

ORDINANCE NO. 4392

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, TO APPROVE AMENDMENTS TO CHAPTER 24, "SOLID WASTE MANAGEMENT," OF THE SCOTTSDALE REVISED CODE BY AMENDING SECTIONS 24-18, 24-31, AND 24-32 TO MODIFY CERTAIN APPLICABLE RATES

WHEREAS, the City of Scottsdale desires to continue to accommodate community needs for solid waste services without decreasing current standards of public health; and

WHEREAS, the City of Scottsdale desires to adjust the current costs to provide solid waste services in the City of Scottsdale to meet present and increasing demand and recover costs using a fair and proportionate structure;

WHEREAS, the City of Scottsdale further desires to amend the provisions of Chapter 24 to provide clarity of language;

BE IT ORDAINED by the Council of the City of Scottsdale that the following amendments to Chapter 24 of the Scottsdale Revised Code are hereby approved to go into effect on July 1, 2019:

Section 1. Section 24-18 of the Scottsdale Revised Code "Containers in subdivisions, etc." is amended as follows, with shading indicating additions:

The owner or developer of any new residential single-family dwelling within the city shall supply at his expense, solid waste, and recycling containers which shall become the property of the city. The size, color, and/or type of such containers shall be consistent with the container specifications established by the division and approved by the director. If an owner or developer of a residential area is required to use commercial refuse containers in lieu of the residential refuse containers, he shall be subject to division 3 of this article, below.

(1) When purchased through the City, the price shall be: \$86.10 for each solid waste container and \$61.71 for each recycling container.

Section 2. Section 24-31 (a) and (c), "Service charges, residential refuse and recyclable material generators," is amended as follows, with strikethroughs indicating deletions and shading indicating additions:

- (a) When refuse collection service is made available, a monthly charge shall be imposed upon all residential refuse generators in the sum of ~~seventeen~~eighteen dollars and ~~twentyseven~~one cents (~~\$17.24~~\$18.71), plus any additional fees, taxes, or charges, regardless of how they are designated, which are or may be imposed by the state or federal government, or by a regional authority, in respect to either individual or municipal action relating to this chapter. Except as provided in subsection (h), the basic monthly charges as described herein shall apply regardless of the nature and extent of services actually provided to a property by the city.

- (b) In case of a multiple-dwelling unit, the charge shall be billed to the owner of the premises or to his authorized agent who shall be liable for the payment thereof.
- (c) Any residential refuse generator who is serviced by the city's curbside recycling program and who acquires additional refuse containers provided by the city for convenience, shall purchase such containers and shall pay an additional fee of ~~eight~~nine dollars and ~~thirteen~~five cents (~~\$8.43~~\$9.50) per month for the collection of each additional refuse container.
- (d) Any residential refuse generator refusing to participate in the city's curbside recycling program and who acquires additional refuse containers provided by the city for convenience, or who is required to do so pursuant to section 24-17, shall pay the fee provided in subsection (a) for collection of each container.
- (e) Additional refuse containers purchased pursuant to subsections (c) and (d) shall remain the property of the purchaser.
- (f) Charges for first and final bills with billing periods more or less than one (1) month shall be prorated.
- (g) The director may discontinue monthly service charges to a property if the director receives notice from the owner of the property, in writing, that the structure or structures on the property have been permanently abandoned, or receives notice from the city or county health officer that the structure or structures on the property have been condemned as not habitable, or unsanitary and dangerous to human life.
- (h) Any residential refuse generator whose property will be vacant for six consecutive months or more may request a temporary suspension of collection services, pursuant to section 49-23 of this Code. Upon receipt of the refuse generator's signed acknowledgement form as set forth in section 49-23(b), the city will waive all basic monthly refuse collection service charges for the term of the vacancy. Collection service will resume upon the residential refuse generator paying an administrative account establishment fee.
- (i) If the city determines that the service is nonetheless being used, it may resume billing.

Section 3. Section 24-32, "Service charges, commercial refuse and recyclable material generators," is amended as follows, with strikethroughs indicating deletions and shading indicating additions:

(a) Commercial Refuse Front Load Containers:

Container Size Cubic Yard (CY)	Collection Frequencies					
	1	2	3	4	5	6
2	<del>\$82.50</del>	<del>\$165.00</del>	<del>\$247.50</del>	<del>\$329.75</del>	<del>\$412.25</del>	<del>\$494.75</del>
	<del>\$84.55</del>	<del>\$169.10</del>	<del>\$253.70</del>	<del>\$338.00</del>	<del>\$422.55</del>	<del>\$507.10</del>
3	<del>\$88.75</del>	<del>\$177.50</del>	<del>\$266.25</del>	<del>\$355.00</del>	<del>\$443.50</del>	<del>\$532.25</del>
	<del>\$90.95</del>	<del>\$181.95</del>	<del>\$272.90</del>	<del>\$363.85</del>	<del>\$454.60</del>	<del>\$545.55</del>

4	\$95.25	\$190.25	\$285.25	\$380.25	\$475.25	\$570.25
	\$97.65	\$195.00	\$292.40	\$389.75	\$487.15	\$584.50
5	\$101.25	\$202.50	\$303.75	\$405.00	\$506.25	\$607.50
	\$103.80	\$207.55	\$311.35	\$415.10	\$518.90	\$622.70
6	\$107.50	\$215.00	\$322.50	\$429.75	\$537.25	\$644.75
	\$110.20	\$220.35	\$330.55	\$440.50	\$550.70	\$660.85
8	\$116.75	\$233.25	\$349.75	\$466.50	\$583.00	\$699.50
	\$119.65	\$239.10	\$358.50	\$478.15	\$597.55	\$717.00

Additional refuse containers of two or more will be discounted a flat ten (10) percent; discount applied to least expensive container/pull combined bill.

- (b) The following additional fees shall also be charged, as applicable:
  - (1) Seventy dollars (\$70.00) for delivery of any special event front loader container.
  - (2) A one-time charge of one hundred dollars (\$100.00) will be charged for installing a locking latch on a container.
- (c) Charges to commercial refuse generators shall also include any additional fees, taxes, or charges, regardless of how they are designated, which are or may be imposed by the state or federal government, or by a regional authority, in respect to either individual or municipal action relating to this chapter.
- (d) When two (2) or more commercial refuse generators share a container in common, one (1) of the following may be elected:
  - (1) The service charges will be billed to the customer requesting the initial service at the regular rate indicated in the rate structure. Businesses sharing a container shall be responsible for making any cost sharing arrangements between or among themselves, as applicable.
  - (2) The shared rate will be divided equally among and billed directly to each business establishment. Each business establishment is responsible for the storage and disposal of its own refuse and shall contract with the city or a private company for refuse removal and disposal. (Title 18, Arizona Administrative Code).
- (e) Charges for first and final bills with billing periods more or less than one (1) month shall be prorated.
- (f) Commercial Recycling Front Load Containers:

Container Size (CY) Cubic Yards	Collection Frequencies					
	1	2	3	4	5	6
2	\$65.02	\$130.04	\$195.06	\$260.08	\$325.10	\$390.12

3	\$68.34	\$136.68	\$205.02	\$273.36	\$341.70	\$410.04
4	\$71.66	\$143.32	\$214.98	\$286.64	\$358.30	\$429.96
6	\$78.30	\$156.60	\$234.90	\$313.20	\$391.50	\$469.80
8	\$84.95	\$169.90	\$254.85	\$339.80	\$424.75	\$509.70

(g) Commercial Recycling Plastic Carts:

Container Size (CY)	Collection Frequencies					
	1	2	3	4	5	6
90 Gallon	\$9.15	\$18.30	\$27.45	\$36.60	\$45.75	\$54.90
300 Gallon	\$29.90	\$59.80	\$89.70	\$119.60	\$149.50	\$179.40

(h) Commercial Manure Front Load Containers

(1) Commercial front load containers for disposal of manure or similar forms of animal or livestock waste may be made available by the City at a rate equal to the regular applicable Commercial Refuse Front Load Container rate multiplied by two.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 14<sup>th</sup> day of May, 2019.

ATTEST:

By: Carolyn Jagger  
Carolyn Jagger, City Clerk

CITY OF SCOTTSDALE, an  
Arizona municipal corporation

By: W. J. "Jim" Lane  
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

Bruce Washburn, City Attorney  
By: Eric C. Anderson, Senior Assistant City Attorney