

ORDINANCE NO. 5
COUNTY OF DODGE STATE OF MINNESOTA
AN ORDINANCE REGULATING SOLID WASTE MANAGEMENT
FEES WITHIN DODGE COUNTY

WHEREAS, pursuant to Minn. Stat. Sec. 400.08 the Dodge County Board of Commissioners is authorized, by resolution, to establish boundaries for solid waste management service areas within the county and to impose reasonable charges for solid waste management services, including abatement activities.

WHEREAS, waste-abatement-services-such as recycling and household hazardous waste programs provide environmentally sound alternatives to land filling or incineration, for all county residents; and

WHEREAS, the County is mandated by the State to provide such services to all residents; and

WHEREAS, cost for such services should be paid by all potential users in an equitable manner; and

WHEREAS, users fees and general property taxes are in appropriate or unfair for many services due to the demographic and waste management characteristics in the county; and

WHEREAS, a special assessment fee authorized, by the State of Minnesota provides a funding option which is equitable for all service users and consistent with solid waste management objectives; and

WHEREAS, a public hearing was held on November 12, 1991, after due notice in the Dodge Center Star Record on October 22, 1991, as provided by law was conducted in regard to this ordinance.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF DODGE COUNTY, MINNESOTA, AS FOLLOWS:

SECTION I: SERVICE CHARGE

Subsection 1. Purpose and Authority

This section is enacted pursuant to Minnesota Statute 400.08 which grants Dodge County the authority to impose reasonable charges for solid waste management services. The purpose of this section is to establish a method of collection for such charges.

Subsection 2. Method of Billing and Collection Service Charge

Dodge County may impose a service charge for waste management activities provided to

all properties in the County, and such charges may result in an assessment levy payable with the real estate taxes.

Subsection 3. Unpaid Charges

On or before October 15th in each year, the County Board shall certify to the County Auditor all unpaid outstanding charges and a description of the properties against which the charges arose. It shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments with interest rate provided for in Minnesota Statutes Section 279.03, Subdivision 1, upon the tax rolls of the County for the taxes of the year in which the assessment is filed. For each year ending October 15th, the assessment with interest shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the State. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State.

Subsection 4. Rates and Charges

The County Board, by resolution, may establish or revise the rate schedule for waste management fees. All rates and charges shall be uniform in their application to use and service of the same character and quantity. A copy of the current rate schedule shall be kept on file in the Office of the County Auditor. If no new rate schedule for waste management fees are adopted in any year, the rate schedule for the previous year shall remain in effect.

In establishing or revising the rate schedule, the Board may take into account all factors relevant to waste management fees. Such factors include, but are not limited to, the character, kind and quality of service and of solid waste, the method of disposition, the number of people served at each place of collection, and all other factors that enter into the cost of providing service including, but not limited to, public education, recycling programs, household hazardous waste programs, solid waste management facilities operation and debt service cost.

Subsection 6. Appeals

Any property owner who believes that the service charge imposed upon his property is incorrect, may appeal the charge. An appeal form may be obtained at the Office of the Dodge County Auditor, and shall be filed within 30 days of mailing the service charge statement by the County. The County Auditor shall, within 30 days of receipt of the appeal, review the appeal and notify the appellant by U.S. mail whether an adjustment is due and how much, or whether the appeal is denied.

SECTION II SERVICE AREA

This section is enacted pursuant to Minnesota Statutes Section 400.08 which grants Dodge County the authority to establish and determine the boundaries of solid waste management service areas in the County. The boundaries of Dodge County shall constitute the boundaries of the solid waste management service area.

SECTION III: EFFECTIVE DATE

This ordinance amendment shall be in full force and effect following the adoption by the County Board of Commissioners and publication as required by law.

NOW, THEREFORE, BE IT RESOLVED that this ordinance is hereby adopted this 20th day of November, 1991.

IT IS ORDERED by the Board of County Commissioners that a full, true and correct copy of this ordinance shall be certified to by the County Auditor who shall forthwith file for record such certified-copy-of-the Office-of the Recorder for Dodge County; and the same shall be filed within the Auditor's Ordinance Book located in the Office of the County Auditor and published by the County Auditor as required by law.

DODGE COUNTY BOARD OF COMMISSIONERS:

11-20-91