



Interoffice Memorandum

August 30, 2021

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

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

**SUBJECT: BCC AGENDA ITEM – Public Hearing
September 14, 2021 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, maintenance of equipment, maintenance of open landfill cells, and capital outlay for landfill equipment.

In addition to funding ongoing operations, the tipping fees must also provide sufficient revenue to set aside funds to construct the future landfill cell and to close the currently active cells. Cell construction prices have increased dramatically over the past decade: Cell 10 began its first full year of operation in 2011, and its construction cost was \$4.14 per ton disposed in that cell. However, current cell construction costs for Cell 11 have increased to \$10.64 per ton, an average annual increase of 14%.

The current tipping fee does not provide sufficient revenue for the cost increases the System is facing. Therefore, staff recommends implementing a 3% increase in tipping fees for Fiscal Year 2021-22 to take effect on October 1, 2021 to meet the upcoming financial requirements of the system.

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 September 14, 2021.

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 September 1, 2020, pursuant to Resolution 2020-M-34; 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 September 1, 2020. Resolution 2020-M-34 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 circumstances 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, 2021.

ADOPTED THIS ____ DAY OF _____, 2021.

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 SCHEDULE¹

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 \$6.00.

<u>Fee Category</u>	<u>Fee Per Ton Effective October 1, 2021</u>
1. Class I Solid Waste (Putrescible garbage)	\$37.10
2. Class III Solid Waste (Construction and demolition debris)	\$28.20
4. Yard Waste	\$32.00
5. Dewatered Wastewater Treatment Sludge	Accepted by agreement only
6. Asbestos	\$122.00
7. Waste Tires	\$163.00

FOOTNOTE

¹For 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.