CITY of ALBUQUERQUE
TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. O-26-35 ENACTMENT NO. O-2026-029

SPONSORED BY: Klarissa J. Peña, by request

ORDINANCE

AMENDING ROA 1994 § 9-10-1 "MUNICIPAL SOLID WASTE ORDINANCE" APPENDIX: COLLECTION AND DISPOSAL RATES TO INCREASE DISPOSAL FEES FOR CONVENIENCE CENTER FOR RESIDENTS AND BUSINESSES OUTSIDE OF CITY OF ALBUQUERQUE LIMITS; AND § 9-10-1-11 "COLLECTION FEES" FOR USE OF CITY MUNICIPAL LANDFILL AND COVENIENCE CENTERS TO REQUIRE PROOF OF RESIDENCY.

BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. Disposal fees in ROA 1994 § 9-10-1 APPENDIX: COLLECTION AND DISPOSAL RATES is amended as follows:

DISPOSAL FEES

(eff. June 30, 2010)

Landfill tipping fee:

0 – 500 lbs = $7.50

501 – 1,000 lbs = $14.99

1,001 – 1,500 lbs = $22.48

1,501 - 2,000 lbs = $30.00

Landfill special burial:

$39.86 per ton

Landfill contaminated soils:

Total Petroleum hydrocarbon of 1,000 ppm or less: $26.25 per ton

Total Petroleum hydrocarbon of 15,000 ppm or less: $31.50 per ton

Total Petroleum hydrocarbon of 15,000 ppm or more: $47.25 per ton

Landfill tire disposal:

$222.86 per ton

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Convenience center commercial:

$5.00 per load (plus tax) for businesses located within Albuquerque city limits.

$12.00 per load (plus tax) for businesses located outside of Albuquerque city limits.

Convenience center residential:

$5.00 per load (plus tax) per each individual for individuals who reside within Albuquerque city limits.

$12.00 per load (plus tax) per each individual for individuals who reside outside of Albuquerque city limits.

Residential uncovered and/or unsecured load:

An additional $5.54 per vehicle for individuals who reside within Albuquerque city limits.

An additional $12.00 per vehicle for individuals who reside outside of Albuquerque city limits.

Commercial uncovered and/or unsecured load:

An additional $5.54 per vehicle for businesses located within Albuquerque city limits.

An additional $12.00 per vehicle for business located outside of Albuquerque city limits.

SECTION 2. ROA 1994 § 9-10-1-11 "COLLECTION FEES" subsection (J)(2) is amended as follows:

(J) Use of City Municipal Landfill and Convenience Centers.

. . .

(2) City Convenience Centers.

(a) Any residential producer of refuse may dispose of same at any City Convenience Center for a fee set forth in the Collections and Disposal Rates Appendix per each individual load plus applicable gross receipts and local option taxes or $1 per each individual load plus applicable gross receipts and local option taxes. Any uncovered and/or unsecured load will be charged an additional fee set forth in the Collections and Disposal Rates Appendix, which includes the applicable effective dates, per individual load plus

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applicable gross receipts and local option taxes. A load is equivalent to 64 cubic feet (4'X8'X2').

(b) Any business or institution may dispose of commercial refuse, except unauthorized waste, infectious wastes or hazardous waste, at any City Convenience Center for a fee set forth in the Collections and Disposal Rates Appendix, which includes the applicable effective dates, per each individual load plus applicable gross receipts and local option taxes. Any uncovered and/or unsecured load will be charged an additional fee as set forth in the Collections and Disposal Rates Appendix per individual load plus applicable gross receipts and local option taxes. A load is equivalent to 64 cubic feet (4'X8'X2').

(c) Persons seeking disposal rates applicable to residents or businesses located within Albuquerque city limits shall provide verification of residency in the form of a utility bill dated within the preceding 60 days, or a valid government-issued identification card, showing a residential or business address within Albuquerque city limits. Persons who fail to provide such documentation shall be charged the applicable rate for persons or businesses located outside Albuquerque city limits.

(d) Any vehicle transporting material to any City Convenience Center is limited to a rated capacity of under two tons.

(e) Salvaging and scavenging is prohibited at the City landfill, transfer stations, and convenience centers at all times without the written permission of the Mayor.

SECTION 3. SEVERABILITY. If any section, paragraph, sentence, clause, word, or phrase of this Ordinance is for any reason held to be invalid or unenforceable by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each section, paragraph, sentence, clause, word, or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.

SECTION 4. COMPILATION. SECTION 1 and SECTION 2 of this Ordinance amends, is incorporated in, and is to be compiled in ROA 1994 § 9-10-1.

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SECTION 5. EFFECTIVE DATE. This Ordinance takes effect 5 days after publication by title and general summary.

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PASSED AND ADOPTED THIS 3rd DAY OF August, 2026

BY A VOTE OF: 8 FOR 1 AGAINST.

For: Baca, Bassan, Champine, Fiebelkorn, Grout, Peña, Rogers, Telles

Against: Lewis

Klarissa J. Peña, President

City Council

APPROVED THIS 14 DAY OF August, 2026

Bill No. O-26-35

Timothy M. Keller, Mayor

City of Albuquerque

ATTEST:

Ethan Watson, City Clerk

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CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

Mayor Timothy M. Keller

INTER-OFFICE MEMORANDUM May 15, 2026

TO: Klarissa J. Peña, President, City Council

FROM: Timothy M. Keller, Mayor

SUBJECT: AMENDING ROA 1994 § 9-10-1 "MUNICIPAL SOLID WASTE ORDINANCE" APPENDIX: COLLECTION AND DISPOSAL RATES TO INCREASE DISPOSAL FEES FOR CONVENIENCE CENTER FOR RESIDENTS AND BUSINESSES OUTSIDE OF CITY OF ALBUQUERQUE LIMITS

This legislation amends the Appendix: Collection and Disposal Rates of the Municipal Solid Waste Ordinance to establish higher Convenience Center fees for non-Albuquerque users, both residential and commercial. Rates for Albuquerque residents and for business located within Albuquerque city limits remain the same, at $5 plus tax per load and an additional $5.54 for an uncovered and/or unsecured load. A new rate of $12 plus tax per load is established for residential loads of individuals who reside outside of city limits, for businesses located outside of city limits, and for the additional fee on an uncovered and/or unsecured load.

This ordinance is offered for City Council's consideration.

AMENDING ROA 1994 § 9-10-1 "MUNICIPAL SOLID WASTE ORDINANCE" APPENDIX: COLLECTION AND DISPOSAL RATES TO INCREASE DISPOSAL FEES FOR CONVENIENCE CENTER FOR RESIDENTS AND BUSINESSES OUTSIDE OF CITY OF ALBUQUERQUE LIMITS

Approved:

Samantha Sengel, EdD Date
Chief Administrative Officer

Approved as to Legal Form:

Lauren Keefe Date
City Attorney

Recommended:

Matthew Whelan Date
Chief Operating Officer

Cover Analysis

1. **What is it?** This is legislation to amend the Municipal Solid Waste Ordinance.

2. **What will this piece of legislation do?** This legislation amends the Appendix: Collection and Disposal Rates of the Municipal Solid Waste Ordinance to establish higher Convenience Center fees for non-Albuquerque users, both residential and commercial. Rates for Albuquerque residents and for business located within Albuquerque city limits remain the same, at $5 plus tax per load and an additional $5.54 for an uncovered and/or unsecured load. A new rate of $12 per load is established for residential loads of individuals who reside outside of city limits, for businesses located outside of city limits, and for the additional fee on an uncovered and/or unsecured load.

3. **Why is this project needed?** It ensures that services used by non-residents are more accurately alighed with their true cost, protecting resources funded by Albuquerque taxpayers and preventing any increases to Albuquerque residents.

4. **How much will it cost and what is the funding source?** N/A

5. **Is there a revenue source associated with this contract? If so, what level of income is projected?** Surcharge revenue will be generated at an estimated $1.1 million in the Refuse Disposal Operating Fund and held in reserve to be appropriated at a future date.

6. **What will happen if the project is not approved?** The Convenience Center rates will be unchanged and no new revenue will be generated.

7. **Is this service already provided by another entity?** No.

FISCAL IMPACT ANALYSIS

TITLE: AMENDING ROA 1994 § 9-10-1 "MUNICIPAL SOLID WASTE ORDINANCE" APPENDIX: COLLECTION AND DISPOSAL RATES TO INCREASE DISPOSAL FEES FOR CONVENIENCE CENTER FOR RESIDENTS AND BUSINESSES OUTSIDE OF CITY OF ALBUQUERQUE LIMITS

R:
O:
FUND: 651
DEPT: General Revenue Fund 651

[X] No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.

[ ] (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	Fiscal Years 2025	2026	2027	Total
Base Salary/Wages				-
Fringe Benefits at				-
Subtotal Personnel	-	-	-	-
Operating Expenses		-		-
Property		-	-	-
Indirect Costs	-	-	-	-
Total Expenses	$ -	$ -	$ -	$ -
[X] Estimated revenues not affected				
[ ] Estimated revenue impact				
Revenue from program				0
Amount of Grant		-	-	
City Cash Match				
City Inkind Match				
City IDOH	-	-	-	-
Total Revenue	$ -	$ -	$ -	$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created

COMMENTS:
Surcharge revenue will be generated at an estimated $1.1 million in the Refuse Disposal Operating Fund and held in reserve to be appropriated at a future date.

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

FISCAL ANALYST

APPROVED:

DIRECTOR 5/15/26

REVIEWED BY:

EXECUTIVE BUDGET ANALYST

BUDGET OFFICER

CITY ECONOMIST