

AN ORDINANCE AMENDING ADA COUNTY CODE, TITLE 5, CHAPTER 2, SOLID WASTE MANAGEMENT, TO AMEND THE DEFINITION OF “BILLING SERVICES”; TO PROVIDE THAT THE CONTRACTOR SHALL INFORM THE BOARD OF COUNTY COMMISSIONERS OR ITS DESIGNEE OF INACCESSIBLE PREMISES; TO PROVIDE THAT RESIDENTIAL CUSTOMERS REQUESTING DISCOUNTED SERVICE SHALL PROVIDE DOCUMENTATION OF AGE TO THE BOARD OF COUNTY COMMISSIONERS OR ITS DESIGNEE; TO PROVIDE THAT REQUESTS FOR SUSPENDED SERVICE DUE TO TEMPORARY VACANCY SHALL BE MADE TO THE BOARD OF COUNTY COMMISSIONERS OR ITS DESIGNEE; TO PROVIDE THAT FEES FOR SOLID WASTE DISPOSAL SHALL BE DEPOSITED IN A SPECIFIED FUND ADMINISTERED BY THE BOARD OF COUNTY COMMISSIONERS OR ITS DESIGNEE; AND TO PROVIDE THAT THE BOARD OF COUNTY COMMISSIONERS OR ITS DESIGNEE SHALL OVERSEE THE CONTRACTOR’S PERFORMANCE UNDER A COLLECTION SERVICES CONTRACT.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT ADA COUNTY CODE, TITLE 5, CHAPTER 2, BE AMENDED AS FOLLOWS:

SECTION 1: Ada County Code § 5-2-3 definition of “Billing Services” is amended as follows, with the balance of § 5-2-3 remaining unchanged:

BILLING SERVICES: An enterprise fund established by the board to account for the receipts and expenses of providing waste collection services within unincorporated Ada County, which is administered by the ~~Ada County treasurer~~ board or its designee.

SECTION 2: Ada County Code § 5-2-4-1 is amended as follows, with the balance of § 5-2-4-1 remaining unchanged:

A. Service: To maintain the public health, safety and aesthetics of the county, all owners of residential premises in unincorporated Ada County that can be served by the county's solid waste collection contractor shall be provided solid waste collection services, and shall be required to pay for such services pursuant to Idaho Code sections 31-4404, 63-902(10), 31-870(1) and (2) as they are amended from time to time.

B. Inaccessible Premises: If a residential customer believes its residential premises are inaccessible by the contractor, then it may contact the contractor and request an exemption from service. The contractor shall inspect the premises, determine accessibility, and inform the ~~Ada County treasurer~~ board or its designee whether such premises are inaccessible. If the contractor determines that the residential premises are inaccessible, then the residential customer's account

shall be suspended for a period not to exceed one year. After one year, the residential customer may contact the contractor to request a new exemption.

C. Service Fee: Residential collection service fees, including late charges, shall be approved by the board.

1. Discount Service: Discount service is available for senior citizens over the age of sixty five (65), by providing the ~~Ada County treasurer~~ board or its designee a copy of a driver's license, identification card or other suitable documentation evidencing age. The discount rate shall be set annually by the board and is subject to the availability of funds.

2. Refunds: The board has sole discretion to determine whether a residential customer is entitled to a refund of collection fees.

3. Exemptions: Effective July 1, 2011, a residential customer may apply for an exemption due to extreme and unusual circumstances (i.e., military service, institutionalization, extended hospital admission, uninhabitable premises, etc.) or due to other financial hardship by completing the application available through Ada County department of indigent services. Such application shall be submitted to Ada County department of indigent services prior to consideration by the board. If approved by the board, the exemption is valid for one year from the date of approval. Upon the expiration of one year, the residential customer may submit a new application.

4. Temporary Vacancies: A residential customer may request that residential service be suspended for a minimum of thirty (30) days and a maximum of ninety (90) days. Such request shall be made with the ~~Ada County treasurer~~ board or its designee. After ninety (90) days, a residential customer must make an additional request with the ~~Ada County treasurer~~ board or its designee to discontinue service.

5. Failure To Pay Fees: Failure to pay the mandatory residential collection service fees will result in the following action:

a. If an account is more than thirty (30) days delinquent on August 1, the Ada County treasurer will notify the owner of the residential premises by a certified letter that the balance on the account, including the next quarter's billing, must be paid or that amount will be certified to the owner's ad valorem taxes pursuant to Idaho Code sections 31-4404, 63-902(10), 31-870(1), and 31-870(2), as they are amended from time to time.

SECTION 3: Ada County Code § 5-2-5-2 is amended as follows, with the balance of § 5-2-5-2 remaining unchanged:

A. The board, through resolution, may determine the hours of operation, days of operation and operation regulations of county operated disposal sites. The board shall set the fees, through resolution, for solid waste disposal at county operated disposal sites, and the board has the authority to waive these fees at any time, for any reason. The board shall establish the fees for disposal of Ada County waste at disposal sites in the county. Such fees shall be uniform in the

amount and method of assessment and collection for all landfills in the county that dispose of Ada County waste.

B. The fees for solid waste disposal at county operated disposal sites shall be deposited in a specified fund administered by the ~~Ada County treasurer~~ board or its designee, and used for operation and expansion of county operated disposal sites, remediation projects, closure and monitoring, as well as to fulfill the payroll obligations of the solid waste management division. Fees for solid waste disposal at disposal sites not operated by the county shall be administered in accordance with the franchise agreement(s) or other contract(s) applicable to such.

C. In the case of an emergency affecting the public health, safety, or welfare the fees for solid waste disposal at county operated disposal sites shall be waived up to one thousand dollars (\$1,000.00) per month for waste resulting from such emergency. The board shall have the authority to waive additional fees at any time, for any reason. (Ord. 577, 3-22-2005; amd. Ord. 619, 5-12-2006; amd. Ord. 744, 2-23-2010)

SECTION 4: Ada County Code § 5-2-6 is repealed and a new § 5-2-6 is enacted as follows:

COUNTY OFFICERS' AUTHORITY AND RESPONSIBILITY:

The board shall approve all disposal sites. The board shall also establish all necessary rules and regulations as to the manner of time and limits of collecting, disposing, reducing, and/or recovering waste at the county operated disposal sites. Such rules and regulations shall be appropriately posted on signs designating the disposal site and its uses. The board or its designee shall oversee the contractor's performance of duties under a collection services contract.

ADOPTED this 28th day of October, 2014.

Board of Ada County Commissioners

By: _____
David Case, Commissioner

By: _____
Jim Tibbs, Commissioner

By: _____
Rick Yzaguirre, Commissioner

ATTEST:

Christopher D. Rich, Ada County Clerk