				

\* Customers must have a sufficient level of service for the volume of material generated. Requests for 20gal carts require assessment and approval of a Route Manager.  
NOTE: All container types and sizes may not be available at all locations depending on a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

ONE TIME SERVICE FEES	Commercial Service Fees	Fee
	Return Fee - <b>BIN</b>	\$75.00
Return Fee - <b>CART</b> -same day	\$10.00	
Return Fee - <b>CART</b> -off day	\$25.00	
Late Fee/Resume Service Fee	\$35.00	
Contamination ( <b>BIN</b> )	\$50.00	
Contamination ( <b>CART</b> )	\$30.00	
Overload/Compaction ( <b>BIN</b> )	\$60.00	
Overload/Compaction ( <b>CART</b> )	\$25.00	
Extra Bag Garbage	\$15.00	
Additional Empty <b>BIN</b>	Fees vary	
Extra Bag Yard Waste	\$15.00	
Steam Clean (1-6 yard <b>BIN</b> )	\$95.00	
Steam Clean ( <b>CART</b> )	\$15.00	
Steam Clean ( <b>COMPACTOR/ROLL-OFF</b> )	\$225.00	
Lock Set-up Admin Fee	\$25.00	
Lock Single Use Fee	\$5.00	
Lock Purchase Fee	\$20.00	
Lock Bar Bin Set-up Fee	\$75.00	
Overweight Charge Per Ton*	\$205.00	
20 Gal Cart Replacement Fee	\$55.00	
32 Gal Cart Replacement Fee	\$60.00	
64 Gal Cart Replacement Fee	\$65.00	
96 Gal Cart Replacement Fee	\$75.00	
64 Gal Split Cart Replacement Fee	\$90.00	
96 Gal Split Cart Replacement Fee	\$100.00	
Bin Repair/Replacement Fee**	Fees vary	

\*Boxes exceeding 300lbs/yard  
\*\*Fees vary by size up to \$1,200, not to exceed current replacement value.

**TOWN OF FAIRFAX  
EXHIBIT - SCHEDULE OF RATES**

**MULTI-FAMILY DWELLING REFUSE COLLECTION RATES**

Rate increase: 4.73%

Effective date: 01/01/2021

RECURRING CHARGES	Residential Service (Bundled service)		Collections per Week					Additional One Time Empty
	Garbage	1	2	3	4	5	6	
20 gallon cart*	\$38.08	\$76.16	\$114.24	\$152.32	\$190.40	\$228.48	\$8.79	
32 gallon cart	\$44.80	\$89.60	\$134.40	\$179.20	\$224.00	\$268.80	\$10.34	
64 gallon cart	\$89.63	\$179.26	\$268.89	\$358.52	\$448.15	\$537.78	\$20.68	
96 gallon cart	\$134.43	\$268.86	\$403.29	\$537.72	\$672.15	\$806.58	\$31.02	
1 yard bin	\$263.46	\$443.86	\$624.03	\$804.56	\$984.89	\$1,165.21	\$60.80	
2 yard bin	\$440.48	\$780.50	\$1,120.38	\$1,460.32	\$1,800.48	\$2,140.36	\$101.65	
3 yard bin	\$617.66	\$1,117.30	\$1,616.79	\$2,116.44	\$2,615.79	\$3,024.77	\$142.54	
4 yard bin	\$881.33	\$1,626.60	\$2,302.85	\$2,979.09	\$3,655.32	\$4,331.55	\$203.38	
5 yard bin	\$994.96	\$1,817.20	\$2,605.13	\$3,393.03	\$4,180.99	\$4,968.89	\$229.61	
6 yard bin	\$1,108.57	\$2,007.80	\$2,907.39	\$3,806.99	\$4,706.66	\$5,606.25	\$255.82	
10 yard roll-off	\$1,847.62	\$3,346.32	\$4,845.65	\$6,344.98	\$7,844.42	\$9,343.76	\$426.37	
18 yard roll-off	\$3,325.71	\$6,023.38	\$8,722.18	\$11,420.96	\$14,119.97	\$16,818.77	\$767.47	
20 yard roll-off	\$3,695.22	\$6,692.64	\$9,691.31	\$12,689.96	\$15,688.86	\$18,687.51	\$852.74	
25 yard roll-off	\$4,619.03	\$8,365.81	\$12,114.13	\$15,862.45	\$19,611.08	\$23,359.40	\$1,065.93	
<b>Organics</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>Additional One Time Empty</b>	
Additional Organics Cart Rental (35 gallon cart) after 4 TOTAL carts per cart per month	\$2.37	\$4.74	\$7.11	\$9.48	\$11.85	\$14.22	NA	
Additional Organics Cart Rental (64 gallon cart) after 4 TOTAL carts per cart per month	\$2.37	\$4.74	\$7.11	\$9.48	\$11.85	\$14.22	NA	
1 yard	\$144.12	\$288.24	\$432.36	\$576.48	\$720.60	\$864.72	\$33.26	
2 yard	\$288.24	\$576.48	\$864.72	\$1,152.96	\$1,441.20	\$1,729.44	\$66.52	
3 yard	\$432.35	\$864.70	\$1,297.05	\$1,729.40	\$2,161.75	\$2,594.10	\$99.77	
<b>Garbage Compactors (Per empty)</b>								
Roll-off Compactor Tipping fee per ton		\$175.74		Roll-off Compactor Hauling charge			\$224.54	
Stationary FL (Per Compacted Yard)		\$113.63		Roll-off Compactor Special handling			Rates Vary	
<b>Other Charges</b>	<b>Service</b>		<b>Fee</b>	<b>Details</b>				
	Lock		\$25.00	Monthly fee				
	Box rental		Fees Vary	Minimum Bimonthly fee				
	Distance < 50ft		\$6.69	Monthly fee per cart, each way				
	Distance > 50ft		\$13.31	Monthly fee per cart, each way				

NOTE: Minimum service level is 32 gallons per unit or equivalent volume. Decrease to 20 gallon per unit is subject to company review and approval.

NOTE: Up to four (4) Organics carts provided at no additional charge. Additional carts may be rented for a nominal monthly fee.

NOTE: All container types and sizes may not be available depending on a variety of factors including safety, accessibility, and efficiency. Requests to be assessed and approved by Route Manager.

ONE TIME SERVICE FEES	MFD One Time Service Fees	Fee
	Return Fee - BIN	
Return Fee - CART -same day		\$10.00
Return Fee - CART -off day		\$25.00
Late Fee/Resume Service Fee		\$35.00
Contamination (BIN) Per Yard		\$50.00
Contamination (CART)		\$30.00
Overload/Compaction (BIN)		\$60.00
Overload/Compaction (CART)		\$25.00
Additional Empty Bag		\$15.00
Extra Bag Yard Waste		\$10.00
Additional Empty Garbage		Fees vary
Steam Clean (BIN)		\$95.00
Steam Clean (CART)		\$15.00
Steam Clean (COMPACTOR/ROLL-OFF)		\$225.00
Lock Set-up Admin Fee		\$25.00
Lock Single Use Fee		\$5.00
Lock Purchase Fee		\$20.00
Lock Bar Bin Set-up Fee		\$75.00
Overweight Charge Per Ton*		\$205.00
20 Gal Cart Replacement Fee		\$55.00
32 Gal Cart Replacement Fee		\$60.00
64 Gal Cart Replacement Fee		\$65.00
96 Gal Cart Replacement Fee		\$75.00
64 Gal Split Cart Replacement Fee		\$90.00
96 Gal Split Cart Replacement Fee		\$100.00
Bin Repair/Replacement Fee**		Fees vary

\*Boxes exceeding 300lbs/yard

\*\*Fees vary by size up to \$1,200, not to exceed current replacement value.