

RESOLUTION Deputy Clerk MBASS1
NUMBER 2019-083

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, ADOPTING A SCHEDULE OF RATES, FEES AND CHARGES FOR SOLID WASTE DISPOSAL; PROVIDING DEFINITIONS; PROVIDING SCHEDULE OF RATES, FEES, AND CHARGES; PROVIDING FOR TYPES OF WASTE AND RELATED LIMITATIONS THAT WILL BE ACCEPTED AT SOLID WASTE TRANSFER STATION AND SATELLITE STATIONS THROUGHOUT THE COUNTY; PROVIDING FOR WAIVER OF RATES, FEES AND CHARGES IN CERTAIN CIRCUMSTANCES; PROVIDING FOR REPEAL OF PRIOR RESOLUTIONS AND ACTIONS; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners ("the Board") is authorized pursuant to Section 125.01, Fla.Stat., and Sections 74-33 and 74-34, Levy County Code, to prescribe a schedule of rates, fees and charges for solid waste disposal, by resolution after a public hearing; and

WHEREAS, on September 18, 2018, the Board adopted Resolution 2018-060 adopting a schedule of rates, fees and charges for solid waste disposal, and providing for repeal of prior resolutions setting any such rates, fees and charges; and

WHEREAS, Resolution 2018-060 set several rates, fees and charges for solid waste disposal at "No charge" for certain types of solid waste generated from a residence located in Levy County; and

WHEREAS, since the adoption of Resolution 2018-060, the Levy County Solid Waste Transfer Station has experienced numerous attempts to dispose of various types of solid waste for no charge as being generated from a residence that, due to the size and composition of the loads, were not loads that could reasonably have been generated from residences in Levy County; and

WHEREAS, since the adoption of Resolution 2018-060, persons disposing of solid waste at the Levy County Solid Waste Transfer Station have exhibited some confusion

about the types and volumes of solid waste and other wastes allowed at the Levy County Solid Waste Transfer Station (especially solid waste loads for no charge), and about the reasonable limitations on those types and volumes of waste; and

WHEREAS, the Board finds it necessary to replace Resolution 2018-060 in order to provide clarification and limitations for the disposal of solid waste loads for no charge to insure that such solid waste loads for no charge are loads that could reasonably be generated from a residence in Levy County, and to alleviate confusion over types and volumes of other waste allowed at the Levy County Solid Waste Transfer Station, and to adopt those clarifications and limitations as policies of the Levy County Solid Waste Department; and

WHEREAS, the Board also desires to establish policies for the types and volumes of waste that will be allowed at Levy County Solid Waste Satellite Stations that may be established throughout the County; and

WHEREAS, the Board also desires to reestablish and maintain policies and procedures for waiver of fees resulting from clean-up of illegal dumping, clean-up of debris from emergencies, and clean-up of sites owned or operated by a non-profit corporation or by an educational, governmental, religious or charitable entity; and

WHEREAS, on October 8, 2019, the Board conducted a public hearing on this Resolution;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA:

1. As used in this Resolution and in the schedule of rates, fees and charges shown on Exhibit "A" which is attached hereto and by this reference incorporated herein, the following terms will have the following meanings, unless the context clearly indicates otherwise:

"Biohazardous Waste" means any Solid Waste which may present a threat of infection to humans. The term includes, but is not limited to, non-liquid human tissue and body parts, laboratory and veterinary waste which contains human disease-causing agents, used disposable sharps, human blood, and human blood products and body fluids, and

other materials which represent a significant risk of infection to persons outside of the generating facility.

"Bulk Trash" means any non-vegetative large items of various types which cannot be cut for placement in a garbage container. Bulk Trash shall not include White Goods, automobiles and automotive components, internal combustion engines or Construction Debris. Bulk Trash shall include carpeting of any diameter if folded, tied and rolled or bundled and cut in lengths of six (6) feet or less.

"Construction Debris" means materials generally not water soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, or roofing material, pipe, gypsum wallboard, and lumber. Construction Debris shall include materials from the construction or destruction of a structure as part of a construction or demolition project, and including rocks, soils, stumps, and other vegetative matter which normally results from land clearing or land development operations for a construction or home improvement project.

"Department" means the Levy County Solid Waste Department.

"Director" means the Director, Operations Director, or Administrative Director of the Department.

"Dwelling Unit" means a building, or portion thereof, which is located on property in Levy County and lawfully used for residential purposes, consisting of one or more rooms arranged, designed, used or intended to be used as living quarters for one family unit only.

"Garbage" means every refuse accumulation of animal, fruit, vegetable, or organic matter that attends the preparation, use, cooking and dealing in, or storage of, meats, fish, fowl, fruit or vegetables, and decay, putrefaction and the generation of noxious or offensive gases or odors, or which, during or after decay, may serve as breeding or feeding material for flies or other germ carrying insects.

"Hazardous Waste" means Solid Waste, or a combination of Solid Wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or

potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

"Prohibited Waste" means any Hazardous Waste, Biohazardous Waste, or certain Special Wastes.

"Recovered Materials" means those materials which are capable of being recycled and which would otherwise be processed or disposed of as Solid Waste such as:

- (a) newspapers, including the normal percentage of rotogravure and colored sections, but not including phone books, magazines, and any paper other than newspaper;
- (b) aluminum beverage cans, commingled with ferrous food containers;
- (c) high density polyethylene plastics ("HDPE") commingled with polyethylene terephthalate plastics ("PET");
- (d) clear glass;
- (e) brown glass; and
- (f) green glass.

Recovered Materials shall not include Prohibited Waste, white office paper, aerosol cans, pharmaceutical glass containers, medical waste containers, pesticide containers or containers originally containing Prohibited Waste.

The list of Recovered Materials above may be amended by the removal of items from the list from time to time by the Director, based on market demands or restrictions. When an item on the list of Recovered Materials has been removed by the Director, the item will be treated as Solid Waste.

"Satellite Station" means a location established and developed by the County and operated by the Department in various areas throughout the County for disposal of limited types of Solid Waste generated from a Dwelling Unit and for disposal of Recovered Materials.

"Solid Waste" includes Garbage, Yard Trash, Bulk Trash, White Goods, or other discarded material resulting from normal housekeeping activities, and shall exclude Prohibited Waste.

"Special Waste" means Solid Waste that requires special handling and management, including, but not limited to, asbestos, whole tires, used tires, used oil, lead-acid batteries, and Biohazardous Wastes and shall include items that exceed any size limitations for Yard Trash and Bulk Trash.

"Transfer Station" means the solid waste disposal facility established, owned and operated by the County, through the Department, located at 12051 NE 69th Lane, Williston, Florida.

"White Goods" means discarded refrigerators, washing machines, dryers, ranges, water heaters, freezers, air conditioning units, and other similar large appliances.

"Yard Trash" means vegetative matter resulting from normal yard and landscaping maintenance and shall include materials such as tree and shrub trimmings, grass clippings, palm fronds or small tree branches that shall not exceed four feet in length and four inches in diameter.

2. The schedule of rates, fees and charges for disposal of waste items at the Transfer Station and any Satellite Station shown on Exhibit "A" is hereby adopted.

3. Any limitation or requirement contained in Exhibit "A" related to a type or volume of waste that is in addition to the particular rate, fee or charge for disposal of that waste is hereby adopted as an administrative policy of the Department. This provision does not prevent the Department from adopting any additional administrative policies by any other means.

4. All rates, fees or charges for waste disposed of at the Transfer Station that are adopted herein shall be paid for at the time the waste item is to be disposed of at the Transfer Station. Payment must be made to the Transfer Station scale house attendant or to another Department employee as directed and authorized by the Director. Allowed methods of payment are limited to cash, valid credit card, check written by person that has received prior approval to pay by check from the Director, or payment account for a person or entity that has been approved for a payment account pursuant to Section 74-35, Levy County Code and only if the payment account is current and meets all Code requirements and any other applicable County regulations, rules or policies. The Director may impose other limitations or restrictions on methods of acceptable payment in the event of special

or unique circumstances.

5. (a) Types of Solid Waste and other waste allowed at a Satellite Station, and related limitations or requirements for those types of Solid Waste or other waste, as follows:

(i) Garbage generated from a Dwelling Unit, limited to a maximum per day per Dwelling Unit of eight (8) 13-gallon bags or two (2) 90-gallon containers;

(ii) Yard Trash generated from the property on which a Dwelling Unit is located, limited to a maximum per day per Dwelling Unit of either two (2) cubic yards, or the volume equivalent of the contents of a 5' X 10' trailer per day;

(iii) White Goods generated from a Dwelling Unit;

(iv) Ferrous metals; and

(v) Recovered Materials.

(b) No Bulk Trash, or any other type of Solid Waste or other waste that is not listed in subsection 5(a) above, will be allowed to be disposed of at a Satellite Station. Any Bulk Trash or other type of Solid Waste or other waste that is not listed in subsection 5(a) above must be transported to and disposed of at the Transfer Station by the individual or entity seeking disposal.

(c) No vehicles with trailers will be allowed at a Satellite Station other than those used by the Department. All allowed Solid Waste and other waste must be brought to the Satellite Station in regular passenger vehicles, which include sedans, SUVs, crossovers, and non-commercial pick-up trucks, and other similar vehicles.

6. Any waste item(s) brought to a Satellite Station for disposal must comply with all limitations or requirements contained in section 5 hereof, and must qualify for a rate, fee or charge listed as "No charge" on Exhibit "A". If any waste item(s) brought to a Satellite Station does not qualify for disposal at a Satellite Station pursuant to section 5 hereof or is not listed as a "No charge" item on Exhibit "A", the waste item must be transported by the individual or entity seeking disposal to the Transfer Station for disposal and payment of the applicable rate, fee or charge.

7. Disposal fees imposed by this Resolution for disposal of Yard Trash or other vegetative debris, Solid Waste, or other waste, resulting from a clean-up event relating to

illegal dumping or suspected illegal dumping at a location in Levy County may be waived at the discretion of the Director. Any such waiver will be a waiver of such fees for only one clean-up event resulting from illegal dumping, or suspected illegal dumping, at the applicable location. Any such waiver will not constitute an ongoing waiver for disposal fees for either the entity requesting such waiver or for disposal of Yard Trash or other vegetative debris, Solid Waste, or other waste removed from such location subsequent to the clean-up event for which the waiver is requested.

8. Disposal fees resulting from clean-up of Yard Trash or other vegetative debris, Solid Waste, or other waste, at a location owned or operated by a non-profit corporation or by an educational, governmental, religious or charitable entity may be waived by majority vote of the Board. The Board, in its discretion, may limit the frequency of use of the Transfer Station or a Satellite Station by such corporation or entity for such clean-up, may limit the duration of any waiver granted pursuant to this section, and may impose any other conditions it deems suitable upon any waiver granted under this section.

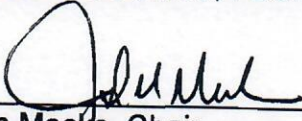
9. Disposal fees resulting from clean-up of Yard Trash or other vegetative debris, Solid Waste, or other waste, resulting from storm events or other emergencies declared as emergencies by the Board pursuant to Chapter 252, Fla.Stat., or Chapter 30, Article II, Levy County Code (as either of the same may be amended), may be waived by majority vote of the Board. Any waiver of fees will also apply to disposal of Yard Trash or other vegetative debris at sites other than the Transfer Station, as such sites may be designated by the Director. The Director may designate hours of operation and sites in addition to the Transfer Station for storage or disposal of Yard Trash or other vegetative debris resulting from storm events or other emergencies when a waiver of disposal fees is granted pursuant to this section.

10. Resolution 2018-060 is hereby repealed in its entirety. Any other prior resolution or action by the Board that is in conflict with the provisions of this Resolution is hereby repealed.

11. This Resolution will be effective immediately upon adoption.

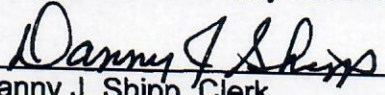
PASSED AND DULY ADOPTED this 8th day of October, 2019.

**BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA**



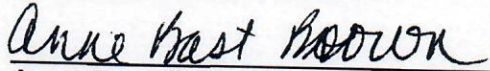
John Meeks, Chair

ATTEST: Danny J. Shipp, Clerk of
Circuit Court and Ex-officio Clerk
to the Board of County Commissioners



Danny J. Shipp, Clerk

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:**



Anne Bast Brown, County Attorney

EXHIBIT "A"

Unless otherwise specifically provided below, in the event any item or group of items to be disposed contains a Special Waste/Other Item set out in section B below, such Special Waste/Other Item will not be considered a General Solid Waste Item under section A below, and the rates, fees and charges for disposal of such Special Waste/Other Item will be the rates, fees, and charges as provided in section B below.

Whether an item of Solid Waste or other waste is generated at or from a Dwelling Unit will be subject to the discretion of the Director, or operator of the Transfer Station or Satellite Station, as applicable, based on documentation or other verification provided by the person or entity attempting to dispose of the Solid Waste or other waste and on such other reasonable evidence available to the Director or operator.

The schedule of rates, fees and charges for disposal of waste items shall be as follows, subject to the limitations or requirements described herein:

A. General Solid Waste Items

- | | | |
|------|--|--|
| i) | Garbage generated from a Dwelling Unit that meets all of the following: <ul style="list-style-type: none">- Garbage must be bagged or in containers;- Maximum daily limit per Dwelling Unit of either eight (8) 13-gallon bags or two (2) 90-gallon containers. | No charge |
| ii) | Garbage that meets either of the following: <ul style="list-style-type: none">- Is generated from a residence that is not a Dwelling Unit;- Exceeds maximum daily Dwelling Unit limit of eight 13-gallon bags or two 90-gallon containers. All Garbage must be bagged or in containers. | \$.75 per bag or container with \$2.25 minimum charge |
| iii) | Yard Trash generated from property containing a Dwelling Unit that does not exceed the maximum daily limit per Dwelling Unit of either two (2) cubic yards or the volume equivalent of the contents of a 5' X 10' trailer. | No charge |

- | | | |
|-------|--|-----------------|
| iv) | Yard Trash that meets either of the following: | \$34.00 per ton |
| | <ul style="list-style-type: none"> - Is generated from property that does not contain a Dwelling Unit; - Exceeds maximum daily limit per Dwelling Unit of two cubic yards or the volume equivalent of the contents of a 5' X 10' trailer. | |
| v) | Bulk Trash generated from a Dwelling Unit that does not exceed a maximum daily limit per Dwelling Unit of the volume equivalent of the contents of a 5' X 10' trailer. | No charge |
| vi) | Bulk Trash that does not consist of carpet, furniture or mattress(es) and that meets any of the following: | \$61.00 per ton |
| | <ul style="list-style-type: none"> - Is generated from a non-residential site or non-residential user or from a residence that is not a Dwelling Unit; - Exceeds maximum daily limit per Dwelling Unit of the volume equivalent of the contents of a 5' X 10' trailer. | |
| vii) | Bulk Trash that consists of carpet, furniture or mattress(es) and that meets any of the following: | \$34.00 per ton |
| | <ul style="list-style-type: none"> - Is generated from a non-residential site or non-residential user or from a residence that is not a Dwelling Unit; - Exceeds maximum daily limit per Dwelling Unit of the volume equivalent of the contents of a 5' X 10' trailer. | |
| viii) | Solid Waste generated from non-residential site or non-residential user, unless otherwise addressed in section B, Special Waste/Other Items | \$61.00 per ton |

B. Special Waste/Other Items

- | | | |
|----|---|------------------|
| i) | Tires from any source or user | |
| | <ul style="list-style-type: none"> - Passenger vehicle tires up to maximum of ten (10) tires | \$2.00 per tire |
| | <ul style="list-style-type: none"> - Passenger vehicle tires over ten (10) maximum | \$136.00 per ton |

-	Commercial vehicle tires (no rims)	\$175.00 per ton
-	Off-road vehicle or tractor tires (no rims)	\$275.00 per ton
ii)	Fluorescent tube bulbs	
-	Generated from a Dwelling Unit	No charge
-	Under 4' long and generated from a non-residential site or non-residential user or residence that is not a Dwelling Unit	\$.30 each
-	4' and longer, generated from a non-residential site or non-residential user or residence that is not a Dwelling Unit	\$.35 each
iii)	Construction Debris from any source or user	\$ 34.00 per ton
iv)	Asbestos from any source or user	\$204.00 per ton
v)	Special Waste that does not consist of Yard Trash or Bulk Trash from any source or user, or mixed loads (combining types of waste) from any source or user (Special Waste that consists only of Yard Trash or Bulk Trash, see Yard Trash and Bulk Trash rates, fees and charges in section A)	\$204.00 per ton
vi)	Televisions	
-	Generated from a Dwelling Unit, limited to two (2) televisions per day per Dwelling Unit	No charge
-	Generated from a Dwelling Unit but exceeding limit of two (2) televisions per day	\$ 8.00 each
-	Generated from a non-residential site or non-residential user or residential site/user that is not a Dwelling Unit	\$ 8.00 each
vii)	Propane Tanks	
-	Generated from a Dwelling Unit	No charge
-	Generated from a non-residential site or non-residential user or residence that is not a Dwelling Unit	\$ 2.00 per 20# tank \$ 3.00 per 30# tank \$ 3.00 per 40# tank

	\$ 5.00 per 100# tank
viii) Vegetative debris that does not meet the definition of Yard Trash	\$ 34.00 per ton
ix) White Goods	No charge
x) Ferrous metals	No charge
xi) Recovered Materials	No charge
NOTE: The list of Recovered Materials accepted at the Transfer Station or a Satellite Station is subject to change from time to time, based on market demands and restrictions, at the discretion of the Director.	

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LR2007-152; 9/25/19

Proof of Publication

Chiefland Citizen, Published Weekly
Chiefland, Levy County, Florida
STATE OF FLORIDA, COUNTY OF LEVY:

Before the undersigned authority, personally appeared Chris Festo, who on oath, says he is Production Manager of the Chiefland Citizen, a newspaper published at Chiefland, in Levy County, Florida; that the attached copy of the advertisement, being

NOTICE OF PUBLIC HEARING RESOLUTION 2019-083

was published in said newspaper in the issue of

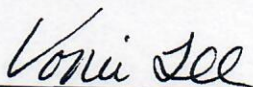
Published September 26, 2019

Affiant further says that the said Chiefland Citizen is a newspaper published at Chiefland, in said Levy County, Florida, and that the said newspaper has heretofore been continuously published in said Levy County, Florida, each week and has been entered as second class mail matter at the Post Office in Chiefland, in said Levy County, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



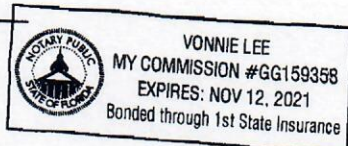
Chris Festo, Production Manager

The foregoing instrument was acknowledged before me this 26th day of September, 2019 by Chris Festo, who is personally known to me.



Notary Public

(SEAL)



NOTICE OF PUBLIC HEARING RESOLUTION 2019-083

BY THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA. NOTICE IS HEREBY GIVEN that the Board of County Commissioners will conduct a public hearing to consider Resolution 2019-083, adopting a schedule of rates, fees and charges for solid waste disposal; providing definitions; providing schedule of rates, fees, and charges; providing for types of waste and related limitations that will be accepted at solid waste transfer station and satellite transfer stations throughout the county; providing for waiver of rates, fees and charges in certain circumstances; providing for repeal of prior resolutions and actions; providing an effective date.

The public hearing will be held Tuesday, October 8, 2019, at 9:00 a.m., or as soon thereafter as the same may be heard, in the Board of County Commissioners Meeting Room, Levy County Courthouse, 355 S. Court Street Bronson, Florida. On the date, time and place above-mentioned, all interested persons may appear and be heard with respect to the proposed Resolution.

All persons are advised that, if they decide to appeal any decisions made at this public hearing, they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring reasonable accommodations to participate in this meeting should contact the County Commissioners' Administration Office at (352) 488-5218.

John Marks, Chairman
Levy Co. Board of County Commissioners

Published Sept. 26 2019