

RESOLUTION
NUMBER ~~2025-65~~ 2026-42

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LEVY COUNTY, FLORIDA, REGARDING SOLID WASTE DISPOSAL; PROVIDING FINDINGS AND DEFINITIONS; PROVIDING A SCHEDULE OF RATES, FEES AND CHARGES; PROVIDING REGULATIONS FOR DISPOSAL AND PAYMENT; PROVIDING FOR REPEAL OF PRIOR RESOLUTIONS AND ACTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, on ~~July 22, 2025~~November 4, 2025, the Board adopted Resolution Number 2025-~~65~~38 which provided a schedule of rates, fees and charges and regulations for the disposal of solid waste;

WHEREAS, at its ~~Regular~~Special Meeting on ~~October~~July 7, 202~~6~~5, the Board discussed and provided direction concerning revising the daily limit and fees for disposal of garbage generated from a dwelling unit; and

WHEREAS, Commercial Haulers are engaged in the collection and transportation of Solid Waste as a business or for compensation, use the County's disposal facilities in a manner and volume different in degree and kind from an individual resident delivering limited quantities of household waste, and impose costs attributable to their commercial use; and

WHEREAS, the Board finds that requiring Commercial Haulers to pay the applicable tipping fees for all Solid Waste they deliver to County disposal facilities, regardless of whether such waste originated from residential or non-residential property, is equitable and cost-justified because (i) the tipping fee is imposed on the Commercial Hauler as a user of the disposal facility, not on the resident, (ii) it recovers the County's cost of disposing of commercially delivered waste, and (iii) it ensures that the commercial use of County facilities is paid for by those engaged in that commercial activity rather than further shifted to the general body of residential property owners; and

WHEREAS, the Board further finds that a resident who personally delivers limited quantities of Solid Waste generated from the resident's own Dwelling Unit, and a Commercial Hauler who delivers Solid Waste for compensation, are not similarly situated with respect to the use of and burden placed upon County disposal facilities, and that therefore the distinction drawn by this Resolution between owner- or occupant-delivered household waste and Commercial Hauler-delivered waste is reasonable and equitable; and

WHEREAS, County staff has documented its annual full cost of solid waste management, which is on file with Solid Waste Department and confirmed that the fees set forth in this Resolution are reasonable, bear a reasonable relationship to the County's cost of receiving, handling, and disposing of such waste, are supported by the full-cost determination referenced above, and do not implicate or disrupt the benefit apportioned by the County's solid waste services assessments; and

WHEREAS, at its Regular Meeting on September 8, 2026 the Board found it appropriate and equitable to distinguish between residents disposing of limited quantities of Solid Waste generated from their own Dwelling Units and Commercial Haulers engaged in the collection and transportation of Solid Waste as a business or for compensation, and further finds that Commercial Haulers should pay the

applicable tipping fees for Solid Waste delivered to County disposal facilities regardless of whether such waste originated from residential or non-residential property; and

WHEREAS, Board ~~held a public hearing to consider~~adopted this Resolution at a duly noticed public meeting, at which time all interested persons had an opportunity to be heard.

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

Section 1. Recitals and Findings. The above recitals are true and correct and are incorporated herein by reference as if set forth in full as the legislative findings of the Board.

Section 2. Definitions. Terms used in this Resolution 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, and includes carpeting of any diameter if folded, tied and rolled or bundled and cut in lengths of six (6) feet or less. Bulk Trash does not include Special Waste, White Goods, automobiles and automotive components, internal combustion engines or Construction Debris.

“Commercial Hauler” means any person or entity engaged in the collection, transportation, or hauling of Solid Waste for compensation, as part of a business or commercial activity, or on behalf of another person or entity. The term includes any private waste collection company, contractor, property maintenance company, clean-out service, or other person or entity transporting Solid Waste generated by another person or property owner for compensation or other commercial purpose.

“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 and Assistant Director of the Department.

“Dwelling Unit” means a building, or portion thereof, located on real property within Levy County that is lawfully used as living quarters for one family only.

“Ferrous metals” means any metals containing significant quantities of iron or steel.

“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.

“Manure” means, as defined in Ch. 62-701.200, F.A.C., a solid waste composed of excreta of animals, and residual materials that have been used for bedding, sanitary or feeding purposes for such animals.

“Non-Residential” means any real property within Levy County that does not contain a Dwelling Unit.

“Prohibited Waste” means any Hazardous Waste (except the limited types and quantities specified in the Schedule of Rates, Fees, and Charges in Section 2 that are generated at a Dwelling Unit), Biohazardous Waste, Manure and certain Special Wastes.

“Recovered (Recycled) Materials” means those materials which are capable of being recycled, 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; and (c) high density polyethylene plastics (“HDPE”) commingled with polyethylene terephthalate plastics (“PET”). Recovered Materials do not include Prohibited Waste, white office paper, aerosol cans, pharmaceutical glass containers, medical waste containers, pesticide containers or containers originally containing Prohibited Waste. The definition of Recovered (Recycled) Materials may be revised from time to time by the Director, based on market demands or restrictions.

“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 (Recycled) Materials.

“Solid Waste” includes Garbage, Yard Trash, Bulk Trash, White Goods, or other discarded material resulting from normal housekeeping activities, and excludes 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 located between Bronson and 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 do not exceed four feet in length and four inches in diameter.

Section ~~32~~. Schedule of Rates, Fees and Charges.

Schedule of Rates, Fees and Charges for Solid Waste Disposal

~~Note 1: Determinations of type of waste for fee purposes and/or whether waste is generated from a Dwelling Unit will made by the Director, or operator of the Transfer Station or Satellite Station, as applicable, based on documentation provided by the person disposing of the waste and other reasonable evidence available to the Director or operator.~~

Note 1: Determinations of the type, source, and quantity of waste for fee purposes, including whether waste was generated from a Dwelling Unit and whether the person delivering the waste is a

Commercial Hauler, shall be made by the Director, or operator of the Transfer Station or Satellite Station, as applicable, based upon documentation provided by the person disposing of the waste and other reasonable evidence available to the Director or operator.

Note 2: Garbage must be bagged or in containers.		
<u>Waste Generated from a Dwelling Unit – No charge Waste Generated from a Dwelling Unit and Delivered by the Owner, Occupant, or Other Non-Commercial Hauler – No Charge</u>		
1	Garbage – daily limit of one load	No Charge
2	Yard Trash and vegetative debris that does not exceed the daily limit of: two cubic yards or the volume equivalent of a 5' x 10' trailer	No Charge
3	Bulk Trash that does not exceed the daily limit of one item (such as one roll of carpet, one mattress, one piece of furniture or one television)	No Charge
4	White Goods that do not exceed the daily limit of one item	No Charge
Waste Generated from a Dwelling Unit - in excess of the daily limit and certain special waste		Charge
5	Garbage generated from a Dwelling Unit that exceeds the daily limit in 1 above	\$7985.00 per ton
6	Yard Trash and other vegetative debris that exceeds the daily limit in 2 above; Bulk Trash that exceeds the daily limit in 3 above; and/or White Goods that exceed the daily limit in 4 above	\$7985.00 per ton
7	Household paint, pesticides or gas	\$1.00 per gallon
<u>Waste Generated from Non-Residential Solid Waste Delivered by Commercial Haulers</u>		
8	Garbage, Bulk Trash, Yard Trash and any other vegetative debris, White Goods and all other Solid Waste, not specifically identified in 9 through 19 below delivered by a Commercial Hauler, whether generated from a Dwelling Unit or Non-Residential property, except waste specifically subject to another rate established below	\$7985.00 per ton
Waste Generated from Non-Residential or a Dwelling Unit		
9	Passenger vehicle tires up to maximum of four (4) tires	\$5.00 per tire
10	Passenger vehicle tires over four (4) tires	\$155.00 per ton
11	Commercial vehicle tires (no rims)	\$185.00 per ton
12	Off-road vehicle or tractor tires (no rims)	\$300.00 per ton
13	Construction Debris	\$ 85.00 per ton
14	Special Waste or Mixed Loads (contains a combination of types of waste)	\$250.00 per ton
15	Televisions	\$ 8.00 each
16	Propane Tanks	\$10 per tank
17	Ferrous metals	\$70.00 per ton
18	Recovered (Recycled) Materials	No charge
19	Used Oil, 10 gallon limit per day	\$2.00 per gallon
<u>Note 3: Commercial Haulers. Notwithstanding any other provision of this Resolution, all Solid Waste delivered to a County solid waste disposal facility by a Commercial Hauler shall be subject to the applicable rates, fees, and charges established by this Resolution. The no-charge disposal provisions applicable to waste generated from a Dwelling Unit apply only when such waste is delivered by the owner or occupant of the Dwelling Unit, or another person transporting the waste without compensation and not as part of a business or commercial activity. Waste generated from a Dwelling Unit does not qualify for no-charge disposal when collected, transported, or delivered by a Commercial Hauler.</u>		

Section 43. Payment. All rates, fees or charges must be paid in full prior to disposal. Payment must be made to the Transfer Station scale house attendant or to another Department employee as directed and authorized by the Director. Payment may be made by cash, valid credit card, debit card, Apple Pay, Director approved check, or a payment account in good standing established pursuant to Section 74-35 of the Levy County Code. The Director may impose other limitations or restrictions on methods of acceptable payment in the event of special or unique circumstances.

Section 54. Disposal at Satellite Stations.

(a) Disposal at Satellite Stations is limited to ~~the following types and amounts of waste:~~ Solid Waste generated from a Dwelling Unit and personally transported by the owner or occupant of the Dwelling Unit, or another person transporting the waste without compensation and not as part of a business or commercial activity, in the following types and amounts:

- (i) Garbage generated from a Dwelling Unit that does not exceed eight 13-gallon bags or two 90-gallon containers;
- (ii) Yard Trash generated from a Dwelling Unit that does not exceed the daily limit in 2 above;
- (iii) White Goods generated from a Dwelling Unit that do not exceed the daily limit in 4 above; and
- (iv) Recovered (Recycled) Materials.

(b) ~~All waste disposed of at a Satellite Station must be transported in passenger vehicles. Commercial vehicles are prohibited.~~ Commercial Haulers are prohibited from disposing of Solid Waste at Satellite Stations and shall deliver Solid Waste to the Transfer Station or other facility designated by the Director and pay the applicable rates, fees, and charges established by this Resolution.

(c) All waste disposed of at a Satellite Station must be transported in passenger vehicles. Commercial vehicles are prohibited.

Section 65. Repeal. Resolution Number 2025-65 is hereby repealed and replaced with the provisions of this Resolution. Likewise, any other prior resolution or action by the Board that is in conflict with the provisions of this Resolution is hereby repealed.

Section 7. Severability. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

Section 86. Effective Date. This Resolution will become effective immediately upon adoption.

PASSED AND DULY ADOPTED on ~~November 4, 2025~~September 8, 2026

BOARD OF COUNTY COMMISSIONERS
OF LEVY COUNTY, FLORIDA

ATTEST: Clerk of the Circuit Court
and Ex-officio Clerk to the Board of
County Commissioners

Matt Brooks, Clerk

~~Desirée Mills~~Tim Hodge, Chair

Approved as to form and legal sufficiency

~~Nicolle Shalley~~Ray Poole, County Attorney
~~Heather Encinosa~~