CITY of ALBUQUERQUE
TWENTY SEVENTH COUNCIL

COUNCIL BILL NO. O-26-35 ENACTMENT NO. _____

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 Convenience Centers To Require Proof of Residency (Peña, by request)

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

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 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.

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

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