



Legislation Text

File #: 2019-252, Version: 1

TITLE

HOLD PUBLIC HEARING AND APPROVE SOLID WASTE ORDINANCE AMENDMENTS FOR BOARD OF COMMISSIONERS TO 1) REVIEW AND SET FRANCHISE FEE FOR SANITARY LANDFILLS; 2) COMPLY WITH NCGS 130A-294 REGARDING LIFE-OF-SITE NOT TO EXCEED 60 YEARS FOR SANITARY LANDFILL FRANCHISE TERM; AND, 3) ADD SOLID WASTE HAULER MINIMUM PERFORMANCE STANDARDS (CUSTOMER BILL OF RIGHTS)

SPONSOR

J. Leslie Bell

BACKGROUND

The amendments to the Guilford County Solid Waste Ordinance include **Section 15.5-5. - Franchise required [for sanitary landfill]**, items **(c) Fees and (d) Term**. Franchise Fees for sanitary landfills will be set by the Board of Commissioners, as necessary, and subject to change from time to time; NCGS 130A-294 stipulates the duration of the franchise term for which life-of-site of the landfill is not to exceed 60 years (attached). Proposed new text is reflected by **shading** and deleted text by ~~strikethrough~~.

Staff requests amending the current Solid Waste Ordinance as indicated below:

Sec. 15.5-5. Franchise required [for sanitary landfill] (c) Fees and (d) Term

(c) Fees

(1) The application fee for a franchise is hereby set by the ~~the~~ **Board of eCounty eC** ommissioners, ~~at \$250.00.~~ The fee may be waived by the ~~the~~ **Board** as to a governmental landfill.

(2) The ~~the~~ **Board of eCommissioners** shall approve all fees to be charged by the applicant or operator of a sanitary landfill subject to a franchise under this chapter.

It shall be unlawful for the franchise to make charters [changes] greater or other than those approved by the ~~the~~ **Board**. The franchisee may bill customers one month in advance of service. The fee to be charged by said operator may be changed by the ~~the~~ **Board** as it deems necessary or expedient, by amendment to the franchise. The applicant or operator shall submit any proposed fee changes to the ~~the~~ **Board of eCommissioners** for

approval by franchise amendment prior to the effective date of the fee change.

- (d) **Term.** A franchise shall be for a term determined by the board, not greater than ten years for any privately owned sanitary landfill. The term of the franchise for any landfill owned by a government entity shall be not greater than 20 years. **The term of the franchise shall be in accordance with NCGS 130A-294.**

A franchise shall not be transferable in any manner whatsoever, by stock transfer, lease or otherwise...

Additional amendments sets forth minimum performance standards via a Customer Bill of Rights for solid waste haulers and renumber the remaining **Sec. 15.5. - 6 Licensing of solid waste collectors (per NCGS 153A-136** accordingly

Sec. 15.5-6 Licensing of solid waste collectors (per NCGS 153A-136)

- (e) **Performance.** Guilford County desires to contractually ensure satisfactory customer service by offering a standardized, high-level of service for solid waste collection. The County will enforce customer service performance standards through a Customer Bill of Rights for which periodic review and inspection of hauler's performance and assessment are terms of approval of a solid waste hauler license in Guilford County. The Customer Bill of Rights sets forth minimum solid waste hauler performance standards.

The Guilford County Board of Commissioners reserves the right to amend customer service performance standards.

(ef) *Revocation or suspension of solid waste collectors license...*

(fg) *Franchising of solid waste haulers...*

(gh) *Abandoning of solid waste collectors license...*

A link to the draft amendment to the Solid Waste Ordinance can be found at www.GuilfordRecycles.org <<http://www.GuilfordRecycles.org>> or a hard copy can be obtained at the Guilford County Planning and Development Department on the 5th floor of the Independence building at 400 W. Market St. Greensboro NC during normal business hours.

BUDGET IMPACT

NO ADDITIONAL COUNTY FUNDS REQUIRED

REQUESTED ACTION

Hold public hearing and approve Solid Waste Ordinance Amendments for Board of

Commissioners to 1) Review and set Franchise Fee for Sanitary Landfills; 2) Comply with NCGS 130A-294 RE Life-of-Site Not to Exceed 60 Years for Sanitary Landfill Franchise Term; and, 3) Add Solid Waste Hauler Minimum Performance Standards (Customer Bill of Rights).