

AGENDA ITEM FOR ADMINISTRATIVE MEETING () Discussion only
(X) Action

FROM (DEPT/ DIVISION): County Counsel

SUBJECT: Collection Franchise Fee Increase

<p>Background:</p> <p>On October 24, 2023, Community Development Director Bob Waldher presented a proposal to increase the Collection Franchise Fee from 2% to 3.5% for County Solid Waste Franchises. On January 9, 2024, the Solid Waste Committee voted to recommend this increase proposal to the Board of Commissioners for final approval. The first reading of the Ordinance amendment was held on February 7, 2024. The Ordinance is before the Board for a second reading and potential adoption.</p>	<p>Requested Action:</p> <p>(1) Conduct Public Hearing and Second Reading (2) Adopt Ordinance No. 2024-02</p>
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ATTACHMENTS: Proposed Ordinance

*****For Internal Use Only*****

Checkoffs:

- () Dept. Heard (copy)
- () Human Resources (copy)
- () Fiscal
- (X) Legal (copy)
- () (Other - List:)

To be notified of Meeting:
Gina Miller

Needed at Meeting:

Scheduled for meeting on: March 6, 2024

Action taken:

Follow-up:

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Amending Solid)
Waste Management Ordinance, as) ORDINANCE NO. 2024-01
amended, codified at Chapter 50,)
Umatilla County Code of)
Ordinances)

WHEREAS the Board of Commissioners has ordained Ordinance No. 90-07, the Solid Waste Management Ordinance, codified as Chapter 50 in the Umatilla County Code of Ordinances;

WHEREAS the Umatilla County Solid Waste Committee reviewed the chapter and recommended an increase in the collection franchise annual fee;

WHEREAS the recommended amendment is before the Umatilla County Board of Commissioners for consideration.

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains that the Solid Waste Management Ordinance, No. 90-07, dated April 18, 1990, as amended, shall be further amended as follow (deleted words are ~~struck through~~ and added words are *italicized and underlined*):

§50.028 FRANCHISE FEES.

(A) Amount of fee.

(1) The Board shall collect, in the manner and at the time provided in this section, from the holder of:

(a) Any collection franchise, an annual fee equal to a percentage of the gross cash receipts from collection service provided to the service area included in the franchise as specifically set forth in division (A)(2)(a) of this section.

(b) Any disposal franchise, an annual fee as specifically set forth in division

(A)(2)(b) of this section.

(2) The following fees are established for solid waste collection and disposal franchises:

(a) The annual fee for a collection franchise shall be ~~2%~~ *3.5%* of the gross receipts from collection service provided to the service area included in the franchise.

(b) The annual fee for a disposal franchise shall be \$100.

(B) Computation and payment of collection franchise fee. Collection franchise fees shall be computed on the gross receipts of each calendar quarter beginning January 1 of

each year. The fee shall be payable in quarterly installments, the first to be paid not later than April 30, and the remaining to be paid not later than 30 days after the end of each calendar quarter. Non payment of any quarterly payment within the 30 day period may result in the termination of the franchise, unless otherwise extended by the Board. Delinquent payments are cause for the County to require franchisee to provide additional documentation.

(C) Audit. County may request an audit to verify accuracy of the gross receipts. County has the right to audit a franchise and will provide a two weeks notice prior to the audit. Such audit will be conducted during normal business hours.

(D) Use of franchise fees. Fees collected pursuant to division (A) of this section shall be paid into the General Fund of the county. The Committee may recommend to the Board ways to use such funds to carry out the provisions of § 50.002 of this chapter.

(E) Additional fees. Any fees required to be established herein shall be set by Board Order.

FURTHER this Ordinance shall be in full force and effective on July 1, 2024.

FIRST READING: February 7, 2024

SECOND READING: March 6, 2024

DATED this day of , 2024.

UMATILLA COUNTY BOARD OF COMMISSIONERS

John M. Shafer, Commissioner

Celinda A. Timmons, Commissioner

Daniel N. Dorrان, Commissioner

ATTEST:
OFFICE OF COUNTY RECORDS

Records Officer