

Introduced by: Mayor
Date: 03/16/93
Postponed to: 4/06/93
Action: Adopted as Amended
Vote: 6 yes, 2 no

**KENAI PENINSULA BOROUGH
RESOLUTION 93-23**

**A RESOLUTION ESTABLISHING FEES FOR THE DISPOSAL OF LAND
CLEARING, CONSTRUCTION, DEMOLITION AND MISCELLANEOUS WASTES
GENERATED FROM COMMERCIAL SOURCES**

WHEREAS, certain solid wastes are generally excluded from disposition at borough landfills under Kenai Peninsula Borough 10.04.070; and

WHEREAS, even these wastes may be accepted if they do not unduly increase costs or create a dangerous situation; and

WHEREAS, certain wastes defined as solid waste in the borough code will, if accepted, unduly increase the costs to develop and operate landfills because of the volume, type, and difficulty in handling the wastes; and

WHEREAS, under KPB 10.04.070C, even those specific excluded materials that unduly increase costs may be accepted if an agreement is reached to provide payment to recompense the borough for the additional expense of handling; and

WHEREAS, Resolution 90-41, "Adopting the Report of the Solid Waste Committee of the Kenai Peninsula Borough and Supporting Its Findings As Recommendations to the Administration for Inclusion in the Borough Solid Waste Program", includes the recommendation to consider tipping fees; and

WHEREAS, schedule identifying a fee to cover the additional expense is desirable for use by the Mayor in establishing the terms of such agreements for disposition of materials from commercial sources;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That commercial sources (generators which include, but are not limited to, waste transporters that haul on a contractual basis or as a business) disposing of waste types called out in Section 1 shall be charged fees as specified in Section 3 of this resolution.

The Mayor may limit the acceptance of any items at any site based on capacity or ability to handle the material at that site.

Loads of mixed material shall occasionally be deposited. The Borough shall determine if the loads fall under the categories as called out below and shall determine the appropriate fee.

Fee materials shall include:

- a. Land clearing Debris - Stumps, brush, trees, limbs from land clearing operations, wood pieces, wood waste generated as a by-product from the manufacturing of wood products including, but not limited to, sawdust, chips, shavings, bark, hog fuel.
- b. Construction/Demolition Debris - Wastes from construction, remodeling, repairing, demolishing of buildings or other structures. Wastes include, but may not be limited to, concrete, bricks, plaster, lumber, shingles, roofing, plumbing, heating and electrical parts, demolition asphalt, scrap metal, drums, etc.
- c. Special Wastes - Non-hazardous waste materials from industrial processes, ash, street sweepings, equipment, waste and residue from industrial facilities, and materials that require prior notice and arrangements for special handling at the landfills.
- d. Junk Vehicles - Motorized and non-motorized transportation items such as cars, trucks, vans, trailers, rail cars, boats, motor homes, rolling stock (dozers, forklifts, etc.).
- e. Conditionally Exempt Small Quantity Generators - Businesses who generate no more than 100 kilograms (220 pounds) of hazardous waste in a calendar month.
- f. Asbestos - Asbestos containing material as called out in 40 CFR, Part 61.

If a material is not explicitly described above, the borough shall categorize the waste and determine the appropriate fee.

Establishment of fees by this resolution does not negate or in any way waive other requirements established by the borough for proper handling and preparation of items for disposal.

SECTION 2. All solid waste fees shall be the obligation of the party disposing of the material. All fees must be paid at the time of disposal unless prior arrangements have been

made with the borough or the borough has established an alternative method of collecting the fees. Any disposal fee not paid at the time of disposal must be paid in accordance with instructions from the borough. Any collection and billing plan established by the borough must provide for payment within 30 days of disposal of the materials. If payment is not submitted in the time stipulated, further use of the borough solid waste services and facilities shall be denied until the amounts due together with any expenses of collecting them are paid in full.

SECTION 3. That fees as set out below are established for the disposal of wastes as delineated in Section 1 of this resolution. Fees shall be charged for commercial disposers transporting five (5) cubic yards, or more, of waste product. The five cubic yards is cumulative waste volume of material on transport vehicle, any trailers, hoppers, containers, etc.

a. Sites With Weigh Scales

Disposal fees for 5 cubic yards, or more, shall be \$20/ton.

Charges will be based on actual weights acquired on landfill scales. In the event that weigh scales are inoperable, disposal rates as called out in Section 3.b. shall be used.

b. Sites Without Weigh Scales

Disposal fees for 5-10 cubic yards shall be \$40.00/vehicle.

Disposal fees for 10-20 cubic yards shall be \$75.00/vehicle.

Disposal fees for more than 20 cubic yards shall be \$125.00/vehicle.

A fee of \$5.00/cubic yard may be charged for disposal that does not fall within the disposal fee categories as called out above (5 cubic yards or more). Measurement shall be the cubic yardage of the outermost dimensions.

c. Junk Automobiles/Vehicle Disposal

Commercial users shall be charged a fee of \$10/vehicle for junk automobiles, pickups and light trucks at all sites.

A fee of \$5.00/cubic yard at sites with no weigh scales, and \$20/ton at sites with weigh scales, shall be charged for the disposal of items such as rail cars, trailers, boats, etc.. Cubic yardage shall be by measuring the outermost dimensions.

The Mayor may limit acceptance of any items in this group at any site based on capacity or ability to handle the waste at that site.

d. Asbestos Disposal

Bagged or containerized asbestos, and asbestos containing material, shall be charged 10 cents per pound. Asbestos is accepted only at the Central Peninsula Baling Facility, by appointment, and completion of contract and tracking documents as required by State and Federal Regulations.

e. Conditionally Exempt Small Quantity Generator Hazardous Waste

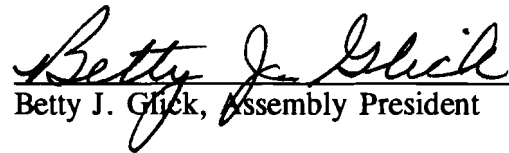
Commercial users of the borough's hazardous waste program shall be charged for specific materials as follows:

<u>Waste Type</u>	<u>Units</u>	<u>Price</u>
Paints, solvents, fuels, oils, etc.	Per Gallon	\$4.00
Solids or sludge's	Per Gallon	\$6.00
Acids/bases, pesticides, etc.	Per Gallon	\$15.00
Solid Pesticides	Per Pound	\$3.00
Reactives and oxidizers	Per Pound	\$30.00

The unit cost applies to the container size regardless of its contents. Material which does not fit into any of these categories will be evaluated on a case by case basis.

SECTION 4. This resolution takes effect immediately upon its adoption with the actual implementation dates to be determined by the Solid Waste Division.

ADOPTED BY THE KENAI PENINSULA BOROUGH ASSEMBLY THIS 6th DAY OF April, 1993.


Betty J. Glick, Assembly President

ATTEST:


Gaye J. Vaughan, Borough Clerk