



Mayor Robert E. Simison

City Council Members:

Luke Cavener, President
Liz Strader, Vice President
Brian Whitlock
Doug Taylor
John Overton
Anne Little Roberts

MEMORANDUM

DATE: July 15, 2025
TO: Mayor Simison
Meridian City Council
FROM: Emily Kane, Deputy City Attorney
RE: Overview of proposed updates to Title 4, Chapter 1, Meridian City Code

This memorandum is provided to update you on proposed changes to Title 4, Chapter 1, Meridian City Code that are necessitated by a new provision of Idaho Code.

This spring, the Idaho legislature passed a bill (Senate Bill 1073, attached), which allows a citizen to contract “with a solid waste collection provider of the person’s choosing” for “temporary and project-specific” waste hauling, even where the citizen lives in a city has a franchise agreement that grants a franchisee exclusivity in providing this service.

Meridian’s franchise agreement with Republic Services does grant this exclusivity, and Meridian City Code does require citizens to use Republic Services for temporary hauling (with some exceptions). Under the new Idaho Code provision, however, the City will no longer be able to enforce this franchise agreement provision or the City Code requirement. The updates in the proposed draft ordinance will amend the provisions of Meridian City Code that conflict with this legislation.

Specifically, the proposed City Code updates:

- Add a definition of “temporary project,” as directed by the new Idaho Code;
- Change the requirement that all temporary accounts must be with the City’s franchisee;
- Establish minimal standards/limits for temporary haulers to protect public health and safety; and
- Clarify which services are provided by franchisee and which may be provided by temporary haulers.

The Solid Waste Advisory Commission reviewed these proposed updates at their meeting on June 25, 2025 and expressed no concerns. The new Idaho Code section 50-344(2) went into effect on July 1, 2025. Pursuant to direction provided at your July 15, 2025 City Council workshop, a public hearing on the proposed ordinance will be held at your July 22, 2025 meeting.

IN THE SENATE

SENATE BILL NO. 1073, As Amended in the House

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO MUNICIPAL CORPORATIONS; AMENDING SECTION 50-344, IDAHO CODE, TO
REVISE PROVISIONS REGARDING SOLID WASTE COLLECTION SYSTEMS IN CITIES;
AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 50-344, Idaho Code, be, and the same is hereby
amended to read as follows:

50-344. SOLID WASTE DISPOSAL. (1) Cities shall have the power to maintain and operate solid waste collection systems. Such maintenance and operation may, by exclusive or nonexclusive means, be performed by:

(a) Employees, facilities, equipment and supplies engaged or acquired by cities;

(b) Contracts, franchises or otherwise providing maintenance and operation performed by private persons;

(c) Contracts providing for maintenance and operation performed by another unit of government;

(d) Contracts, franchises or otherwise for maintenance and operation that may provide solid waste collection for all or geographic parts of a city;

(e) Any combination of paragraphs (a), (b), (c), and (d) of this subsection.

(2) Notwithstanding any city contract or franchise for solid waste collection to the contrary, any person may contract with a solid waste collection provider of the person's choosing for the use of solid waste collection containers that are temporary and project-specific, as defined by city ordinance.

~~(2)~~ (3) Upon a finding by the mayor or city manager for public safety or necessary protection of public health and welfare and property, the provisions of chapter 28, title 67, Idaho Code, shall not apply to solid waste collection, as provided herein.

~~(3)~~ (4) Before entering into such contracts, franchises or otherwise, a city may require such security for the performance thereof as it deems appropriate or may waive such undertaking.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2025.