



## Interoffice Memorandum

July 28, 2023

**TO:** Mayor Jerry L. Demings  
-AND-  
County Commissioners

**FROM:** Ed Torres, M.S., P.E., LEED AP, Director  
Utilities Department

A handwritten signature in blue ink, appearing to read "Ed Torres", written over the printed name in the "FROM" field.

**SUBJECT: BCC AGENDA ITEM – Public Hearing  
August 8, 2023, BCC Meeting  
Solid Waste System Tipping Fees  
Contact Person: David Gregory, Manager  
Solid Waste Division  
407-254-9622**

As discussed in the Utilities Department Budget Work Session presentation, staff is recommending an adjustment to the Orange County Solid Waste disposal rates, or tipping fees, at the Orange County Landfill and transfer stations.

The Solid Waste System (“System”) has experienced significant cost increases in recent years. Operating expenses have increased due to rising costs in personal services, operating and maintenance costs, and for capital requirements to construct and close landfill cells.

In FY 2021, our rate consultant analyzed System cost requirements based on data from FY 2020. At that time, the 5-year average annual increase for System O&M costs was 2.7% and construction cost for a landfill cell was approximately \$850K per acre.

Since then, inflation and supply chain issues have had a significant impact on the costs for System requirements. Our current 5-year average annual increase for O&M costs has risen to 5.8% and is expected to continue increasing. Our cost per acre to build the remaining phases of Cell 11 has grown to approximately \$1.1 million per acre.

In addition to these increases, the Solid Waste Division must make monthly deposits to an escrow account to fund the future costs of closing landfill cells and maintaining them for a thirty-year period, per state regulatory requirements. Since the analysis in FY 2021, costs for these activities have also increased so that we are now projecting the need for an additional \$39 million in escrow funding over the next ten years.

Based on our analysis and modeling, staff recommends implementing a 12% increase in tipping fees for each of the next three fiscal years, effective on October 1<sup>st</sup> of 2023, 2024, and 2025. Based on currently available information and trends, we project that these rate increases are necessary to meet the financial requirements of the System. With your approval, the attached resolution, with the included charge schedule, will accomplish this three-year rate plan.

Orange County Attorney’s Office staff has reviewed the resolution and finds it acceptable as to form and content. The revised Solid Waste System Charge Schedule will be presented in the public hearing on August 8, 2023.

**Action Requested:** **Approval of a Resolution Regarding Solid Waste Disposal; Adopting a Revised Fee Schedule for Solid Waste Disposal at County Disposal Facilities; Revising Certain Solid Waste Disposal Fees; Providing for Severability; and Providing for an Effective Date.**

**All Districts.**

# RESOLUTION

*of the*

**ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS**

*regarding*

**SOLID WASTE DISPOSAL; ADOPTING A REVISED FEE SCHEDULE FOR SOLID WASTE DISPOSAL AT COUNTY DISPOSAL FACILITIES; REVISING CERTAIN SOLID WASTE DISPOSAL FEES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Resolution No. \_\_\_\_\_

**WHEREAS**, the Board of County Commissioners of Orange County (the "Board") is authorized to establish, operate, and maintain a waste collection and disposal system within Orange County (the "System") pursuant to its powers as a charter county, Florida law, and Section 32-16, Orange County Code; and

**WHEREAS**, the Board is also authorized to prescribe, fix, establish and collect fees, rentals, or other charges for the facilities and services furnished by such waste collection and disposal system, or any part thereof; and

**WHEREAS**, the Board last adopted a revised fee schedule for solid waste disposal at County disposal facilities on August 9, 2022, pursuant to Resolution 2022-M-43; and

**WHEREAS**, the Board finds it necessary to revise the fee schedule in order to enable the System to better fund its cost requirements; and

**WHEREAS**, the Board authorized, scheduled, and publicized a notice of public hearing to consider the adoption of the revised fee schedule in accordance with Section 32-16, Orange County Code:

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:**

**Section 1. Revised Fee Schedule.** The Board of County Commissioners hereby adopts the revised fee schedule attached to and incorporated in this Resolution

as Exhibit "A". The attached schedule supersedes, and this Resolution hereby repeals, the presently existing fee schedule as adopted on August 9, 2022. Resolution 2022-M-43 is superseded and repealed when this Resolution becomes effective.

**Section 2. Severability of Provisions.** If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this Resolution, which can be given effect without the invalid provision or application, and to this end the provisions of the Resolution are declared severable.

**Section 3. Effective Date.** This Resolution shall take effect on October 1, 2023.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

By: \_\_\_\_\_  
Jerry L. Demings  
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller  
As Clerk of the Board of County Commissioners

By: \_\_\_\_\_  
Deputy Clerk

**EXHIBIT "A"**  
**SOLID WASTE SYSTEM CHARGE SCHEDULE<sup>1</sup>**

All vehicle types pay the prevailing fee for the applicable category for covered loads. Any mixed loads will be charged for the higher fee category.

Uncovered loads are charged at 2 times the rate for covered loads of the applicable fee category.

Class III and/or yard waste materials delivered to a transfer station will be charged the Class I Solid Waste rate.

Minimum charge for all vehicles is \$9.00.

Fee Category	Fee Per Ton Effective October 1, 2023	Fee Per Ton Effective October 1, 2024	Fee Per Ton Effective October 1, 2025
1. Class I Solid Waste (Putrescible garbage)	\$43.20	\$48.40	\$54.20
2. Class III Solid Waste (Construction and demolition debris)	\$32.80	\$36.70	\$41.10
4. Yard Waste	\$37.20	\$41.80	\$46.80
5. Dewatered Wastewater Treatment Sludge	Accepted by agreement only	Accepted by agreement only	Accepted by agreement only
6. Asbestos	\$142.00	\$159.00	\$178.00
7. Waste Tires (More than 8 passenger <sup>2</sup> tires, any number of light truck [LT] and other tires, or mixed tire loads)	\$190.00	\$213.00	\$239.00
8. Waste Passenger <sup>2</sup> Tires (Maximum of 8 tires)	\$2.00 per tire	\$2.00 per tire	\$2.00 per tire

**FOOTNOTES**

<sup>1</sup>For those customers under written contract, the contract shall prevail if, and to the extent, there is any inconsistency between the provisions of the charge schedule and the provisions of the contract.

<sup>2</sup>Passenger tires are designated with a "P" on the side wall of the tire prior to the tire measurements for the nominal width of the tire, the aspect ratio (height to width), and the rim diameter.