



## STAFF REPORT

**Report To:** Board of Supervisors      **Meeting Date:** February 2, 2023

**Staff Contact:** Darren Schulz, Public Works Director

**Agenda Title:** For Possible Action: Discussion and possible action: (1) regarding a business impact statement concerning a proposed ordinance revising rates and fees for use of the Carson City sanitary landfill; and (2) to introduce, on first reading, a proposed ordinance revising rates and fees for use of the Carson City sanitary landfill. (Darren Schulz, [dschulz@carson.org](mailto:dschulz@carson.org), Rick Cooley, [rcooley@carson.org](mailto:rcooley@carson.org))

**Staff Summary:** This item is for the first reading of a proposed ordinance which, if enacted, will revise section 12.12.047 of the Carson City Municipal Code ("CCMC") to increase the rates and fees charged for use of the Carson City sanitary landfill ("Landfill"). NRS 237.080 requires a business impact statement to be prepared whenever the governing body of a local government seeks to exercise legislative powers by adopting an ordinance or takes some action increasing fees to be paid, at least in substantial part, by businesses. The business impact statement finds that the proposed ordinance will not impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business.

**Agenda Action:** Ordinance - First Reading      **Time Requested:** 20 minutes

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### Proposed Motion

I move to approve the business impact statement as presented and introduce, on first reading, Bill No. \_\_\_\_.

### Board's Strategic Goal

Sustainable Infrastructure

### Previous Action

December 1, 2022 (Item 18A): The Board of Supervisors ("Board") instructed City staff to initiate the process to increase rates and fees for use of the Landfill, with an emphasis on meeting financial goals while minimizing impacts on City residents.

July 18, 2013 (Item 18): The Board approved changes to how certain wastes are classified and reduced out-of-county rates for Class III (Inert) waste.

October 20, 2011 (Item 12): The Board approved lowering the fees for out-of-county Class III waste.

September 1, 2011 (Item 20A): The Board approved consolidating and modifying rate classes, increasing out-of-county rates for compacted and uncompacted MSW and Class III waste and in-county rates for compacted and uncompacted MSW and Class III waste.

April 3, 2008 (Item 5): The Board approved the increase in Landfill fees by increasing out-of-county rates 25 percent for compacted and uncompacted municipal solid waste ("MSW") and Class III waste, increasing

in-county tonnage rates for compacted and uncompacted MSW and Class III waste by 4.82 percent and increasing minimums by \$1.00.

### **Background/Issues & Analysis**

The Landfill's existing rates are below market averages, and additional revenue is necessary to ensure the Landfill's rate structure can support future Landfill needs while also continuing to support the City's general fund.

At the Board's December 1, 2022, meeting, the Board directed staff to modify proposed changes to the Landfill's fee structure such that the City could still meet the funding needs identified by staff while also minimizing the impact of increased Landfill fees on City residents. Based on that input, City staff prepared the proposed ordinance with smaller rate increases for City residents and higher increases for out-of-county users.

The proposed ordinance would raise rates and fees at the Landfill, effective July 1, 2023. The proposed ordinance also provides two exceptions to the new rates and fees. First, any entity with a Board-approved contract for alternative fees, like the proposed interlocal agreements with the Towns of Minden and Gardnerville, would have fees charged in accord with the Board-approved contract. Second, the ordinance maintains the current rates and charges for Landfill use for the City's exclusive waste disposal franchisee, currently Waste Management, Inc.

Staff has provided the appropriate notice under NRS 237.080 that the proposed ordinance could impose an economic burden upon or restrict the formation, operation, or expansion of businesses. That notice was sent to the Nevada Builders Alliance; the Chambers of Commerce for Carson City, Douglas County, Virginia City, North Lake Tahoe, Reno-Sparks, Dayton Area, Fernley, Yerington, Churchill County, Fallon, El Dorado County, South Lake Tahoe and Lassen County; Waste Management, Inc.; the Associated General Contractors of Nevada; and 27 businesses that are significant landfill account users. That notice stated that the City would accept data or arguments concerning the proposed ordinance's impact on businesses until January 23, 2023. The City received five responses, each from an out-of-county business, concerning adverse business impacts associated with the proposed ordinance.

### **Applicable Statute, Code, Policy, Rule or Regulation**

NRS Chapters 237 and 244; Article 2 of the Carson City Charter

### **Financial Information**

**Is there a fiscal impact?** Yes

**If yes, account name/number:** General Fund, Landfill Fees - 1013980-444010

**Is it currently budgeted?** No

**Explanation of Fiscal Impact:** The proposed increases to solid waste disposal at the Carson City Landfill are anticipated to raise an approximate \$900K to \$1M in revenue per year to be used for Landfill expansion, capital projects and operating costs. The majority of the increased revenue will be generated by out-of-county users of the Landfill.

### **Alternatives**

1. Do not accept the business impact statement, modify the business impact statement and/or provide alternative direction.
2. Do not introduce the ordinance on first reading, modify the ordinance and/or provide alternative direction.

**Attachments:**

[BIS\\_-\\_Landfill\\_Fee\\_Increase\\_Ordinance\\_at\\_rc\\_012423\\_at\\_\\_Clean\\_.pdf](#)

[2022 1221 - BIS Ntc Ltr \(Landfill Rates\) FINAL 122822.pdf](#)

[Draft Ord re Landfill Rates \(First Read\) v2 \(Clean\).pdf](#)

[DDI letter.pdf](#)

[STR letter.pdf](#)

[Trashco letter.pdf](#)

[Empire letter.pdf](#)

[Olcese letter.pdf](#)

**Board Action Taken:**

Motion: \_\_\_\_\_

1) \_\_\_\_\_

2) \_\_\_\_\_

Aye/Nay

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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(Vote Recorded By)



# BUSINESS IMPACT STATEMENT

This Business Impact Statement was prepared in accordance with the provisions of NRS (Nevada Revised Statutes) 237.030 to 237.150, inclusive, as a statutory prerequisite to the adoption of any rule\*\*\*, as that term is defined in NRS 237.060, by the Carson City Board of Supervisors.

\*\*\* A "rule" may include an ordinance, or an action taken by the Board, that imposes, increases or changes the basis for the calculation of a fee which is paid in whole or in substantial part by businesses. A "rule" **does not** include actions that impose, increase or change the basis for the calculation of: (1) special assessments imposed pursuant to NRS chapter 271; (2) impact fees imposed pursuant to NRS chapter 278B; (3) fees for remediation imposed pursuant to NRS chapter 540A; (4) taxes ad valorem; (5) sales and use taxes; or (6) a fee that has been negotiated pursuant to a contract between a business and Carson City. A "rule" also **does not** include: an action taken by the Board that approves, amends or augments the annual budget of Carson City; an ordinance adopted by the Board pursuant to a provision of NRS chapter 271, 271A, 278, 278A, 278B or 350; an ordinance adopted or action taken by the Board that authorizes or relates to the issuance of bonds or other evidence of debt of Carson City; or any rule for which Carson City does not have the authority to consider less stringent alternatives, including, for example, a rule that Carson City is required to adopt pursuant to a federal or state statute or regulation or to a contract into which Carson City has entered.

## ORDINANCE OR ACTION PROPOSED FOR ADOPTION

### **AN ORDINANCE RELATING TO RATES AND FEES CHARGED FOR USE OF CARSON CITY SANITARY LANDFILL; AMENDING TITLE 12 (WATER, SEWERAGE AND DRAINAGE), CHAPTER 12.12 (SOLID WASTE MANAGEMENT) OF THE CARSON CITY MUNICIPAL CODE BY REVISING SECTION 12.12.047 (LANDFILL RATES AND FEES) TO INCREASE RATES AND FEES CHARGED FOR USE OF THE CARSON CITY SANITARY LANDFILL; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.**

1. *The manner in which notice was provided to the applicable trade associations and officers of businesses likely to be affected by the proposed ordinance or action, and a summary of any data, arguments or comments received from those recipients:*

a. Notice

**On December 1, 2022, the Board of Supervisors directed staff to initiate the process of updating the rates and fees for the Landfill.**

**In order to meet the requirements of NRS 237.080, on December 29, 2022, direct mailings were sent to the Nevada Builders Alliance; the Chambers of Commerce for Carson City, Douglas County, Virginia City, North Lake Tahoe, Reno-Sparks, Dayton Area, Fernley, Yerington, Churchill County, Fallon, El Dorado County, South Lake Tahoe and Lassen County; Waste**

Management, Inc.; the Associated General Contractors of Nevada; and 27 businesses that are significant landfill account users. The mailers explained the proposed changes to the Landfill's rates and fees and included a draft of the proposed ordinance revising the Landfill's rates and fees. It was requested that any data or arguments as to whether the proposed ordinance will impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business be provided to Carson City by January 23, 2023.

A copy of this Business Impact Statement, along with the appeal petition form, is available at the Carson City Public Works Department, 3505 Butti Way, Carson City, Nevada, 89701. A copy of the appeal petition form can also be obtained at the Carson City Clerk/Recorder's office.

*b. Summary of comments*

In response to the notice and solicitation for comment sent December 29, 2022, Carson City received five comments: one from Douglas Disposal & Recycling Services, one from South Tahoe Refuse & Recycling Services, one from TrashCo, one from Olcese Waste Services, and one from Empire Waste Systems. Douglas Disposal & Recycling Services and South Tahoe Refuse & Recycling Services both submitted the same comment. Both companies stated that the increases would have significant financial impacts to their operations and would be passed through to their customers in the form of a substantial rate increase, or alternatively, to avoid paying the higher disposal fees they would likely redirect some or all of their disposal material from the Carson City landfill to a less expensive landfill. Trashco also responded, stating that they understood that an increase is due however the proposed increase will create a significant impact by doubling operating costs and increasing illegal dumping. Both Olcese Waste Services and Empire Waste Systems commented that the proposed in-county rates were fair, however the proposed out-of-county rate increases are too strong and drastic and would prefer to see a lower increase for out-of-county users.

2. *The estimated economic effect of the proposed ordinance or rule on businesses, including both adverse and beneficial effects, and both direct and indirect effects:*

*a. Adverse effects:*

The higher rates and fees will increase the operating expenses of most businesses that rely on the Carson City landfill to dispose of solid waste. That will be particularly true for out-of-county businesses, which will be subject to a more significant rate increase as compared to in-county businesses. Carson City businesses using the services of Waste

**Management, Inc. for solid waste disposal will not be adversely impacted by the proposed rate and fee increases because the proposed ordinance will not impact the fees Waste Management, Inc. pays to use the landfill.**

*b. Beneficial effects:*

**Updating the Carson City landfill's rates and fees will ensure reliability of the current and future landfill operations by covering increased costs associated with the burden of environmental compliance, needed capital improvements and future capacity needs, while still allowing landfill operations to support of the general fund.**

*c. Direct effects:*

**If approved, the Carson City landfill users will be required to pay increased fees and rates, with out-of-county users facing steeper increases as compared to in-county users. Revenue from the landfill will increase as a result, and those additional funds will be available for the uses described above.**

*d. Indirect effects:*

**By increasing rates and fees, some users of the Carson City landfill may choose to go elsewhere for their solid waste disposal needs. Although that may decrease the pool of landfill users, that is not anticipated to result in decreased revenue, as losses resulting from a smaller user pool are expected to be easily offset by the increased rates and fees. In addition, a smaller user pool is likely to extend the life expectancy of the landfill.**

*3. The methods considered by the Carson City Board of Supervisors to reduce the impact of the proposed ordinance or action on businesses and whether any of those methods were used:*

**At this time, no other alternatives have been considered by the Carson City Board of Supervisors as there are no viable options to reduce service to overcome additional operational and capital costs.**

*4. Estimate of the annual cost to Carson City for enforcement of the proposed ordinance or action:*

**There will be no additional cost to Carson City for enforcement of the proposed ordinance.**

*5. The total annual amount of money expected to be collected as a result of the new fee or increase in fee proposed by the ordinance or action, and the manner in which the money will be used:*

**The ordinance is expected to generate an additional \$1,000,000 per year as a result of the new rates and fees proposed by the.**

6. *The proposed ordinance or action [ ] DOES [ X ] DOES NOT include any provisions which duplicate or are more stringent than Federal, State or local standards regulating the same activity.*

7. *The reasons for the conclusions regarding the impact of the proposed ordinance or action:*

**The proposed ordinance will only impact business that directly utilize the Carson City landfill; it will not impact businesses using solid waste collections service through Waste Management, Inc. Carson City businesses that directly use the landfill will experience a small impact but are unlikely to utilize a different facility as the in-county landfill rates will remain lower than surrounding solid waste disposal facilities. Out-of-county businesses directly using the landfill will experience greater impacts that may cause them to utilize other solid waste disposal facilities. Overall, in-county business impacts are expected to be minimal, while there will be a larger effect on out-of-county users of the Carson City landfill.**

8. *Based on the information considered, it has been determined that this proposed ordinance or rule:*

[ ] DOES [ X ] DOES NOT impose a direct and significant economic burden upon a business.

[ ] DOES [ X ] DOES NOT directly restrict the formation, operation or expansion of a business.

**Pursuant to NRS 237.090(3), this Business Impact Statement was prepared and made available for public inspection by Carson City Public Works at the time the agenda notice on which the proposed ordinance or rule described in this statement is included was posted.**

**Pursuant to NRS 237.090(2), I, Nancy Paulson, the City Manager of Carson City, hereby certify that to the best of my knowledge and belief the information contained herein was properly prepared and is accurate.**

Nancy Paulson  
Signature

1/25/23  
Date

Nancy Paulson  
Printed Name



# CARSON CITY NEVADA

## Consolidated Municipality and State Capital

## PUBLIC WORKS

December 29, 2022

**Via U.S. Mail, Certified**

[ADDRESSEE NAME]

[ADDRESS]

[CITY, STATE, ZIP]

Re: Proposed ordinance amending Section 12.12.047 (LANDFILL RATES AND FEES) of the Carson City Municipal Code to revise rates and fees for use of the Carson City sanitary landfill.

Dear [ADDRESSEE]:

Enclosed for your review is a copy of a proposed ordinance revising the rate and fee structure established in Section 12.12.047 of the Carson City Municipal Code ("CCMC") for use of the Carson City sanitary landfill ("Landfill"). Please note, the proposed ordinance may be further revised before being presented to the Carson City Board of Supervisors ("Board").

Changes to the Landfill's rate and fee structure are being proposed to (1) raise needed funds for the Landfill's operational requirements, capital improvements, and future expansion to address diminishing capacity; and (2) address the significant discrepancy between the Landfill's current rates and those charged by surrounding solid waste disposal sites.

Under NRS 237.080, Carson City must make a concerted effort to determine whether any proposed ordinance or fee change will (1) impose a direct and significant economic burden upon a business, or (2) directly restrict the formation, operation, or expansion of a business. Please review the proposed ordinance and submit to the City any comments, data or arguments you may have on those two issues.

Any such comments, data or arguments received by the City on or before January 23, 2023 will be included in a business impact statement that the City's Board of Supervisors will review and consider before the proposed ordinance can be adopted. Any comments, data or arguments should be provided in written format and sent to:

Rick Cooley  
Via email at [rcooley@carson.org](mailto:rcooley@carson.org); or  
Via mail, courier or hand delivery at 3505 Butti Way, Carson City, NV 89701.

Should you have any questions, please call Rick Cooley at (775) 283-7302. Thank you for your attention to this matter.

Sincerely,

Rick Cooley, P.E.  
Operations Manager

Enclosures  
Proposed Ordinance

SUMMARY: an ordinance revising rates and fees for solid waste disposal.

BILL NO. \_\_\_\_

ORDINANCE No. 2023 - \_\_\_\_

AN ORDINANCE RELATING TO SOLID WASTE DISPOSAL; INCREASING RATES AND FEES FOR USE OF THE CARSON CITY SANITARY LANDFILL; AND PROVIDING OTHER MATTERS PROPERLY RELATED THERETO.

The Board of Supervisors of Carson City do ordain:

SECTION I:

That Title 12 (WATER, SEWERAGE AND DRAINAGE), Chapter 12.12 (SOLID WASTE MANAGEMENT), Section 12.12.047 (LANDFILL RATES AND FEES) is hereby amended (**bold, underlined text** is added, ~~stricken~~ text is deleted) as follows:

**12.12.047 - Landfill rates and fees. (Art. 2, § 2.220 of the Carson City Charter; NRS 244.146) [Effective through June 30, 2023]**

| Solid Waste Categories                             | In-County Fees (1,000 lbs or greater) | In-County Minimum | Out-of-County Fees (1,000 lbs or greater) | Out-of-County Fees Minimum |
|--|---------------------------------------|-------------------|---|----------------------------|
| MSW* Compacted                                     | \$24.00 ton <sup>1</sup>              | \$10.00           | \$58.00 ton                               | \$30.00                    |
| MSW* Un-Compacted                                  | \$24.00 ton                           | \$10.00           | \$58.00 ton                               | \$30.00                    |
| Class III (C&D*)                                   | \$24.00 ton                           | \$10.00           | \$36.50 ton <sup>2</sup>                  | \$30.00                    |
| Wood Waste and Green Waste                         | \$12.00 ton                           | \$6.00            | \$24.00 ton                               | \$12.00                    |
| Asbestos   | \$50.00 ton                           | \$25.00           | Not accepted                              | Not accepted               |
| Medical  | \$200.00 ton                          | \$100.00          | Not accepted                              | Not accepted               |
| Dead animals                                       | \$60.00 ton                           | \$30.00           | \$120.00 ton                              | \$60.00                    |
| Tires <36 inches diameter with or without rim      | \$3.00 each                           | \$3.00 each       | \$6.00 each                               | \$6.00 each                |
| Tires = or >36 inches diameter with or without rim | \$20.00 each                          | \$20.00 each      | \$40.00 each                              | \$40.00 each               |

|  |                    |              |                    |                    |
|--|--------------------|--------------|--------------------|--------------------|
| Tires: Grader, loader, tractor, backhoe, >36 inches diameter | \$30.00 each       | \$30.00 each | \$60.00 each       | \$60.00 each       |
| Immediate burial   | \$40.00 ton        | \$20.00      | \$90.00 ton        | \$40.00            |
| Trailer units or mobile homes =/>30 feet in length           | \$250.00 each      | \$250.00     | \$500.00 each      | \$500.00 each      |
| Loader Assistance  | \$35.00 occurrence | \$35.00      | \$70.00 occurrence | \$70.00 occurrence |

\* MSW = Municipal Solid Waste, \*C&D = Construction and Demolition

To receive Carson City residential rates, the landfill customer must show proof of residency.

To receive the Wood Waste, Green Yard Waste, or Class III (C&D) rates the loads must be comprised strictly of that material only. If the loads do not conform to this and are mixed in nature, the loads will be charged at the rate for the most expensive material. EXAMPLE: a load is predominately Class III but contains any amount of asbestos containing material, the complete load will be charged at the rate for asbestos.

<sup>1</sup> Rate shall be adjusted annually in May using the annual percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) - US City Average, Garbage and Trash Collection, as published by the Bureau of Labor Statistics, Washington D.C., commencing with the index for the twelve month period ending December 31, 2012 and each percentage change annually thereafter. In no year shall the adjustment be less than zero or more than six percent (6%). The term shall coincide with the term of the Solid Waste and Recyclable Materials Franchise Agreement, Chapter 5.10 of the Carson City Municipal Code.

<sup>2</sup> Rate shall be reduced for Class III (C&D) to the In-County Fee (1,000 lbs or greater) rate for a customer when a subscription is entered into which provides for a minimum of 1000 tons per year.

## SECTION II:

That Title 12 (WATER, SEWERAGE AND DRAINAGE), Chapter 12.12 (SOLID WASTE MANAGEMENT), Section 12.12.047 (LANDFILL RATES AND FEES) is hereby amended (**bold, underlined text** is added, ~~stricken~~ text is deleted) as follows:

### **12.12.047 - Landfill rates and fees. (Art. 2, § 2.220 of the Carson City Charter; NRS 244.146) [Effective July 1, 2023]**

**1. Except as otherwise provided in subsection 5, the City shall collect the following base fees for the disposal of solid waste at the landfill:**

| Solid Waste Categories                                       | In-County Fees (1,000 lbs or greater)                              | In-County <u>Fees</u> Minimum        | Out-of-County Fees (1,000 lbs or greater)                          | Out-of-County Fees Minimum      |
|--|--|--------------------------------------|--|---------------------------------|
| MSW* Compacted   | [\$24.00] <u><b>\$30.00</b></u><br><u>per ton</u> [ <sup>1</sup> ] | \$10.00                              | [\$58.00] <u><b>\$74.00</b></u><br><u>per ton</u>                  | [\$30.00] <u><b>\$42.00</b></u> |
| MSW* Un-Compacted  | [\$24.00] <u><b>\$30.00</b></u><br><u>per ton</u>                  | \$10.00                              | [\$58.00] <u><b>\$74.00</b></u><br><u>per ton</u>                  | [\$30.00] <u><b>\$42.00</b></u> |
| Class III (C&D**)  | [\$24.00] <u><b>\$30.00</b></u><br><u>per ton</u>                  | \$10.00                              | [\$36.50] <u><b>\$74.00</b></u><br><u>per ton</u> [ <sup>2</sup> ] | [\$30.00] <u><b>\$42.00</b></u> |
| Wood Waste and Green Waste                                   | [\$12.00] <u><b>\$16.00</b></u><br><u>per ton</u>                  | [\$6.00] <u><b>\$8.00</b></u>        | [\$24.00] <u><b>\$74.00</b></u><br><u>per ton</u>                  | [\$12.00] <u><b>\$42.00</b></u> |
| Asbestos   | [\$50.00] <u><b>\$63.00</b></u><br><u>per ton</u>                  | [\$25.00] <u><b>\$31.50</b></u>      | Not accepted   | Not accepted                    |
| Medical  | [\$200.00]<br><u><b>\$253.00 per ton</b></u>                       | [\$100.00]<br><u><b>\$126.50</b></u> | Not accepted   | Not accepted                    |
| Dead [animals] Animals                                       | [\$60.00] <u><b>\$76.00</b></u><br><u>per ton</u>                  | [\$30.00] <u><b>\$38.00</b></u>      | [\$120.00]<br><u><b>\$152.00 per ton</b></u>                       | [\$60.00] <u><b>\$76.00</b></u> |
| [Tires <36 inches diameter with or without rim]              | \$3.00 each  | \$3.00 each                          | \$6.00 each  | \$6.00 each                     |
| Tires = or >36 inches diameter with or without rim           | \$20.00 each   | \$20.00 each                         | \$40.00 each   | \$40.00 each                    |
| Tires: Grader, loader, tractor, backhoe, >36 inches diameter | \$30.00 each   | \$30.00 each                         | \$60.00 each   | \$60.00 each                    |
| Immediate burial   | \$40.00 ton  | \$20.00                              | \$90.00 ton  | \$40.00                         |
| Trailer units or mobile homes =>30 feet in length            | \$250.00 each  | \$250.00                             | \$500.00 each  | \$500.00 each                   |
| Loader Assistance  | \$35.00 occurrence   | \$35.00                              | \$70.00 occurrence   | \$70.00 occurrence]             |

\* MSW = Municipal Solid Waste[<sub>7</sub>]

\*\* C&D = Construction and Demolition

2. Except as otherwise provided in subsection 5, in addition to the base fees set forth in subsection 1, the City shall collect the following supplemental charges, if applicable:

| Solid Waste Categories | In-County Fees | In-County Fees Minimum | Out-of-County Fees | Out-of-County Fees Minimum |
|------------------------|----------------|------------------------|--------------------|----------------------------|
|------------------------|----------------|------------------------|--------------------|----------------------------|

|  |                               |                               |                               |                               |
|--|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| <u>Appliances with Refrigerant</u>   | <u>\$25.00 each</u>           | <u>\$25.00 each</u>           | <u>\$50.00 each</u>           | <u>\$50.00 each</u>           |
| <u>Tires: &lt;36" diameter with or without rim</u>                                       | <u>\$7.00 each</u>            | <u>\$7.00 each</u>            | <u>\$14.00 each</u>           | <u>\$14.00 each</u>           |
| <u>Tires: = or &gt;36" diameter with or without rim</u>                                  | <u>\$20.00 each</u>           | <u>\$20.00 each</u>           | <u>\$40.00 each</u>           | <u>\$40.00 each</u>           |
| <u>Tires: equipment, including, without limitation, grader, loader, tractor, backhoe</u> | <u>\$30.00 each</u>           | <u>\$30.00 each</u>           | <u>\$60.00 each</u>           | <u>\$60.00 each</u>           |
| <u>Immediate Burial</u>  | <u>\$50.00 per ton</u>        | <u>\$25.00</u>                | <u>\$100.00 per ton</u>       | <u>\$100.00</u>               |
| <u>Trailer Units or Mobile Homes</u>   | <u>\$315.00 each</u>          | <u>\$315.00 each</u>          | <u>\$630.00 each</u>          | <u>\$630.00 each</u>          |
| <u>Loader Assistance</u>   | <u>\$45.00 per occurrence</u> | <u>\$45.00 per occurrence</u> | <u>\$90.00 per occurrence</u> | <u>\$90.00 per occurrence</u> |

[To receive Carson City residential rates, the landfill customer must show proof of residency.]  
 [To receive the Wood Waste, Green Yard Waste, or Class III (C&D) rates the loads must be comprised strictly of that material only. If the loads do not conform to this and are mixed in nature, the loads will be charged at the rate for the most expensive material. EXAMPLE: a load is predominately Class III but contains any amount of asbestos containing material, the complete load will be charged at the rate for asbestos.]

[<sup>1</sup>Rate shall be adjusted annually in May using the annual percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) – US City Average, Garbage and Trash Collection, as published by the Bureau of Labor Statistics, Washington D.C., commencing with the index for the twelve month period ending December 31, 2012 and each percentage change annually thereafter. In no year shall the adjustment be less than zero or more than six percent (6%). The term shall coincide with the term of the Solid Waste and Recyclable Materials Franchise Agreement, Chapter 5.10 of the Carson City Municipal Code.]

[<sup>2</sup>Rate shall be reduced for Class III (C&D) to the In County Fee (1,000 lbs or greater) rate for a customer when a subscription is entered into which provides for a minimum of 1000 tons per year.]

**3. A person who disposes of solid waste at the landfill must provide proof of residency in Carson City to be eligible for in-county fees set forth in this section.**

**4. For any load of waste that is:**

**(a) Comprised entirely of a single waste category described in subsection 1, the corresponding base charge applies.**

**(b) Comprised of two or more waste categories described in subsection 1, the highest corresponding base charge applies.**

**5. The base fees set forth in subsection 1 and the supplemental charges set forth in subsection 2 do not apply to:**

**(a) Any contract that is approved by the Board of Supervisors, including, without limitation, an interlocal contract entered into in accordance with NRS 277.180, that establishes different fees or charges.**

**(b) Solid waste disposed of by the franchisee of the exclusive franchise agreement adopted pursuant to CCMC 5.10.010, from whom the City shall collect the following fees and charges for the disposal of solid waste at the landfill:**

| <b><u>Solid Waste Categories</u></b>  | <b><u>Franchisee Fees (1,000 lbs or greater)</u></b> | <b><u>Franchisee Minimum</u></b> |
|---|--|----------------------------------|
| <b><u>MSW Compacted</u></b>   | <b><u>\$24.00 per ton</u></b>                        | <b><u>\$10.00</u></b>            |
| <b><u>MSW Un-Compacted</u></b>  | <b><u>\$24.00 per ton</u></b>                        | <b><u>\$10.00</u></b>            |
| <b><u>Class III (C&amp;D)</u></b>   | <b><u>\$24.00 per ton</u></b>                        | <b><u>\$10.00</u></b>            |
| <b><u>Wood Waste and Green Waste</u></b>  | <b><u>\$12.00 per ton</u></b>                        | <b><u>\$6.00</u></b>             |
| <b><u>Asbestos</u></b>  | <b><u>\$50.00 per ton</u></b>                        | <b><u>\$25.00</u></b>            |
| <b><u>Medical</u></b>   | <b><u>\$200.00 per ton</u></b>                       | <b><u>\$100.00</u></b>           |
| <b><u>Dead Animals</u></b>  | <b><u>\$60.00 per ton</u></b>                        | <b><u>\$30.00</u></b>            |
| <b><u>Tires: &lt;36" diameter with or without rim</u></b>                                       | <b><u>\$3.00 each</u></b>                            | <b><u>\$3.00 each</u></b>        |
| <b><u>Tires: = or &gt;36" diameter with or without rim</u></b>                                  | <b><u>\$20.00 each</u></b>                           | <b><u>\$20.00 each</u></b>       |
| <b><u>Tires: equipment, including, without limitation, grader, loader, tractor, backhoe</u></b> | <b><u>\$30.00 each</u></b>                           | <b><u>\$30.00 each</u></b>       |
| <b><u>Immediate Burial</u></b>  | <b><u>\$40.00 ton</u></b>                            | <b><u>\$20.00</u></b>            |
| <b><u>Trailer Units or Mobile Homes</u></b>   | <b><u>\$250.00 each</u></b>                          | <b><u>\$250.00</u></b>           |
| <b><u>Loader Assistance</u></b>   | <b><u>\$35.00 occurrence</u></b>                     | <b><u>\$35.00</u></b>            |

**SECTION III:**

That no other provisions of the Carson City Municipal Code are affected by this ordinance.

PROPOSED on \_\_\_\_\_, 2023.

PROPOSED by Supervisor \_\_\_\_\_.

PASSED on \_\_\_\_\_, 2023.

VOTE: AYES: SUPERVISORS: \_\_\_\_\_

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NAYS:      SUPERVISORS: \_\_\_\_\_

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Lori Bagwell  
Mayor

ATTEST:

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William Scott Hoen  
Carson City Clerk-Recorder

This ordinance shall be in force and effect from the \_\_\_\_\_ day of the month of \_\_\_\_\_ of the year 2023.



## Douglas Disposal & Recycling Services

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2140 Ruth Avenue • South Lake Tahoe • California • 96150 • phone: (775) 782-5713 • fax: (775) 782-5778

January 19, 2023

Carson City Public Works  
Attn: Mr. Rick Cooley, P.E.; Operations Manager  
3505 Butti Way  
Carson City, NV 89701

**Via email at [rcooley@carson.org](mailto:rcooley@carson.org)**

Re: Proposed ordinance amending Section 12.12.047 (LANDFIL RATES AND FEES) of the Carson City Municipal Code to revise rates and fees for use of the Carson City sanitary landfill.

Dear Mr. Cooley,

Thank you for your letter dated December 29, 2022, regarding the aforementioned proposed ordinance.

We are providing the following comments and data to facilitate your efforts to determine, under NRS 237.080, whether any proposed ordinance or fee change will (1) impose a direct and significant economic burden upon a business, or (2) directly restrict the formation, operation, or expansion of a business.

It is my belief that the following analysis will provide sufficient evidence that the impact to both Douglas Disposal Inc. (DDI) and our customers will meet both conditions of NRS 237.080.

The following analysis calculates the impact of increasing our current MSW Compacted, MSW Uncompacted and Class III (C&D) tip fees to either of the proposed rates of \$30.00 per ton or \$74.00 per ton.

Disposal expense is a major operational cost for our business. If Carson City raises the tip fee to \$30.00 per ton, DDI's disposal expense will increase approximately 19%. If Carson City raises the tip fee to \$74.00 per ton, DDI's disposal expense will increase by approximately 194%.

Both increases would have significant financial impacts to our operations and would be passed through to our customers in the form of a substantial rate increase, or alternatively, to avoid

paying these higher disposal fees, DDI would likely redirect some or all of its disposal material from the Carson City Landfill to a less expensive landfill.

Thank you for the opportunity to provide comments on the proposed ordinance revision. If you have any questions, please call me at (530) 542-8300.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffery R. Tillman".

Jeffery R. Tillman  
President



## South Tahoe Refuse & Recycling Services

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2140 Ruth Avenue • South Lake Tahoe • California • 96150 • phone: (530) 541-5105 • fax: (530) 544-2608

January 19, 2023

Carson City Public Works  
Attn: Mr. Rick Cooley, P.E.; Operations Manager  
3505 Butti Way  
Carson City, NV 89701

**Via email at [rcooley@carson.org](mailto:rcooley@carson.org)**

Re: Proposed ordinance amending Section 12.12.047 (LANDFIL RATES AND FEES) of the Carson City Municipal Code to revise rates and fees for use of the Carson City sanitary landfill.

Dear Mr. Cooley,

Thank you for your letter dated December 29, 2022, regarding the aforementioned proposed ordinance.

We are providing the following comments and data to facilitate your efforts to determine, under NRS 237.080, whether any proposed ordinance or fee change will (1) impose a direct and significant economic burden upon a business, or (2) directly restrict the formation, operation, or expansion of a business.

It is my belief that the following analysis will provide sufficient evidence that the impact to both South Tahoe Refuse (STR) and our customers will meet both conditions of NRS 237.080.

The following analysis calculates the impact of increasing our current MSW Compacted, MSW Uncompacted and Class III (C&D) tip fees to either of the proposed rates of \$30.00 per ton or \$74.00 per ton.

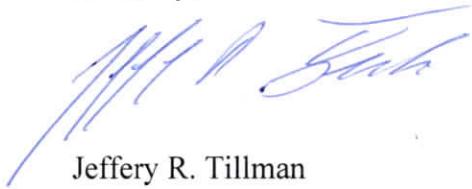
Disposal expense is a major operational cost for our business. If Carson City raises the tip fee to \$30.00 per ton, STR's disposal expense will increase approximately 19%. If Carson City raises the tip fee to \$74.00 per ton, STR's disposal expense will increase by approximately 194%.

Both increases would have significant financial impacts to our operations and would be passed through to our customers in the form of a substantial rate increase, or alternatively, to avoid

paying these higher disposal fees, STR would likely redirect some or all of its disposal material from the Carson City Landfill to a less expensive landfill.

Thank you for the opportunity to provide comments on the proposed ordinance revision. If you have any questions, please call me at (530) 542-8300.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffery R. Tillman".

Jeffery R. Tillman  
President

**From:** [trashconv@aol.com](mailto:trashconv@aol.com)  
**To:** [Rick Cooley](mailto:Rick.Cooley@trashco.com)  
**Subject:** Trashco rates  
**Date:** Friday, January 20, 2023 2:10:57 PM

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**This message originated outside of Carson City's email system. Use caution if this message contains attachments, links, or requests for information.**

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It is understood that an increase is due. The proposed increase is going to create a significant economic impact on the entire customer base. Doubling operating costs are going to put some out of work. The illegal dumping may significantly increase in the desert. The dishonest will claim every load comes from Carson as they come across the scale. Those of us that bring loads in from Reno will no longer find it cost effective to come to your Landfill.

Some of the larger projects start planning and bidding a year in advance. To double thier expenses simply does not work.

Let's look at the heavy load customers such as end dumps. Currently if they bring in 20 tons at \$36.50, for \$730. At the proposed rate, \$1480, you just put them out of business.

Again, I understand the need for an increase, but it should be one that is realistic to the customer base. It seems that the Landfill revenue should be for Landfill expenses and not for capital improvements.

Lockwood Landfill does yearly increases at 3 to 5% to accommodate operating expense increases.

Your letter states that you need to keep up with other local disposal facilities. The current rate does that for most of us going to Lockwood. I hope that you are not using Douglas as a comparison as thier rates have always been out of line.

[Sent from the all new AOL app for Android](#)



January 23, 2023

**To: Ms. Lori Bagwell, Mayor  
Carson City Board of Supervisors**

**Re: Carson City Landfill proposed price increases**

Dear Mayor and Board of Supervisors:

Our Company Empire Waste Systems/Empire Contractors Inc. has a 20+ year long history with the City of Carson and the Carson City Landfill and we utilize the landfill on a daily basis. As one of the top disposal companies in Northern Nevada we understand that you are proposing a rate increase to expand and cover the costs of operating the landfill, which we don't disagree with. However, we do disagree as to the extent of the proposed increase.

The proposed increase for in-county rates is fair. The proposed increase for out of county is so drastic, that the landfill will be losing commercial revenues. If the goal of the City is to divert waste away from the landfill, the proposed rates will definitely discourage haulers like Empire from utilizing Carson City Landfill. If the goal is to pay for the future of the landfill, and maintain current business volume, then the rates proposed for out-of-county are too drastic.

If you double the price, but half as much volume comes into the landfill, then you are where you started. A less drastic increase would be more palatable to our business and our customers. Perhaps a lesser fee for a trial year with a re-evaluation of its financial impact and ability to finance the future expansion would be more prudent.

Please consider my input as a long time and frequent user of Carson City Landfill.

Sincerely,

*Matt Rager*

Matt Rager  
President, Empire Contractors Inc./Empire Waste Systems

Cc: Rick Cooley – rcooley@carson.org

# Olcese

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## WASTE SERVICES

January 1, 2023

**Via Email**

Carson City Landfill  
Rick Cooley, P.E.  
3505 Butti Way  
Carson City, NV 89701  
[RCooley@Carson.org](mailto:RCooley@Carson.org)

RE: Proposed ordinance amending Section 12.12.047 (LANDFILL RATES AND FEES) of the Carson City Municipal Code to revise rates and fees for use of the Carson City sanitary landfill.

Dear Mr. Cooley,

Olcese Waste Services appreciates the City of Carson reaching out to us regarding the proposed rate increases at the City landfill.

The proposed in County rate of \$30.00/ton across the board we feel is inline and we support it, including the proposed minimum.

The asbestos, medical, and dead animals (trailer mobile homes) proposed fees are inline and we support the rate increase.

The proposed rates for the minimum out of County are also inline at \$40.00/ton across the board.

The \$74.00/ton for out of County is strong. We feel will lead to more desert dumping/illegal dumping in the area. We would be more comfortable and feel that it would be inline at \$65.00/ton for out of County MSW and \$41.00/ton for out of County for C&D waste.

Also, and this is off topic with rates, would it be possible to purchase a magnet to be used at the landfill to pick-up the nails, screws, etc. that are on the roads and working faces of the landfill? We are always fixing flat tires from trucks that use the landfill.

If you have any questions, please contact me at (775) 882-1647 ext. 101.

Sincerely,

  
Tilio Olcese  
President