

RESOLUTION NO. 22-12

A Resolution of the City Council of the City of Whitefish, Montana, adopting fees for solid waste disposal services.

WHEREAS, § 7-14-4105, MCA, grants the City the power to regulate the disposal of solid waste on any premises; and

WHEREAS, § 4-2-2 of the Whitefish City Code mandates the use of the City's solid waste hauling services; and

WHEREAS, § 75-10-112, MCA, allows a governing body of a municipality to enter into contracts to implement an effective solid waste program; and

WHEREAS, on January 20, 2021 the City entered into an agreement with Montana Waste Systems, d/b/a North Valley Refuse and locally referred to as Republic Services for solid waste hauling services; and

WHEREAS, on May 3, 2022, the City and Montana Waste Systems, d/b/a North Valley Refuse and locally referred to as Republic Services executed an amendment to the agreement requiring the use of animal resistant containers for all residential properties, adjusting the pricing charged to the City, and extending the term of the contract; and

WHEREAS, § 7-13-4108, MCA, provides that a governing body of a municipality operating a solid waste management system pursuant to § 75-10-112, MCA, may charge for services, such services to be fixed by resolution; and

WHEREAS, § 7-6-4013, MCA, provides when a governing body of a municipality has the power to regulate, establish and change fees, rates, and charges for services, such fees, rates and charges must be reasonable and related to the cost of providing the service; and

WHEREAS, the rates set forth in Exhibit A are based on the negotiated rates charged by Republic Services for solid waste hauling and the cost for the City to administer the monthly billing and customer service for customers; and

WHEREAS, a notice as required by § 7-1-4127, MCA was published in the Whitefish Pilot on June 8 and June 15, 2022; and

WHEREAS, at a lawfully noticed public hearing on June 20, 2022, after reviewing the written staff report, receiving an oral report, and inviting public comment, the City Council found the proposed fees set forth in Exhibit A to be reasonable and related to the cost of providing services, as well as nearly possible equitable in proportion to the services provided.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, as follows:

Section 1: The proposed fees set forth in Exhibit A are hereby approved.

Section 2: The proposed fees set forth in Exhibit A will become effective upon the delivery and completion of the transition to animal resistant carts for residential locations.

Section 3: This Resolution shall take effect immediately upon its adoption by the City Council and signing by the Mayor, or Deputy Mayor, thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 20TH DAY OF JUNE 2022.

/s/Francis J. Sweeney
Francis J. Sweeney, Deputy Mayor

ATTEST:

/s/Michelle Howke
Michelle Howke, City Clerk

City of Whitefish Solid Waste Collection Rates

| Type/Size | Frequency - Number of Pick Ups Per Week | | | | | Extra Pick Up Off Route |
|------------------------------|---|-----------|-----------|-----------|-----------|----------------------------|
| | 1 | 2 | 3 | 4 | 5 | |
| Residential Base Rate | | | | | | |
| BEAR RESISTANT CART | \$ 15.75 | \$ 27.00 | \$ 39.25 | \$ 51.50 | \$ 63.75 | \$ 15.75 |
| Commercial Base Rates | | | | | | |
| BEAR RESISTANT CART | \$ 15.75 | \$ 27.00 | \$ 39.25 | \$ 51.50 | \$ 63.75 | \$ 15.75 |
| 300 GALLON | \$ 32.47 | \$ 62.99 | \$ 93.51 | \$ 124.06 | \$ 154.59 | \$ 28.36 |
| 300 SHARED | \$ 17.21 | \$ 32.47 | \$ 42.92 | \$ 62.99 | \$ 78.27 | \$ 28.36 |
| 1.5YD | \$ 65.31 | \$ 123.37 | \$ 181.48 | \$ 239.56 | \$ 297.64 | \$ 28.36 |
| 1.5 SHARED | \$ 33.62 | \$ 62.65 | \$ 91.69 | \$ 120.74 | \$ 149.79 | \$ 28.36 |
| 2YD | \$ 73.24 | \$ 134.58 | \$ 195.96 | \$ 257.32 | \$ 318.67 | \$ 38.27 |
| 2YD SHARED | \$ 37.57 | \$ 68.26 | \$ 98.93 | \$ 129.62 | \$ 160.30 | \$ 38.27 |
| 2YD BP | \$ 80.54 | \$ 141.88 | \$ 203.25 | \$ 264.61 | \$ 325.98 | \$ 38.27 |
| 2YD BP SHARE | \$ 41.24 | \$ 70.65 | \$ 102.58 | \$ 133.27 | \$ 163.92 | \$ 38.27 |
| 3YD | \$ 77.99 | \$ 141.01 | \$ 198.12 | \$ 259.31 | \$ 320.49 | \$ 58.03 |
| 3YD SHARED | \$ 39.94 | \$ 71.46 | \$ 103.00 | \$ 134.51 | \$ 166.05 | \$ 58.03 |
| 3YD BP | \$ 85.90 | \$ 148.94 | \$ 212.00 | \$ 275.06 | \$ 338.07 | \$ 58.03 |
| 3YD BP SHARE | \$ 43.92 | \$ 75.43 | \$ 106.96 | \$ 138.69 | \$ 169.99 | \$ 58.03 |
| 4YD | \$ 106.52 | \$ 196.87 | \$ 287.27 | \$ 377.68 | \$ 468.08 | \$ 62.68 |
| 4YD SHARED | \$ 54.21 | \$ 100.44 | \$ 144.61 | \$ 189.81 | \$ 235.02 | \$ 62.68 |
| 4YD BP | \$ 115.05 | \$ 205.46 | \$ 295.87 | \$ 386.25 | \$ 476.64 | \$ 62.68 |
| 4YD BP SHARE | \$ 58.49 | \$ 103.68 | \$ 148.88 | \$ 194.09 | \$ 239.29 | \$ 62.68 |
| 6YD | \$ 141.36 | \$ 230.73 | \$ 382.69 | \$ 503.39 | \$ 624.08 | \$ 67.88 |
| 6YD SHARED | \$ 71.64 | \$ 131.97 | \$ 192.32 | \$ 252.65 | \$ 312.99 | \$ 67.88 |
| 6YD BP | \$ 151.27 | \$ 271.94 | \$ 392.62 | \$ 513.30 | \$ 634.17 | \$ 67.88 |
| 6YD BP SHARE | \$ 76.60 | \$ 136.90 | \$ 197.26 | \$ 257.61 | \$ 317.94 | \$ 67.88 |
| 8YD | \$ 179.36 | \$ 334.12 | \$ 488.85 | \$ 646.71 | \$ 798.33 | \$ 73.11 |
| 8YD SHARED | \$ 90.65 | \$ 168.01 | \$ 245.38 | \$ 322.86 | \$ 400.11 | \$ 73.11 |

Residential Administrative Fee: A fee of \$1.50 per bear resistant cart will be added to the base rates above.

Commercial Administrative Fee: A fee of \$5.00 per business will be added to the base rates above. For extra pick ups both on pickup day and off route, a fee of \$2.50 will be added per business.

Other Solid Waste Collection Fees:

| Other Residential Fees | | |
|------------------------|----------------|-----------|
| | Ea. Extra Cart | Extra Tip |
| BEAR RESISTANT CART | \$ 17.25 | \$ 17.25 |

| Miscellaneous Service Fees | |
|--|-----------|
| Extra Cost Per Yard (instead of extra pickup on same day) | \$ 9.79 |
| New Bear Resistant Cart (or Replacement) Delivery Fee | \$ 16.48 |
| Activation Fees (New Addresses) | |
| Bear Resistant Cart | \$ 61.80 |
| 300 Gal Barrels and larger | \$ 309.00 |
| Meter Fee (Empty Dwellings with Active Meters) | \$ 15.75 |
| Cart Cleaning - Cart is swapped out/charge for delivery | |
| Delivery fee for Cart | \$ 16.48 |
| Delivery fee for 300-8yd | \$ 46.35 |
| Monthly Lock Fee | \$ 2.58 |

| Replacement Containers | |
|------------------------|-----------|
| REFURBISHED | |
| 1YD - 8YD | \$ 576.80 |
| NEW CONTAINER | |
| 1YD - 8YD | \$ 741.60 |
| 300 GAL | \$ 339.90 |
| BEAR RESISTANT CART | \$ 309.00 |

Definitions:

Residential is defined as single family residential dwelling units, accessory dwelling units, duplexes, and townhomes.

Commercial is defined as all non-residential buildings and other dwelling units not included in the residential definition, such as apartments.