

1st Reading: _____
 2nd Reading: _____
 Date Adopted: _____
 Date Published: _____
 Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY UPDATING THE SANITARY LANDFILL RATES FOR USE TO SECTION 57.047, COMBINING SECTION 57.047(n) WITH SECTION 57.047(c), AND UPDATING VERBIAGE TO SECTION 57.048 OF CHAPTER 57: GARBAGE AND RECYCLING.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 57.047 of the Code of Ordinances of Sioux Falls, SD, is hereby amended to read:

§ 57.047 RATES FOR USE.

(a) *Municipal solid waste, sludges or solid waste generated from the treatment of regulated medical waste and other solid waste material not defined within this section generated in Minnehaha, McCook, Lincoln, Turner, and Lake Counties, South Dakota, deposited at Sioux Falls landfill.*

Rates effective 1-1-2015	
Four-wheel trailers, trucks, and loads with a gross weight greater than 8,500 pounds	\$36 per ton, plus surcharge, with a minimum charge of \$18 per load beginning January 1, 2015
Municipal solid waste, sludges, or solid waste generated from the treatment of regulated medical waste and other solid waste material not defined within this section generated outside of Minnehaha, McCook, Lincoln, Turner and Lake Counties	\$64 per ton with a minimum charge of \$18 per load
Passenger car	\$9 to include surcharge
Pickup trucks, panel trucks, or two-wheel trailers not to exceed three cubic yards	\$18 to include surcharge

<u>Effective Dates</u>					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Four-wheel trailers, trucks, and loads with a gross</u>	<u>\$36 per ton, with a</u>	<u>\$38 per ton, with a</u>	<u>\$39.50 per ton, with a</u>	<u>\$41 per ton, with a</u>	<u>\$42 per ton, with a</u>

<u>weight greater than 8,500 pounds</u>	<u>minimum charge of \$18 per load</u>	<u>minimum charge of \$19 per load</u>	<u>minimum charge of \$20 per load</u>	<u>minimum charge of \$21 per load</u>	<u>minimum charge of \$21 per load</u>
<u>Municipal solid waste, sludges, or solid waste generated from the treatment of regulated medical waste and other solid waste material not defined within this section generated outside of Minnehaha, McCook, Lincoln, Turner, and Lake Counties</u>	<u>\$64 per ton with a minimum charge of \$18 per load</u>	<u>\$76 per ton with a minimum charge of \$38 per load</u>	<u>\$79 per ton with a minimum charge of \$40 per load</u>	<u>\$82 per ton with a minimum charge of \$42 per load</u>	<u>\$84 per ton with a minimum charge of \$42 per load</u>
<u>Passenger car</u>	<u>\$9</u>	<u>\$10</u>	<u>\$10</u>	<u>\$11</u>	<u>\$11</u>
<u>Pickup trucks, panel trucks, or two-wheel trailers not to exceed three cubic yards</u>	<u>\$18</u>	<u>\$19</u>	<u>\$20</u>	<u>\$21</u>	<u>\$21</u>
<u>The additional fee for solid waste as defined in §57.047(i) shall be charged for disposal of these wastes. The additional fee shall be added onto the per ton rates. The additional fee shall be included within the listed per vehicle rates.</u>					

(b) *Construction and demolition debris and appliances generated in Minnehaha, McCook, Lincoln, Turner, and Lake Counties, South Dakota, deposited at the city landfill.*

Rates effective 1-1-2015	
Construction and demolition debris and appliances generated outside of Minnehaha, McCook, Lincoln, Turner and Lake Counties	\$64 per ton, with a minimum charge of \$18 per load
Four-wheel trailers, trucks, and loads with a gross weight greater than 8,500 pounds	Rate effective 1/1/15: \$34 per ton, plus surcharge, with a minimum charge of \$18 per load
Passenger car	\$9 to include surcharge
Pickup trucks, panel trucks, or 2-wheel trailers not to exceed 3 cubic yards	\$18 to include surcharge
Trailer houses	\$9 per cubic yard, utilizing 3 feet times length times width and converting to cubic yards
Mattress or box spring	\$9 each

Effective Dates					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Construction and demolition debris and appliances generated outside of Minnehaha, McCook, Lincoln, Turner, and Lake Counties</u>	<u>\$64 per ton, with a minimum charge of \$18 per load</u>	<u>\$72 per ton, with a minimum charge of \$36 per load</u>	<u>\$76 per ton, with a minimum charge of \$38 per load</u>	<u>\$80 per ton, with a minimum charge of \$40 per load</u>	<u>\$84 per ton, with a minimum charge of \$42 per load</u>
<u>Four-wheel trailers, trucks, and loads with a gross weight greater than 8,500 pounds</u>	<u>\$34 per ton with a minimum charge of \$18 per load</u>	<u>\$36 per ton with a minimum charge of \$18 per load</u>	<u>\$38 per ton with a minimum charge of \$19 per load</u>	<u>\$40 per ton with a minimum charge of \$20 per load</u>	<u>\$42 per ton with a minimum charge of \$21 per load</u>
<u>Passenger car</u>	<u>\$9</u>	<u>\$9</u>	<u>\$10</u>	<u>\$10</u>	<u>\$11</u>
<u>Pickup trucks, panel trucks, or 2-wheel trailers not to exceed 3 cubic yards</u>	<u>\$18</u>	<u>\$18</u>	<u>\$19</u>	<u>\$20</u>	<u>\$21</u>
<u>Trailer houses</u>	<u>\$9 per cubic yard, utilizing 3 feet times length times width and converting to cubic yards</u>	<u>\$10 per cubic yard, utilizing 3 feet times length times width and converting to cubic yards</u>	<u>\$10 per cubic yard, utilizing 3 feet times length times width and converting to cubic yards</u>	<u>\$10 per cubic yard, utilizing 3 feet times length times width and converting to cubic yards</u>	<u>\$11 per cubic yard, utilizing 3 feet times length times width and converting to cubic yards</u>
<u>Mattress or box spring</u>	<u>\$9 each</u>	<u>\$13 each</u>	<u>\$14 each</u>	<u>\$15 each</u>	<u>\$16 each</u>
<u>The additional fee for solid waste as defined in §57.047(i) shall not be charged for disposal of these wastes.</u>					

(c) Yard and wood waste.

<u>Commercial haulers, 4-wheel trailers, and trucks</u>	<u>\$10 per ton with a minimum charge of \$5 per load</u>
<u>Leaves generated in the service area of the landfill and unloaded at city-designated leaf drop-off sites by individuals (no commercial vehicles)</u>	<u>Up to \$3 per passenger car, pickup truck, or two-wheel trailer</u>
<u>Passenger car</u>	<u>\$3 to include surcharge</u>
<u>Pickup trucks, panel trucks, and 2-wheel trailers not to exceed 3 cubic yards</u>	<u>\$5 to include surcharge</u>
<u>Yard and wood waste generated outside of Minnehaha, McCook, Lincoln, Turner, and Lake Counties</u>	<u>\$22 per ton or \$3 per bag</u>

<u>Effective Dates</u>					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Commercial haulers, 4-wheel trailers, and trucks</u>	<u>\$10 per ton with a minimum charge of \$5 per load</u>	<u>\$11 per ton with a minimum charge of \$6 per load</u>	<u>\$11 per ton with a minimum charge of \$6 per load</u>	<u>\$11 per ton with a minimum charge of \$6 per load</u>	<u>\$12 per ton with a minimum charge of \$6 per load</u>
<u>Passenger car</u>	<u>\$3</u>	<u>\$3</u>	<u>\$3</u>	<u>\$3</u>	<u>\$3</u>
<u>Pickup trucks, panel trucks, and 2-wheel trailers not to exceed 3 cubic yards</u>	<u>\$5</u>	<u>\$6</u>	<u>\$6</u>	<u>\$6</u>	<u>\$6</u>
<u>Yard and wood waste generated outside of Minnehaha, McCook, Lincoln, Turner, and Lake Counties</u>	<u>\$22 per ton</u>	<u>\$22 per ton</u>	<u>\$22 per ton</u>	<u>\$22 per ton</u>	<u>\$24 per ton</u>
<u>The additional fee for solid waste as defined in §57.047(i) shall not be charged for disposal of these wastes.</u>					

(d) *Tires.*

<u>All tires 17 inches in diameter or smaller</u>	<u>\$2 each or \$135 per ton</u>
<u>All tires larger than 17 inches in diameter</u>	<u>\$7 each or \$135 per ton</u>

<u>Effective Dates</u>					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>All tires 17 inches in diameter or smaller</u>	<u>\$2 each or \$135 per ton</u>	<u>\$3 each or \$225 per ton</u>	<u>\$3 each or \$234 per ton</u>	<u>\$3 each or \$243 per ton</u>	<u>\$3 each or \$253 per ton</u>
<u>All tires larger than 17 inches in diameter</u>	<u>\$7 each or \$135 per ton</u>	<u>\$8 each or \$225 per ton</u>	<u>\$8 each or \$234 per ton</u>	<u>\$8 each or \$243 per ton</u>	<u>\$8 each or \$253 per ton</u>
<u>The additional fee for solid waste as defined in §57.047(i) shall not be charged for disposal of these wastes.</u>					

(e) *Special waste generated in Minnehaha, McCook, Lincoln, Turner, and Lake Counties.*

~~Rates effective 1-1-2013~~

Asbestos	\$32 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city
Contaminated soils, materials, sediments containing petroleum constituents, or antifreeze	\$10 per ton
The minimum charge under this section is a three cubic yard or three ton charge	

<u>Effective Dates</u>					
	<u>1-1-2013</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Asbestos</u>	<u>\$32 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$33 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$34 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$35 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$36 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>
<u>Contaminated soils and materials, sediments containing petroleum constituents or antifreeze, other soils</u>	<u>\$10 per ton</u>	<u>\$11 per ton</u>	<u>\$11 per ton</u>	<u>\$11 per ton</u>	<u>\$12 per ton</u>
<u>The minimum charge under this section is a three-cubic-yard or three-ton charge.</u>					
<u>The additional fee for solid waste as defined in §57.047(i) shall be charged for disposal of these wastes. An additional fee shall be added to the per ton rates. The additional fee shall be included within the listed per vehicle rates.</u>					

(f) *Special waste generated outside of Minnehaha, McCook, Lincoln, Turner, and Lake Counties.*

Asbestos	\$70 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city
Contaminated soils, materials, sediments containing petroleum constituents, or antifreeze	\$70 per ton

The minimum charge under this section is a three-cubic-yard or three-ton charge

<u>Effective Dates</u>					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Asbestos</u>	<u>\$70 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$73 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$74 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$75 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>	<u>\$76 per cubic yard based on the manufacturer's box rating or on box capacity as determined through measurement by the city</u>
<u>Contaminated soils and materials, sediments containing petroleum constituents or antifreeze, other soils</u>	<u>\$70 per ton</u>	<u>\$73 per ton</u>	<u>\$74 per ton</u>	<u>\$75 per ton</u>	<u>\$76 per ton</u>
<u>The minimum charge under this section is a three-cubic-yard or three-ton charge.</u>					
<u>The additional fee for solid waste as defined in §57.047(i) shall be charged for disposal of these wastes. An additional fee shall be added to the per ton rates. The additional fee shall be included within the listed per vehicle rates.</u>					

(g) *Large electronics.* One dollar per pound.

(h) *Hand-held electronics.* No charge for up to ten units; \$1 per pound for over ten units minimum \$20 charge.

(i) *Additional fee for solid waste.* In addition to the ~~above-listed~~ rates for solid waste, there will be added thereto a solid waste management fee of \$1 per ton pursuant to SDCL 34A-6-81 as noted for each class of solid waste.

(j) *Loads that are not properly tarped or secured.*

Loads that are not properly tarped or secured	\$25
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Exceptions	Asphalt, concrete, contaminated soil, steel, white goods and tires if loaded in a manner so that the items are not likely to fall or be blown from the vehicle
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<u>Effective Dates</u>					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Loads that are not properly tarped or secured</u>	<u>\$25</u>	<u>\$30</u>	<u>\$31</u>	<u>\$32</u>	<u>\$33</u>
<u>Exceptions</u>	<u>Asphalt, concrete, contaminated soil, steel, white goods, and tires if loaded in a manner so that the items are not likely to fall or be blown from the vehicle.</u>				

(k) *Failure to follow rules and procedures.* The city may charge patrons of the sanitary landfill, compost site, or the rubble site any and all costs associated with the patrons’ failure to follow sanitary landfill, compost site, or construction and demolition site policies and safety requirements, including charges for cleanup costs and disposal when garbage, construction and demolition debris, recyclables, or yard waste is deposited in areas not designated for the type of material.

(l) *Deer or elk carcasses.*

Businesses	\$50 per ton
Private individuals	No charge up to 10 carcasses

<u>Effective Dates</u>					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Businesses</u>	<u>\$50 per ton</u>	<u>\$52 per ton</u>	<u>\$54 per ton</u>	<u>\$56 per ton</u>	<u>\$58 per ton</u>
<u>Private individuals</u>	<u>No charge up to 10 carcasses</u>	<u>No charge up to 10 carcasses</u>	<u>No charge up to 10 carcasses</u>	<u>No charge up to 10 carcasses</u>	<u>No charge up to 10 carcasses</u>
<u>The additional fee for solid waste as defined in §57.047(i) shall be charged for disposal of these wastes. An additional fee shall be added to the per ton rates. The additional fee shall be included within the listed per vehicle rates.</u>					

(m) *Unloading vehicles.* All patrons of the sanitary landfill are expected to unload waste and recyclables they bring to the landfill. If, however, landfill employees assist in unloading trucks or hauling units for haulers or other businesses, the city may charge for the actual cost associated with unloading vehicles, trucks, or hauling units with a minimum fee ~~of \$25~~ listed below.

<u>Effective Dates</u>					
	<u>1-1-2015</u>	<u>1-1-2024</u>	<u>1-1-2025</u>	<u>1-1-2026</u>	<u>1-1-2027</u>
<u>Minimum Fee</u>	<u>\$25</u>	<u>\$30</u>	<u>\$31</u>	<u>\$32</u>	<u>\$33</u>

~~(n) Wood waste.~~

Commercial haulers, 4 wheel trailers, and trucks	\$10 per ton with a minimum charge of \$5 per load
Passenger car	\$3 to include surcharge
Pickup trucks, panel trucks, and 2-wheel trailers not to exceed 3 cubic yards	\$5 to include surcharge
Wood waste generated in the city and unloaded at city-designated wood waste drop-off sites by individuals (no commercial vehicles)	\$3 per passenger car, pickup truck, or two-wheel trailer

(en) *Licensed garbage haulers that exceed the recycling goal.* Licensed garbage haulers that exceed the recycling goal, as set forth in § 57.081, by 50% shall receive a \$1-per-municipal-solid-waste-ton rebate that will be announced by March 31 of the following year. The tonnage of approved exempt industrial waste is not used to calculate the goal or rebate. Garbage haulers that receive this rebate are strongly encouraged to use this rebate to enhance their recycling efforts and/or reward their customers.

(po) *Tier 1 surcharge.* Licensed commercial garbage hauler shall be surcharged an additional \$1 per municipal solid waste ton, except for approved exempt industrial waste.

(ep) *Tier 2 surcharge.* Licensed commercial garbage hauler shall be surcharged an additional \$2 per municipal solid waste ton, except for approved exempt industrial waste.

Section 2. That Section 57.048 of the Code of Ordinances of Sioux Falls, SD, is hereby amended to read:

§ 57.048 WAIVER OF LANDFILL FEES.

(a) The director may authorize the waiver or reduction of fees established in § 57.047 if the waste was generated in Minnehaha, McCook, Lincoln, Turner, or Lake Counties.

(b) The fees may only be waived under the following circumstances, upon application and pursuant to criteria and procedures as established by the director.

(1) The fees waived will be replaced or substantially replaced by a grant or other funding source that encourages the removal of a particular waste item or items from the community to be disposed of at the sanitary landfill;

(2) A group, city, or county conducts a single event that benefits a community or communities within Minnehaha, McCook, Lincoln, Turner, or Lake Counties;

(3) An annual free landfill pass may be authorized for distribution by government agencies to ~~single family homeowners~~ residents within the limits of the five-county area served by the sanitary landfill, subject to limits and restrictions as determined by the director; or

(4) A community enhancement project, approved in advance, that benefits elderly residents or residents with disabilities.

Date adopted: _____.

Paul TenHaken, Mayor

ATTEST:

James David, Acting City Clerk