

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 19869

A RESOLUTION ESTABLISHING CHARGES FOR COLLECTION AND DISPOSAL OF RESIDENTIAL GARBAGE AND REFUSE IN THE CITY OF HELENA, MONTANA, FOR FISCAL YEAR 2012

WHEREAS, pursuant to the Helena City Code, service charges may be established for collection and disposal of residential garbage in the City of Helena; and

WHEREAS, service charges are necessary for the purpose of on-going operation, maintenance, and capital purchases of equipment; and

WHEREAS, it appears to be in the best interests of the City of Helena, Montana, and the inhabitants thereof, that the charges for collection and disposal of city provided residential garbage and refuse service for fiscal year 2012 should include additional charges when a residential customer who is assessed the yearly residential rate exceeds the bulk solid waste allowance, or dumps any garbage not originating from the residential property; and

WHEREAS, charges against the bulk solid waste allowance are self-haul on a residential solid waste permit and \$10.00 per collection for bulk solid waste collection ("tramp truck"); and

WHEREAS, a list of all lots or parcels of land assessed, with the name of the owner thereof, if known, description of the lots or parcels of land and the amount levied thereon set opposite, is maintained by the Department of Administrative Services for the City of Helena.

WHEREAS, a public hearing was held on this resolution on the 22nd day of August, 2011, at 6:00 p.m. in the Commission Chambers at 316 North Park Avenue, Helena, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:

Section 1. The lots or parcels of land to be assessed are those shown on the list of all lots or parcels of land maintained by the Department of Administrative Services for the City of Helena. The list includes the description of the lots or parcels of land, the name of the owner, if known, and the amount levied thereon. The lots or parcels of land to be assessed do not include cemetery lands owned by associations. The assessable lots or

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parcels of land are all such other lots or parcels of land inside the City limits.

Section 2. Commencing on July 1, 2011, the charges for collection and disposal of residential garbage and refuse in the City of Helena for fiscal year 2012 shall be as follows:

Rates

- A. Class I- Residential structures having up to four residential units in one structure are assessed \$179.10 for each unit.
- B. Class II- Residential structures having more than four units in one structure receiving city solid waste service are assessed under the commercial rate matrix.
- C. Class III- Mobile home parks are assessed according to one of the following applicable schedules:
 - i. Self-haul by the owner of mobile home park is charged the current transfer station charges established by the City Commission:
 - ii. A monthly charge to the mobile home park owner based on the number of home units in accordance with the Class II schedule and adjusted monthly for the total number of units on the property as of the 1st day of each month; or
 - iii. A monthly fee that is equivalent to commercial rate schedules for the frequency of service.
- D. Class IV- Residential Structures that qualify for the State of Montana property tax assistance program under Title 15, Chapter 6, MCA, are charged \$89.55 for FY 2012.

Section 4. For fiscal year 2012, the cost of collecting and disposing of residential garbage and refuse for Class I and IV residential properties is paid by a special annual assessment against the residential property from which such garbage and refuse is generated. For new customers receiving service after July of each year, the annual assessment rate will be pro-rated on a monthly basis.

Section 5. The bulk solid waste allowance is calculated by taking 1.5 tons times the current tipping fee charges established by the City Commission. The tipping fee charge based upon the weight of self-hauled solid waste and a \$10.00 per trip for bulk solid waste collection at the residential unit are charged against this allowance.

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Section 6. If the charges against the bulk solid waste allowance exceed the allowance, the person responsible for causing the allowance to be exceeded is liable for transfer station charges for the amount that the solid waste exceeds the bulk solid waste allowance.

Section 7. An owner or occupant of each residential unit that is located on the property subject to the assessments established herein may receive a permit authorizing that person to charge against the bulk solid waste allowance for that residential unit the amount of garbage, generated or originating from the unit located on the levied property and to deposit acceptable recyclable materials at the Transfer Station and other City-approved sites.

Section 8. Charges in excess of the bulk solid waste allowance, or for garbage that was not generated at or originating from the assessed property, are subject to transfer station charges established by the City Commission. Loads brought in containing only acceptable recyclable material are not charged against the bulk solid waste allowance.

Section 9. Replacements of residential permits are five dollars (\$5.00).

Section 10. The residential service charges are payable in two (2) installments and are delinquent as stated on the property tax bills. The monies collected for said residential service charges will be paid into the City of Helena Residential Solid Waste Fund.

PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA, MONTANA, THIS 22nd DAY OF AUGUST, 2011.

/S/ James E. Smith
MAYOR

ATTEST:

/S/ Debbie Havens
CLERK OF THE COMMISSION