

ORDINANCE TO AMEND CHAPTER 14 OF THE FEE SCHEDULE,  
SETTING FEES CHARGED BY THE SOLID WASTE MANAGEMENT DEPARTMENT

THE CITY COUNCIL OF THE CITY OF DURHAM ORDAINS:

Sec. 1. The following Parts of Chapter 14 of the Fee Schedule are revised to read:

Part 14-101 (Municipal Solid Waste)

1. Municipal solid waste	Per ton		\$44.50
2. Yard waste	Per ton		26.50
3. Municipal solid waste	When brought in a ¾ ton pick-up truck, if the truck is non-commercial and has not been modified to increase the volume it can hold. Charges are by volume.	Clearly below tops of bed	5.00
		Approximately even with tops of bed	10.00
		Above top of bed	14.00
	When brought in a car, minivan or station wagon load, if the vehicle is non-commercial and has not been modified to increase the volume it can hold. The charge is per vehicle.		1.00
4. Yard waste	When brought in a ¾ ton pick-up truck, if the truck is non-commercial and has not been modified to increase the volume it can hold. Charges are by volume.	Clearly below tops of bed	3.00
		Approximately even with tops of bed	6.00
		Above top of bed	9.00
	When brought in a car, minivan or station wagon load, if the vehicle is non-commercial and has not been modified to increase the volume it can hold. The charge is per vehicle.		1.00
5. White goods, motor oil, cooking oil, and anti-freeze	Per load		Free

Note: Rows 1 and 2 apply to municipal solid waste and yard waste unless row 3 or row 4 applies.

Part 14-102 (Bulky items collection)

Bulky items. Throughout this Part, bulky items are defined to be items too large to be safely collected by the City in a household rollout cart.	Up to 3 items per week	Free
Bulky items	Each additional group of 5, or part thereof	\$20.00
Bulky items	Per collection of more than 5 items: Up to ½ trailer load	80.00
	½ trailer load to a full trailer load	160.00
Bulky brush / yard cleanup	Per 3 cubic yard scoop or 5 biodegradable bags	20.00

Part 14-106 (Cart charges and service fees)

Household trash roll-out cart	First cart	Rent per cart per month	Free
	Up to 3 additional carts	Rent per cart per month	\$1.50
Household recycle cart	First two carts	Rent per cart per month	Free
	Up to 2 additional carts	Rent per cart per month	1.50
Yard waste roll-out cart	Up to 4 carts	Rent per cart per month	1.50
Yard waste collection service	Per household	Per year	72.00

Part 14-110 (Yard waste products)

Regular mulch	Per cubic yard	\$5.00
Double-ground mulch	Per cubic yard	6.00
Top soil	Per cubic yard	10.00
Compost	Per cubic yard	7.00
Any of the above	Per 5-gallon bucket provided by the customer	Free

Alternate purchase prices for yard waste products shall be set as follows:

1. The City Manager is authorized to match the lowest retail price of any compost or mulch producer within 75 miles of the City of Durham's Solid Waste Yard Compost Facility until the facility's stockpile has been reduced to no more than 50 percent of design capacity. Once the 50 percent of design capacity has been reached, normal pricing would resume.
2. The City Manager is authorized to negotiate wholesale rates with any potential commercial purchaser of 30 cubic yards or more of compost or mulch and until such time as the facility's product stockpile has been reduced to no more than 50 percent of design capacity. Once 50 percent of design capacity has been reached, normal pricing would resume.
3. The City Manager is authorized to offer any City or County of Durham Departments, and the Durham Public Schools, desiring yard waste products for application on City, County, or School Board property, to pick up and haul up to 100 cubic yards of material depending on the supply on hand.
4. The City Manager is authorized to advertise and "give-a-way" compost and/or mulch to any City or County of Durham resident (non-commercial) on up to four specified periods each year.
5. The City Manager is authorized, to develop other marketing strategies for selling the compost or mulch, including developing a pricing structure and profit-sharing agreements with non-profit organizations.

Part 14-111 (Remedial fees for violations)

Remedial fee for violation of any provision of Chapter 58 of the city code	First fee	\$50.00
	Second fee within the same fiscal year as the first fee	50.00
	Third fee and thereafter within the same fiscal year as the first and second fees. Instead of charging any particular fee, the City Manager may proceed with a court action for relief.	50.00

1. Interest on any unpaid fee shall accrue at the rate of 1% per month and shall be incorporated into that fee.

2. Section 58-8(a) of the city code authorizes the City Council to establish remedial fees for violations of chapter 58 and rules and regulations established under section 58-2. Such fees are not intended to be punitive in nature, nor are they intended to deter noncompliance with the provisions of chapter 58. They are instead intended to defray damages accruing to City taxpayers resulting from violations of chapter 58 and rules and regulations established thereunder, specifically administrative and operational resources expended by the Department of Solid Waste Management on education of, and notification to, violators prior to fee issuance, and on assistance to citizens injured by violations.

Sec. 2. This ordinance takes effect when adopted.