

ORDINANCE NO. 1439

AN ORDINANCE OF THE CITY OF RUSTON, WASHINGTON, RELATING TO SOLID WASTE RATES, INCREASING RATES FOR ALL TYPES OF CONTAINERS FOR BOTH RESIDENTIAL AND COMMERCIAL CUSTOMERS, CHANGING CONTAINER SIZES TO BE CONSISTENT WITH CURRENT CONTAINER SIZES, REMOVING DUMPSTER SERVICE FROM THE CITY SOLID WASTE SERVICES, AMENDING 6.01.260 OF THE RUSTON MUNICIPAL CODE, PROVIDING PUBLIC NOTICE OF THE RATE CHANGE, MAKING THE RATES EFFECTIVE JULY 1, 2014, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in accordance with RCW 35.21.130 and RCW 35.21.152, the City Council has the authority to establish rates for solid waste collection services; and

WHEREAS, the City is running deficits for the costs of providing solid waste services and therefore a rate increase to cover the cost of providing these services is necessary; and

WHEREAS, RMC 6.01.260 establishes the rates for solid waste services; and

WHEREAS, the City Council finds it to be in the best interest of the public to ensure that the City's solid waste rates cover the actual costs of services; and

WHEREAS, RCW 35.21.157 requires that any changes in solid waste rates be mailed to each affected customer or published once per week for two consecutive weeks in a newspaper of general circulation in the collection area and that such notice shall be available to the ratepayers at least forty-five (45) days prior to the effective date of the rate change; and

WHEREAS, the City published notices in its official newspaper, The Tacoma Daily Index on May 8, 2014 and May 14, 2014, notifying the public of these proposed rate changes; and

WHEREAS, both these publication dates were more than forty-five (45) days prior to the rate change effective date of July 1, 2014; and

WHEREAS, City also published notice of the proposed rate changes on the home page of the City's official website, and such notice remained posted from May 7, 2014 and remains posted; and

WHEREAS, on May 6, 2014, the City Council held the first reading on this Ordinance; and

WHEREAS, on May 20, 2014, the City Council adopted this Ordinance during its regular meeting at second reading; **NOW, THEREFORE**

THE CITY COUNCIL OF THE CITY OF RUSTON HEREBY ORDAINS AS FOLLOWS:

Section 1. Update of Garbage Rates. Section 6.01.260 of the Ruston Municipal Code is hereby amended to read as follows:

6.01.260 Monthly charges.

- (a) Beginning ~~February~~ July 1, 2014, and continuing until hereafter amended by the ~~Town~~ City Council, the monthly solid waste collection rate to be charged, billed and paid by each customer shall be the sum of the appropriate customer or service rate set forth in the table below, together with such solid waste taxes as may be levied by the State of Washington. The residential rates shown in the table below shall include one 65-gallon container each for recycling service and yard waste pickup service ~~up to two 32-gallon cans per-week~~, and shall apply equally to both recycling and non-recycling customers.

Description of Service	Monthly Charge
Residential	
1 20-gallon container can , 1 pickup per week	\$ 16.00 <u>21.00</u>
1 32 32-gallon container can , 1 pickup per week	\$ 25.00 <u>30.00</u>
2 32-gallon 1 65 gallon container cans , 1 pickup per week	\$ 50.00 <u>55.00</u>
3 32-gallon 1 95-gallon container cans , 1 pickup per week	\$ 75.00 <u>80.00</u>
Commercial	

1 35- 32-gallon <u>container</u> can, 1 pickup per week	\$ 25.00 <u>30.00</u>
2 32-gallon <u>65-gallon container</u> cans, 1 pickup per week	\$ 50.00 <u>55.00</u>
3 32-gallon <u>95-gallon container</u> cans, 1 pickup per week	\$ 75.00 <u>80.00</u>
4 32-gallon cans, 1 pickup per week	100.00
5 32-gallon cans, 1 pickup per week	125.00
6 32-gallon cans, 1 pickup per week	150.00
1 dumpster, 1 pickup per week	155.00
1 dumpster, 2 pickups per week	310.00
Monthly dumpster rental fee	10.00

- (b) An additional charge of \$25.00 per can shall apply to residential yard waste pickup for three or more 32-gallon cans per week. Additional containers for yard waste (65-gallon) are \$10.00 per month for residential customers.
- (c) Yard waste and recycling service shall not be provided to commercial customers. "Commercial customers" are customers located in Commercial zones as shown on the Ruston Zoning Map. Recycling shall be available upon request to commercial customers. one recycle container may be provided for each garbage container provided for the customer's garbage service.
- (d) Containers of any type which have lids that will not close due to volume of material inside the container will result in a \$10.00 overage charge for each pickup of such container.
- (e) If a customer returns a container and later requests the container size previously returned within twelve (12) months of the return, such customer shall be assessed a \$50.00 delivery charge per container.
- (f) Containers are the customer's responsibility. Damaged &/or replacement containers will result in a \$50 per container replacement fee.
- (g) If waste is spilled outside of the container and is cleaned up by solid waste staff, a clean-up fee in the amount of \$10 will be added to the customer's bill.

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 3. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 4. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

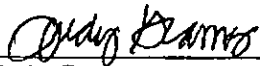
ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 20th day of May, 2014.

APPROVED by the Mayor this 20th day of May, 2014.




Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams
City Clerk

APPROVED AS TO FORM:



City Attorney's Office

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL: _
PUBLISHED:
EFFECTIVE DATE:
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