

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
AMENDING SECTIONS 8.04.640, “COMMERCIAL  
RECYCLING RATES AND CHARGES, AND  
8.04.800, “COMMERCIAL GREEN OR ORGANIC  
WASTE RATES AND CHARGES AND ADDING  
ARTICLE V, “COMMERCIAL WASTE  
GENERATORS,” TO CHAPTER 8.04, “GARBAGE  
AND RUBBISH” OF THE MERCED MUNICIPAL  
CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN  
AS FOLLOWS:**

**SECTION 1. AMENDMENT TO CODE.** Section 8.04.640, “Commercial Recycling Rates and Charges,” of the Merced Municipal Code is hereby amended to read as follows:

**“8.04.640 Commercial Recycling Rates and Charges.**

Unless exempt pursuant to Section 8.04.425, the fees and charges for collection of recyclable material for each business are established as follows:

**Commercial Recycling Collection Rates Effective July 1, 2020**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$69.47	\$123.00	\$170.56	\$224.08	\$277.60	\$331.11	\$384.64
1 YD	\$83.86	\$149.67	\$215.47	\$281.27	\$347.07	\$412.85	\$478.68
1.5 YD	\$90.50	\$162.90	\$235.32	\$307.73	\$380.13	\$452.53	\$504.84
2 YD	\$106.39	\$194.72	\$283.05	\$371.40	\$459.69	\$548.02	\$636.35

3 YD	\$115.84	\$213.63	\$311.40	\$409.20	\$506.95	\$604.73	\$702.54
4 YD	\$125.30	\$232.53	\$339.76	\$447.00	\$554.23	\$661.46	\$768.69
6 YD	\$144.20	\$270.36	\$396.46	\$522.64	\$648.73	\$774.88	\$901.00
8 YD	\$163.12	\$308.15	\$448.80	\$598.24	\$743.28	\$888.31	\$1,033.37

**Commercial Recycling Collection Rates Effective July 1, 2021**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$76.41	\$135.29	\$187.61	\$246.49	\$305.36	\$364.22	\$423.10
1 YD	\$92.24	\$164.64	\$237.02	\$309.40	\$381.77	\$454.14	\$526.55
1.5 YD	\$99.55	\$179.19	\$258.85	\$338.50	\$418.14	\$497.78	\$555.33
2 YD	\$117.03	\$214.19	\$311.36	\$408.53	\$505.65	\$602.82	\$699.98
3 YD	\$127.42	\$235.00	\$342.54	\$450.11	\$557.64	\$665.20	\$772.79
4 YD	\$137.83	\$255.79	\$373.74	\$491.69	\$609.65	\$727.60	\$845.56
6 YD	\$158.62	\$297.40	\$436.11	\$574.90	\$713.60	\$852.37	\$991.10
8 YD	\$179.43	\$338.96	\$493.68	\$658.06	\$817.61	\$977.14	\$1,136.70

**Commercial Recycling Collection Rates Effective July 1, 2022**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$84.06	\$148.82	\$206.37	\$271.14	\$335.89	\$400.64	\$465.41
1 YD	\$101.47	\$181.10	\$260.72	\$340.34	\$419.95	\$499.55	\$579.20
1.5 YD	\$109.51	\$197.11	\$284.73	\$372.35	\$459.96	\$547.56	\$610.86

2 YD	\$128.73	\$235.61	\$342.49	\$449.39	\$556.22	\$663.10	\$769.98
3 YD	\$140.17	\$258.50	\$376.80	\$495.13	\$613.41	\$731.72	\$850.07
4 YD	\$151.62	\$281.37	\$411.12	\$540.86	\$670.61	\$800.36	\$930.11
6 YD	\$174.49	\$327.14	\$479.72	\$632.39	\$784.96	\$937.61	\$1,090.21
8 YD	\$197.37	\$372.86	\$543.05	\$723.86	\$899.37	\$1,074.86	\$1,250.37

**Commercial Recycling Collection Rates Effective July 1, 2023**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$92.46	\$163.71	\$227.01	\$298.25	\$369.48	\$440.71	\$511.95
1 YD	\$111.62	\$199.21	\$286.79	\$374.37	\$461.95	\$549.51	\$637.12
1.5 YD	\$120.46	\$216.82	\$313.20	\$409.59	\$505.95	\$602.32	\$671.95
2 YD	\$141.61	\$259.17	\$376.74	\$494.33	\$611.84	\$729.41	\$846.98
3 YD	\$154.18	\$284.35	\$414.47	\$544.64	\$674.75	\$804.89	\$935.08
4 YD	\$166.78	\$309.50	\$452.23	\$594.95	\$737.67	\$880.40	\$1,023.12
6 YD	\$191.93	\$359.85	\$527.69	\$695.63	\$863.45	\$1,031.37	\$1,199.23
8 YD	\$217.11	\$410.14	\$597.36	\$796.25	\$989.31	\$1,182.34	\$1,375.41

**Commercial Recycling Collection Rates Effective July 1, 2024**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$92.46	\$163.71	\$227.01	\$298.25	\$369.48	\$440.71	\$511.95
1 YD	\$111.62	\$199.21	\$286.79	\$374.37	\$461.95	\$549.51	\$637.12

1.5 YD	\$120.46	\$216.82	\$313.20	\$409.59	\$505.95	\$602.32	\$671.95
2 YD	\$141.61	\$259.17	\$376.74	\$494.33	\$611.84	\$729.41	\$846.98
3 YD	\$154.18	\$284.35	\$414.47	\$544.64	\$674.75	\$804.89	\$935.08
4 YD	\$166.78	\$309.50	\$452.23	\$594.95	\$737.67	\$880.40	\$1,023.12
6 YD	\$191.93	\$359.85	\$527.69	\$695.63	\$863.45	\$1,031.37	\$1,199.23
8 YD	\$217.11	\$410.14	\$597.36	\$796.25	\$989.31	\$1,182.34	\$1,375.41

**Temporary Construction Recycle Rates**  
(Service < 90 Days, includes Delivery & Removal)

Effective Date:	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023	July 1, 2024
1 YD	\$262.86	\$289.14	\$318.06	\$349.86	\$349.86
1.5 YD	\$269.50	\$296.45	\$326.10	\$358.71	\$358.71
2 YD	\$285.39	\$313.93	\$345.32	\$379.85	\$379.85
3 YD	\$294.84	\$324.32	\$356.76	\$392.43	\$392.43
4 YD	\$304.30	\$334.73	\$368.21	\$405.03	\$405.03
6 YD	\$323.20	\$355.52	\$391.08	\$430.18	\$430.18
8 YD	\$342.12	\$376.33	\$413.96	\$455.36	\$455.36

Effective Date:	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023	July 1, 2024
Commercial Recycling Contamination Fee - plus \$1 per cubic yard per occurrence	\$54.54	\$59.99	\$65.99	\$72.59	\$72.59"

**SECTION 2. AMENDMENT TO CODE.** Section 8.04.800, “Commercial Green or Organic Rates and Charges,” of the Merced Municipal Code is hereby amended to read as follows:

**“8.04.800 Commercial Green or Organic Waste Rates and Charges.**

Unless exempt pursuant to Section 8.04.720, the fees and charges for collection of green or organic waste material for each business are established as follows:

**Green or Organics Collection Rates Effective July 1, 2020**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
64 Gallon	\$53.74	\$97.48	\$141.22	\$184.96	\$228.70	\$272.44	\$316.18
300 Gallon	\$84.33	\$151.24	\$210.69	\$277.60	\$344.50	\$411.39	\$478.30
1 YD	\$102.32	\$184.59	\$266.84	\$349.09	\$431.34	\$513.57	\$595.85
1.5 YD	\$110.63	\$201.13	\$291.64	\$382.16	\$472.66	\$563.16	\$628.55
2 YD	\$130.49	\$240.90	\$351.31	\$461.74	\$572.11	\$682.52	\$792.93
3 YD	\$142.30	\$264.54	\$386.75	\$508.99	\$631.19	\$753.41	\$875.67
4 YD	\$154.13	\$288.17	\$422.21	\$556.24	\$690.28	\$824.32	\$958.36
6 YD	\$177.75	\$335.45	\$493.08	\$650.79	\$808.41	\$966.10	\$1,123.75
8 YD	\$201.40	\$382.68	\$483.39	\$745.29	\$926.60	\$1,107.89	\$1,289.21

**Green or Organics Collection Rates Effective July 1, 2021**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7

64 Gallon	\$59.11	\$107.23	\$155.34	\$203.46	\$251.57	\$299.68	\$347.80
300 Gallon	\$92.77	\$166.37	\$231.76	\$305.36	\$378.95	\$452.53	\$526.13
1 YD	\$112.56	\$203.05	\$293.52	\$383.99	\$474.47	\$564.92	\$655.43
1.5 YD	\$121.69	\$221.24	\$320.81	\$420.38	\$519.93	\$619.48	\$691.41
2 YD	\$143.54	\$264.99	\$386.45	\$507.92	\$629.32	\$750.77	\$872.23
3 YD	\$156.53	\$291.00	\$425.43	\$559.89	\$694.30	\$828.75	\$963.24
4 YD	\$169.54	\$316.98	\$464.43	\$611.87	\$759.31	\$906.75	\$1,054.19
6 YD	\$195.53	\$369.00	\$542.39	\$715.87	\$889.25	\$1,062.71	\$1,236.13
8 YD	\$221.54	\$420.95	\$531.73	\$819.82	\$1,019.26	\$1,218.68	\$1,418.13

**Green or Organics Collection Rates Effective July 1, 2022**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
64 Gallon	\$65.03	\$117.95	\$170.88	\$223.80	\$276.73	\$329.65	\$382.58
300 Gallon	\$102.04	\$183.00	\$254.94	\$335.90	\$416.84	\$497.78	\$578.74
1 YD	\$123.81	\$223.35	\$322.87	\$422.39	\$521.92	\$621.42	\$720.98
1.5 YD	\$133.86	\$243.36	\$352.89	\$462.42	\$571.92	\$681.43	\$760.55
2 YD	\$157.89	\$291.49	\$425.09	\$558.71	\$692.25	\$825.85	\$959.45
3 YD	\$172.18	\$320.10	\$467.97	\$615.88	\$763.73	\$911.63	\$1,059.56
4 YD	\$186.50	\$348.68	\$510.87	\$673.05	\$835.24	\$997.43	\$1,159.61
6 YD	\$215.08	\$405.90	\$596.63	\$787.46	\$978.17	\$1,168.99	\$1,359.74
8 YD	\$243.69	\$463.05	\$584.91	\$901.81	\$1,121.19	\$1,340.54	\$1,559.94

**Green or Organics Collection Rates Effective July 1, 2023**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
64 Gallon	\$71.53	\$129.75	\$187.96	\$246.18	\$304.40	\$362.62	\$420.84
300 Gallon	\$112.25	\$201.31	\$280.43	\$369.49	\$458.52	\$547.56	\$636.61
1 YD	\$136.19	\$245.69	\$355.16	\$464.63	\$574.11	\$683.56	\$793.08
1.5 YD	\$147.24	\$267.70	\$388.18	\$508.66	\$629.11	\$749.57	\$836.60
2 YD	\$173.68	\$320.64	\$467.60	\$614.58	\$761.47	\$908.43	\$1,055.39
3 YD	\$189.40	\$352.11	\$514.77	\$677.47	\$840.11	\$1,002.79	\$1,165.52
4 YD	\$205.15	\$383.55	\$561.96	\$740.36	\$918.77	\$1,097.17	\$1,275.57
6 YD	\$236.59	\$446.49	\$656.29	\$866.21	\$1,075.99	\$1,285.88	\$1,495.71
8 YD	\$268.06	\$509.35	\$643.40	\$991.99	\$1,233.30	\$1,474.60	\$1,715.94

**Green or Organics Collection Rates Effective July 1, 2024**

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
64 Gallon	\$71.53	\$129.75	\$187.96	\$246.18	\$304.40	\$362.62	\$420.84
300 Gallon	\$112.25	\$201.31	\$280.43	\$369.49	\$458.52	\$547.56	\$636.61
1 YD	\$136.19	\$245.69	\$355.16	\$464.63	\$574.11	\$683.56	\$793.08
1.5 YD	\$147.24	\$267.70	\$388.18	\$508.66	\$629.11	\$749.57	\$836.60
2 YD	\$173.68	\$320.64	\$467.60	\$614.58	\$761.47	\$908.43	\$1,055.39
3 YD	\$189.40	\$352.11	\$514.77	\$677.47	\$840.11	\$1,002.79	\$1,165.52

4 YD	\$205.15	\$383.55	\$561.96	\$740.36	\$918.77	\$1,097.17	\$1,275.57
6 YD	\$236.59	\$446.49	\$656.29	\$866.21	\$1,075.99	\$1,285.88	\$1,495.71
8 YD	\$268.06	\$509.35	\$643.40	\$991.99	\$1,233.30	\$1,474.60	\$1,715.94

**SECTION 3. ADDITION TO CODE.** Article V, “Commercial Waste Generators,” is hereby added to the Merced Municipal Code to read as follows:

**ARTICLE V.  
COMMERCIAL WASTE GENERATORS**

**Sections:**

- 8.04.900 Purpose.**
- 8.04.910 Rules.**
- 8.04.920 Enforcement.**

**8.04.900 Purpose.**

The purpose of this Chapter is to establish requirements for the collection and recycling of recyclable materials and collection and organics processing of organic materials generated from commercial facilities, multifamily dwellings, and special events.

**8.04.910 Rules.**

Each commercial waste generator shall be responsible for ensuring and demonstrating its compliance with the requirements of this Chapter and California State regulations as it pertains to general waste, recycling, and organic recycling, including food waste diversion and/or use of a food recovery program. Each generator shall:

- A. Subscribe to an adequate level of service for recyclable materials and, when applicable, organic materials generated at the commercial facility, multifamily dwelling, or special event if the solid waste customer does not self haul those recyclable materials or



organic materials to a recycling or organics processing facility.

B. Ensure the segregation of recyclable materials and, for commercial or food service establishments, organic materials from garbage by placing each type of material in a separate designated receptacle or container, and ensure that employees, contractors, volunteers, customers, visitors, and other persons on site segregate recyclable materials and organic materials.

C. Provide an adequate number and type of labeled containers needed for segregating and storing recyclable materials and organic materials and provide adequate access to these containers.

D. Post and maintain signs containing information and instructions on the proper segregation and storage of recyclable materials and organic materials in areas where containers are located.

E. Ensure that all containers used for collecting and storing recyclable materials, organic materials, and garbage are affixed with signs or labels that display the appropriate information to enable users to clearly differentiate which containers are used for recyclable materials, organic materials, and garbage to minimize the contamination of material placed in containers.

F. Provide adequate instructions to employees, contractors, and volunteers of the requirements of this Chapter, including (1) the requirement and procedures to ensure the segregation of recyclable materials and organic materials from garbage; (2) the employee's, contractor's, and volunteer's responsibilities regarding compliance with this Chapter; and (3) the types and location of receptacles and containers for recyclable materials, organic materials, and garbage.

G. Ensure that instructions or training materials provided to employees, contractors, and volunteers are promptly made available to the City upon request.

H. Ensure that the contents of containers are deposited in the proper container and ensure that the contents of the containers for recyclable materials and organic materials are not delivered to garbage containers.

#### **8.04.920 Enforcement.**

The City shall enforce this Chapter with the goal of maximizing the amount of recyclable materials and organic materials properly segregated and ensuring that recyclable materials and organic materials that have been properly segregated by the solid waste customer, commercial generator, multifamily generator, or special event are correctly collected and delivered to recycling and organics processing facilities.

A. In the event of a contamination, commercial generators shall be assessed a fee based on the size of the container for recyclable materials and organic materials containers that are collected for disposal if the contents of their recyclable materials and organic materials containers contain unacceptable levels of contamination.

B. In the event a commercial generator does not meet the requirements set forth in this Chapter for the collection and recycling of recyclable materials and collection and organics processing of organic materials generated from commercial facilities, multifamily dwellings, and special events, the Director of Public Works of the City or designee has the ability to authorized implementation of collection services provided by the City.

The City or its designee is authorized to administer and enforce the provisions of this Chapter. To the extent permitted by law, the City or its designee may inspect

any collection container at a commercial facility, multifamily dwelling, or special event and any solid waste collector's load for garbage, recyclable materials, or organic materials. To the extent permitted by law, the City or its designee may also inspect the premises of any commercial facility, multifamily dwelling, or special event to determine compliance with the provisions of this Chapter.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be in full force and effect on July 1, 2020.

**SECTION 5. SEVERABILITY.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 6. PUBLICATION.** The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the \_\_\_\_ day of \_\_\_\_\_, 2021, and was passed and adopted at a regular meeting of said City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2021, by the following called vote:

**AYES: Council Members:**

**NOES: Council Members:**

**ABSTAIN: Council Members:**

**ABSENT: Council Members:**

**APPROVED:**

\_\_\_\_\_  
**Mayor**

**ATTEST:  
STEPHANIE R. DIETZ, CITY CLERK**

**BY:** \_\_\_\_\_  
**Assistant/Deputy City Clerk**

**(SEAL)**

**APPROVED AS TO FORM:**

*Kimberly May* 9/3/21  
**City Attorney** **Date**