

RESOLUTION NO. 25-08

A Resolution of the City Council of the City of Whitefish, Montana, revising 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, the last revision for fees for solid waste disposal services was in June 2022 by Resolution No. 22-12; and

WHEREAS, on March 3, 2025, after receiving a written and oral report from City staff, the City Council directed staff to proceed with scheduling a public hearing for a proposed fee revision for solid waste services to ensure the fees charged to customers cover both the annual 3.25% price adjustment provided in the agreement with Republic Services and the cost of billing services provided by the City; 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 April 23 and April 30, 2025; and

WHEREAS, at a lawfully noticed public hearing on May 5, 2025, 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, related to the cost of providing services, and, as nearly as 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:

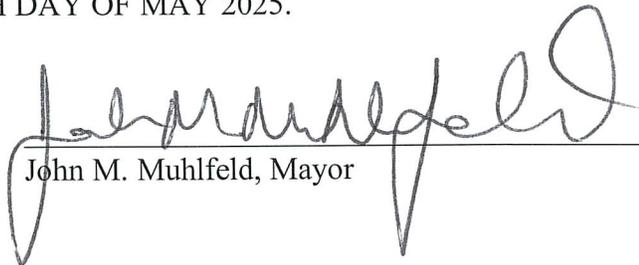
Section 1: The proposed fees set forth in Exhibit A are hereby approved.

Section 2: The proposed fees set forth in Exhibit A will become effective on May 15, 2025.

Section 3: To maintain reasonable and equitable fees in future years, all fees set forth in Exhibit A shall automatically increase annually by 3.25% on first day of the new billing cycle in May 2026 and May 2027.

Section 4: This Resolution shall take effect immediately upon its adoption by the City Council and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, ON THIS 5TH DAY OF MAY 2025.



John M. Muhlfeld, Mayor

ATTEST:



Michelle Howke, City Clerk