

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING 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. Chapter 8.04, "Garbage and Rubbish," of the Merced Municipal Code is hereby amended to read as follows:

**"Chapter 8.04
SOLID WASTE**

**ARTICLE I.
RULES AND REGULATIONS**

Sections:

- 8.04.010 Definitions.**
- 8.04.015 Use of City's Collection and Disposal Service.**
- 8.04.020 Rules Established.**
- 8.04.025 Exemptions from Use of Services Provided by the City.**
- 8.04.030 Garbage Containers.**
- 8.04.035 City Containers.**
- 8.04.040 Oversized Solid Waste and Rubbish.**
- 8.04.050 Placement of Receptacles.**
- 8.04.055 Designated Locations and Days.**
- 8.04.060 Scattering, Burying or Burning Garbage.**
- 8.04.070 Depositing Rubbish on Another's Premises.**
- 8.04.080 Use of Another's Receptacle.**
- 8.04.090 Manure—Special Receptacle.**
- 8.04.100 Manure—Removal.**
- 8.04.110 Disposition of Dead Animals.**

- 8.04.120 Collection is Duty of Director of Public Works.**
- 8.04.130 Billing and Collection of Fees.**
- 8.04.135 Deposits for Solid Waste Service.**
- 8.04.140 Private Collections of Solid Waste Material Prohibited.**
- 8.04.150 Enforcement of Chapter—Right of Entry.**
- 8.04.160 Solid Waste Accumulation Prohibited.**
- 8.04.170 Condemnation of Receptacles—Notice.**
- 8.04.180 Condemnation of Receptacles—Removal.**
- 8.04.190 Condemnation of Receptacles—Notice of Destruction.**
- 8.04.200 Condemnation of Receptacles—Not a Bar.**
- 8.04.220 Buildings—Design Requirements.**

8.04.010 Definitions.

A. Solid Waste. ‘Solid Waste,’ as used in this Chapter, means and includes table refuse and offal, swill and every accumulation of animal, vegetable and other matter that attends the preparation, consumption, decay, dealing in or storage of meats, fish, fowl, fruits and other foods of whatsoever character and includes all animal and vegetable refuse from kitchens and all household waste that has been prepared for or intended to be used as foods or has resulted from the preparation of food. Dead animals over ten pounds in weight, dish or waste water are not included under solid waste. In addition, solid waste shall consist of rubbish and other waste materials, including tin cans, bottles, chips, wooden ware, paper, pasteboard, rags, straw, shoes, clothing, sawdust, packing material, broken crockery, broken glass, broken bottles, ashes, cinders, shells and metals.

8.04.015 Use of City’s Collection and Disposal Service.

Every person who owns or occupies, or is in possession or control of, any property in the City that is developed or used such that solid waste is produced or accumulate thereon shall discard such materials through the regular collection service of the City.

8.04.020 Rules Established.

The following rules, as contained in this Chapter, covering the handling of accumulations of solid waste and other waste matter to be observed by the occupants of places of residence and places of business in the City are established. In addition, the Director of Public Works for the City is authorized to establish administrative guidelines for the implementation of the requirements and standards set forth in this Chapter.

8.04.025 Exemptions From Use of Services Provided by the City.

A. No person shall be required to use the collection services provided by the City if that person can establish to the City's satisfaction that any one (1) of the following conditions are met:

1. That the property the person owns, occupies, possesses, or controls is undeveloped and/or does not produce or accumulate any solid waste;
2. That all solid waste produced or accumulated at the property is disposed of by agreement with and through the use of the approved solid waste container of a person subscribing to the service provided by the City; or
3. That the person self-hauls all solid waste produced on the property, as provided for in this Section.

B. Any person subject to the requirements of this Article who opts to self-haul solid waste that is produced or accumulates on the person's property, as permitted by subsection (A)(3), shall do so subject to the following conditions:

1. The owner, occupant, or manager of a residential property may collect and transport solid waste generated on the property to an authorized disposal facility. Owners, occupants, and managers of residential properties who self-haul such materials, as provided for in this Section, may not contract with anyone other than the City for transport services; and

2. The owner or manager of a commercial or industrial establishment, or the employee of such a person, may collect and transport solid waste generated by the establishment to an authorized disposal facility. Owners and managers of commercial and industrial establishments who self-haul such materials, as provided for in this Section, may not contract with anyone other than the City for transport services.

C. No person exempt from use of the City's solid waste collection service pursuant to this Section shall be subject to the rates and charges for services set forth in Article II of this Chapter or be billed for those rates and charges as provided for in Section 8.04.130.

D. With the exception of those who self-haul solid waste from their property in compliance with this Section, it is unlawful, subject to punishment in accordance with Chapter 1.12 of this Code, for any person other than the City to collect and dispose of solid waste. Except as provided for in this Section, it is unlawful, subject to punishment in accordance with Chapter 1.12 of this Code, for any person to solicit or

attempt to obtain from the owner, occupant, or manager of any property in the City permission to remove solid waste therefrom. The City may revoke any exemption granted pursuant to this Section upon a determination that the factual basis for it no longer exists.

8.04.030 Garbage Containers.

Property owners and tenants shall deposit all solid waste and putrescible matter or mixed solid waste and rubbish in containers which are provided or approved by the City. Containers for solid waste and rubbish should be of an adequate size and in sufficient numbers to contain without overflowing all the solid waste that a household or other establishment generates within the designated removal period. Containers when filled shall not exceed sixty pounds in weight except where mechanical loading systems are used. Containers shall be maintained in a clean, sound condition free from putrescible residue.

8.04.035 City Containers.

Containers which are provided by the City shall be the exclusive containers for deposit of solid waste and putrescible matter and shall be kept in good repair by the customer, reasonable wear and tear excepted. The cost to replace a City container which is lost, damaged, or not returned to the City upon cessation of service shall be charged to the customer.

8.04.040 Oversized Solid Waste and Rubbish.

Solid waste, rubbish or waste matter, except as in this Section provided, shall be kept in receptacles provided therefor between the times when the same shall be removed. Items which cannot conveniently be placed in containers, shall be disposed of by special pickup arranged with the solid waste collection division. Special pickup charges will be billed at the actual cost of labor,

materials, equipment, and landfill charges incurred by the City in providing the service.

8.04.050 Placement of Receptacles.

All receptacles for solid waste, rubbish or waste matter, and all rubbish and waste matter shall be placed by the occupant at the alley in all blocks where a City alley runs through the block, whether or not the occupant's premises abut such alley, for the convenient collection of such solid waste, rubbish or waste matter. All receptacles for solid waste, rubbish or waste matters, upon the day or days designated by the City for collection therefor, shall be placed in a location on such premises designated by the City for the convenient collection of such solid waste, rubbish or waste matter in those blocks in the City where no City alley runs through the block.

Residential curbside solid waste collection customers shall place container(s) provided by City at the curb on the designated day of collection and in a location accessible to solid waste collection trucks.

8.04.055 Designated Locations and Days.

It shall be unlawful, subject to punishment in accordance with Chapter 1.12 of this Code, for any person to place, keep, or cause, or suffer or permit to be placed or kept, any receptacle for solid waste, rubbish, green waste, other waste matter or recyclables upon the any public street, curb, sidewalk, alley or public way except in the location that has been designated by the City, and then only after four p.m. on the day preceding the day designated, and on the day designated by the City for the collection thereof until nine p.m. No aforementioned receptacle shall be stored between collection days in such a manner that it is visible from the public right-of-way.

8.04.060 Scattering, Burying or Burning Garbage.

No person shall throw, place or scatter any solid waste upon the surface of any premises or bury or burn the same thereon.

8.04.070 Depositing Solid Waste on Another's Premises.

No person shall permit or allow any solid, green or organic waste, rubbish or waste matter to be scattered about in his yard or upon the premises occupied by him or to throw or deposit any solid, green or organic waste, rubbish or waste matter upon the premises of any other person, or upon any of the streets, alleys or other public places of the City.

8.04.080 Use of Another's Receptacle.

No person shall place any solid waste, rubbish or waste matter or permit or allow any solid waste, rubbish or waste matter to be placed in the City's or any other person's receptacles without the consent of the City or such other person. No consent is given by the City for any person to place solid waste, rubbish or waste matter in City receptacles intended for use of others.

8.04.090 Manure—Special Receptacle.

No person shall permit or allow any manure to accumulate, be or remain in or about any stable, barn, shed or corral in the City for a longer period than three (3) days; provided, that manure may be kept in a tight box or receptacle with a close-fitting top or cover so that flies or insects cannot get into or have access to such receptacle. The keeping of manure contrary to the provision of this Section is declared to be a nuisance.

8.04.100 Manure—Removal.

The manure kept in any box or receptacle under the provisions of Section 8.04.090 shall be removed and disposed of at least once each month. Any manure so removed must not be stored or gathered into piles within the City unless for immediate use upon the soil therein and when so stored or gathered must be used within two (2) days thereafter.

8.04.110 Disposition of Dead Animals.

Whenever any horse, cow or other animal dies within the limits of the City, the owner or person in whose possession the same may be at the time of its death shall dispose of its carcass in such manner that the same shall not become a nuisance; provided, that the mode and manner of its disposal is to be at all times subject to sanitary regulations and control of the Council of the City and the health officer thereof. All such carcasses must be removed within four hours after the death of the animal, or the Public Works Manager – Operations must be notified where such carcass may be found and he shall remove the same. It shall be the duty of the Public Works Manager – Operations to remove such carcass within twenty-four hours after receiving notice thereof; provided, however, that at the discretion of the City Manager, the duty of collecting and disposing of the carcasses of dead animals may be delegated to Animal Control or any other City employee instead of the Public Works Manager – Operations.

8.04.120 Collection is Duty of Director of Public Works.

It shall be the duty of the Director of Public Works of the City or designee to collect all solid waste and waste matter from the places of residence and places of

business in the City and to dump and deposit such matter so collected as soon after collection as is reasonably possible at the place provided for by the City.

8.04.130 Billing and Collection of Fees.

The Finance Officer shall bill all fees for solid waste disposal to the person liable therefor, in advance, at monthly, bimonthly or such other intervals as the Finance Officer shall determine in the Finance Officer's discretion; except that fees determined on an hourly or volume basis shall be billed in arrears. Such billing shall be included with the utility bill established by the City for sewer and water charges, where the party liable for such solid waste collection bill is the same as the party liable for such sewer and water bill. Utility bills shall be deemed delinquent if not paid by the twentieth day from the bill date, in the case of monthly or other interval bills, or the twentieth of the second month from the bill date in the case of bimonthly bills. In the event of delinquency of the utility bill or any part thereof, the City shall exercise the enforcement procedures set forth in Section 15.32.160. Nothing contained in this Section shall be construed as affecting the personal obligation of the person liable for payment of such charges, nor as limiting the right of the City to commence and prosecute a civil action in any court of competent jurisdiction for recovery of such sums owned to the City, nor as limiting or affecting the right of the City to perfect and foreclose upon any lien on real property which may be created by this section. Each remedy provided in this Code for enforcement of payment of fees or charges or compliance with the terms of this Code is separate and cumulative to each other provision for enforcement, and the same may be exercised separately or cumulatively. If any action is brought by the City to recover any fees or charges owned to the City pursuant to this Code, including but not limited to the collection of utility bills for solid waste collection, sewer service or water service, such action

shall include attorney's fees in a reasonable amount to be determined by such court, but not less than fifty dollars for each such action.

8.04.135 Deposits for Solid Waste Service.

The decision of the City to require a new residential applicant for solid waste service to deposit a sum of money with the City prior to establishing an account and furnishing service shall be based solely upon the creditworthiness of the applicant as determined by the City in accordance with the guidelines set forth in Section 15.32.165.

8.04.140 Private Collections of Solid Waste Material Prohibited.

The City, its duly authorized servants, officers or employees, or any person with whom the City has executed a written contract therefor, shall have the exclusive right to gather and collect solid waste material within the City. Except as otherwise provided in Section 8.04.025, it is unlawful for any other person to collect or gather or remove solid waste material within the City.

8.04.150 Enforcement of Chapter—Right of Entry.

It shall be the duty of the Chief of Police, the Finance Officer, the Director of Public Works and the health officer, or any of their designees, to enforce the provisions of this Chapter, and they shall have the power and authority to enter all premises at and during reasonable hours for the purpose of determining whether or not the provisions of this Chapter are being obeyed.

8.04.160 Solid Waste Accumulation Prohibited.

No person shall have or permit upon any premises owned, occupied or controlled by him, any nuisance

detrimental to health or any accumulation of solid waste, rubbish or waste matter or manure or any carcass of any animal, contrary to the provisions of this Chapter.

8.04.170 Condemnation of Receptacles—Notice.

In the event any solid waste, rubbish or waste matter can or receptacle is found by the enforcement officer, or officers specified in this Chapter, not in compliance with the provisions as set forth in this Chapter, or detrimental to the public health, after an inspection by such enforcement officer, a notice shall be served upon the owner, resident or tenant on the premises on which such can or receptacle is located by the enforcement officer stating that the can or receptacle is condemned and must be removed and replaced by one which complies with the provisions of this Chapter within a period of five (5) days.

8.04.180 Condemnation of Receptacles—Removal.

The notice shall also state that if the can or receptacle is not removed and replaced within the same time, the enforcement officers shall remove the can or receptacle from the premises. The enforcement officer is empowered to condemn and remove from the premises such can or receptacle and upon such removal the owner, resident or tenant shall be liable to the City for the sum of twenty-five dollars (\$25.00) to defray the cost of removal thereof, which amount may be added to any fees otherwise provided for in this Chapter.

8.04.190 Condemnation of Receptacles—Notice of Destruction.

In the event the can or receptacle is removed by the enforcement officers, a notice shall be posted in a conspicuous place on the premises stating that the can or receptacle shall be destroyed. If such can or receptacle

shall be held for a period of sixty (60) days after posting and, if no action is commenced to recover possession of such can or receptacle, the same shall be summarily destroyed. If such can or receptacle is held by a court in any such action to be detrimental to the public health the same shall be summarily destroyed immediately after the decision of the court has become final.

8.04.200 Condemnation of Receptacle—Not a Bar.

The exercise of any power under this Article is not to be construed as an exclusive remedy or as an election to proceed under it only and shall not be a bar to any other procedure or prosecution under any Section of this Chapter, the Charter or the laws of the state.

8.04.220 Buildings—Design Requirements.

The design of any new, substantially remodeled or expanded building or other facility shall provide for proper storage or handling which will accommodate the solid waste loading anticipated and which will allow for efficient and safe removal or collection of solid waste. The design shall demonstrate to local land use and building permit issuing authorities that it includes the required provisions.

ARTICLE II. RATES AND CHARGES

Sections:

- 8.04.230 Residential—Generally.**
- 8.04.235 New Residential.**
- 8.04.250 Business—Generally.**
- 8.04.260 Business—Fees.**
- 8.04.265 Industrial/Commercial—Surcharge.**
- 8.04.270 Business—Liability.**
- 8.04.280 Extent of Service—Determined by
Director of Public Works.**
- 8.04.290 Extent of Service—Residential.**

- 8.04.300 Extent of Service—Downtown.**
8.04.310 Extent of Service—Outside of Downtown.
8.04.320 Special Services and Conditions.
8.04.330 Increased Service Requirement Procedure.

8.04.230 Residential—Generally.

The fees and charges for collection of solid waste, street trees, and other wastes from residences is established as follows:

Effective Date:	07/01/2020	07/01/2021	07/01/2022	07/01/2023	07/01/2024
1. Per single-family dwelling unit provided with packout service per unit per month	\$115.39	\$121.16	\$127.22	\$133.58	\$133.58
2. Per single-family dwelling unit provided with curb line service per unit per month	\$31.10	\$32.66	\$34.29	\$36.01	\$36.01
3. Per single-family dwelling unit with assisted refuse occupant provided with packout service per month	\$31.10	\$32.66	\$34.29	\$36.01	\$36.01
4. Per mobile home dwelling unit provided with packout service per unit per month	\$111.05	\$116.60	\$122.43	\$128.55	\$128.55
5. Per mobile home dwelling unit provided with curb line service per unit per month	\$23.72	\$24.91	\$26.16	\$27.46	\$27.46
6. For additional curb line containers furnished by the city for a dwelling unit per unit per month or part thereof, not multi units	\$19.69	\$20.68	\$21.71	\$22.80	\$22.80
7. Residential go-back fee all cans	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
8. Residential special pick up fee (includes extra service or refilling of cans)	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00

9. Can removal fee	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
10. Can cleaning fee per request	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00

8.04.235 New Residential.

Each residential unit for which a building permit is issued on or after August 1, 2008 shall pay an additional one time charge for solid waste, rubbish, street sweeping and street trees, at the time of issuance of said permit as follows:

New single family residential, including mobile homes	\$281.51
New multi family development fee is paid per unit	\$159.99

8.04.250 Business—Generally.

A. Every business, industrial, or mercantile establishment shall be liable for payments for solid waste service; provided that the Public Works Manager - Operations may combine accounts for businesses in office buildings and in similar cases where equity and justice would require several businesses as one for the purpose of establishing fees.

B. Where more than one account is established for a single container for the convenience of the establishments, a service charge of two dollars and ten cents per month will be charged to each account in addition to the normal pickup fee.

8.04.260 Business—Fees.

The fees and charges for collection of solid waste, rubbish, street trees, street sweeping and other wastes for each business shall be in accordance with the following chart:

Commercial Solid Waste Collection Rates Effective July 1, 2020

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$80.32	\$143.58	\$206.84	\$270.09	\$333.34	\$396.60	\$459.86
1 YD	\$96.05	\$172.69	\$249.34	\$325.98	\$402.63	\$479.26	\$555.91
1.5 YD	\$103.76	\$188.11	\$272.45	\$356.79	\$441.12	\$525.47	\$609.82
2 YD	\$122.28	\$225.16	\$328.06	\$430.96	\$533.80	\$636.68	\$739.59
3 YD	\$133.28	\$247.20	\$361.08	\$474.98	\$588.87	\$702.62	\$816.68
4 YD	\$142.98	\$266.65	\$390.34	\$513.98	\$637.66	\$761.32	\$884.98
6 YD	\$166.33	\$313.26	\$460.17	\$607.12	\$754.00	\$900.95	\$1,047.87
8 YD	\$188.34	\$357.29	\$526.24	\$695.18	\$864.15	\$1,033.07	\$1,202.02

Commercial Solid Waste Collection Rates Effective July 1, 2021

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$88.35	\$157.94	\$227.52	\$297.10	\$366.68	\$436.26	\$505.85
1 YD	\$105.65	\$189.96	\$274.28	\$358.58	\$442.90	\$527.19	\$611.50
1.5 YD	\$114.13	\$206.92	\$299.70	\$392.47	\$485.23	\$578.02	\$670.80
2 YD	\$134.51	\$247.68	\$360.87	\$474.05	\$587.18	\$700.35	\$813.55
3 YD	\$146.61	\$271.91	\$397.19	\$522.48	\$647.75	\$772.88	\$898.35
4 YD	\$157.27	\$293.31	\$429.37	\$565.38	\$701.42	\$837.45	\$973.47

6 YD	\$182.96	\$344.59	\$506.19	\$667.83	\$829.40	\$991.04	\$1,152.65
8 YD	\$207.17	\$393.02	\$578.86	\$764.70	\$950.56	\$1,136.38	\$1,322.23

Commercial Solid Waste Collection Rates Effective July 1, 2022

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$97.18	\$173.73	\$250.28	\$326.81	\$403.34	\$479.89	\$556.44
1 YD	\$116.22	\$208.95	\$301.70	\$394.44	\$487.19	\$579.90	\$672.65
1.5 YD	\$125.55	\$227.61	\$329.67	\$431.71	\$533.76	\$635.82	\$737.88
2 YD	\$147.96	\$272.45	\$396.95	\$521.46	\$645.90	\$770.39	\$894.91
3 YD	\$161.27	\$299.11	\$436.91	\$574.73	\$712.53	\$850.17	\$988.18
4 YD	\$173.00	\$322.64	\$472.31	\$621.92	\$771.56	\$921.19	\$1,070.82
6 YD	\$201.26	\$379.05	\$556.81	\$734.61	\$912.34	\$1,090.14	\$1,267.92
8 YD	\$227.89	\$432.32	\$636.75	\$841.17	\$1,045.62	\$1,250.02	\$1,454.45

Commercial Solid Waste Collection Rates Effective July 1, 2023

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$106.90	\$191.10	\$275.30	\$359.49	\$443.68	\$527.88	\$612.08
1 YD	\$127.84	\$229.85	\$331.87	\$433.88	\$535.91	\$637.90	\$739.92
1.5 YD	\$138.10	\$250.37	\$362.64	\$474.88	\$587.13	\$699.40	\$811.67
2 YD	\$162.75	\$299.69	\$436.65	\$573.60	\$710.49	\$847.43	\$984.40

3 YD	\$177.40	\$329.02	\$480.60	\$632.20	\$783.78	\$935.18	\$1,087.00
4 YD	\$190.30	\$354.91	\$519.54	\$684.11	\$848.72	\$1,013.31	\$1,177.90
6 YD	\$221.39	\$416.95	\$612.49	\$808.07	\$1,003.57	\$1,199.16	\$1,394.71
8 YD	\$250.67	\$475.55	\$700.43	\$925.28	\$1,150.18	\$1,375.02	\$1,599.89

Commercial Solid Waste Collection Rates Effective July 1, 2024

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
300 Gallon	\$106.90	\$191.10	\$275.30	\$359.49	\$443.68	\$527.88	\$612.08
1 YD	\$127.84	\$229.85	\$331.87	\$433.88	\$535.91	\$637.90	\$739.92
1.5 YD	\$138.10	\$250.37	\$362.64	\$474.88	\$587.13	\$699.40	\$811.67
2 YD	\$162.75	\$299.69	\$436.65	\$573.60	\$710.49	\$847.43	\$984.40
3 YD	\$177.40	\$329.02	\$480.60	\$632.20	\$783.78	\$935.18	\$1,087.00
4 YD	\$190.30	\$354.91	\$519.54	\$684.11	\$848.72	\$1,013.31	\$1,177.90
6 YD	\$221.39	\$416.95	\$612.49	\$808.07	\$1,003.57	\$1,199.16	\$1,394.71
8 YD	\$250.67	\$475.55	\$700.43	\$925.28	\$1,150.18	\$1,375.02	\$1,599.89

Solid Waste Fees for Commercial Service of a Solid Waste Compacting Container.

Solid Waste Compactor Collection Rates Effective July 1, 2020

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
2 YD	\$244.56	\$450.33	\$656.12	\$861.91	\$1,067.60	\$1,273.37	\$1,479.19

3 YD	\$266.56	\$494.39	\$722.16	\$949.96	\$1,177.73	\$1,405.24	\$1,633.36
4 YD	\$285.95	\$533.30	\$780.67	\$1,027.96	\$1,275.31	\$1,522.63	\$1,769.95

Solid Waste Compactor Collection Rates Effective July 1, 2021

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
2 YD	\$269.01	\$495.36	\$721.73	\$948.11	\$1,174.36	\$1,400.70	\$1,627.11
3 YD	\$293.22	\$543.83	\$794.38	\$1,044.96	\$1,295.51	\$1,545.76	\$1,796.69
4 YD	\$314.55	\$586.63	\$858.74	\$1,130.76	\$1,402.84	\$1,674.89	\$1,946.95

Solid Waste Compactor Collection Rates Effective July 1, 2022

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
2 YD	\$295.92	\$544.89	\$793.91	\$1,042.92	\$1,291.80	\$1,540.77	\$1,789.82
3 YD	\$322.54	\$598.21	\$873.82	\$1,149.45	\$1,425.06	\$1,700.33	\$1,976.36
4 YD	\$346.00	\$645.29	\$944.61	\$1,243.84	\$1,543.13	\$1,842.38	\$2,141.64

Solid Waste Compactor Collection Rates Effective July 1, 2023

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
2 YD	\$325.51	\$599.38	\$873.30	\$1,147.21	\$1,420.98	\$1,694.85	\$1,968.80
3 YD	\$354.80	\$658.03	\$961.20	\$1,264.40	\$1,567.56	\$1,870.37	\$2,174.00

4 YD	\$380.60	\$709.82	\$1,039.07	\$1,368.22	\$1,697.44	\$2,026.62	\$2,355.80
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Solid Waste Compactor Collection Rates Effective July 1, 2024

Bin Size	Frequency of Weekly Pickup						
	1	2	3	4	5	6	7
2 YD	\$325.51	\$599.38	\$873.30	\$1,147.21	\$1,420.98	\$1,694.85	\$1,968.80
3 YD	\$354.80	\$658.03	\$961.20	\$1,264.40	\$1,567.56	\$1,870.37	\$2,174.00
4 YD	\$380.60	\$709.82	\$1,039.07	\$1,368.22	\$1,697.44	\$2,026.62	\$2,355.80

Special Services Fees

Effective Date:	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023	July 1, 2024
Container Cleaning Fee	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Container Re-Deliver Fee (after removal for non-payments)	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00
Rear Loader Bulky Waste Pickup Per Request	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00

Roll Off Container Sizes and Rates

	10 Cubic Yards (16' x 8' x 3')	20 Cubic Yards (16' x 6' x 5')	30 Cubic Yards (18' x 8' x 6')		
Effective Date:	July 1, 2020	July 1, 2021	July 1, 2022	July 1, 2023	July 1, 2024
Move Container Fee	\$89.61	\$98.57	\$108.43	\$119.27	\$119.27

Scheduled Service Fee per Haul - Must keep roll off for at least 90 days to qualify for scheduled pick-ups	\$252.75	\$278.02	\$305.82	\$336.41	\$336.41
Unscheduled Service Fee per Haul	\$300.86	\$330.95	\$364.04	\$400.45	\$400.45
Daily Container Rental Fee for Unscheduled Service	\$6.90	\$7.59	\$8.35	\$9.18	\$9.18
After-Hours Unscheduled Service - additional fee for nights, weekends, or holidays	\$160.38	\$176.42	\$194.06	\$213.47	\$213.47
Roll-Off Overweight Charge Per Occurrence	\$270.00	\$297.00	\$326.70	\$359.37	\$359.37
Return Fee	\$54.00	\$59.40	\$65.34	\$71.87	\$71.87

****ACTUAL LANDFILL CHARGES** Note: Landfill charges are not part of the fees shown above, and will be added to those fees. Actual landfill charges will vary based on the type of material hauled, and the actual weight of said material.

8.04.265 Industrial/Commercial—Surcharge.

In addition to the charges contained in Section 8.04.260 above, there shall be added a surcharge on said charges of 17.37% for those industrial and commercial accounts located at a new structure whose building permit is issued on or after August 1, 2008. The surcharge shall be in effect for ninety-six (96) months from issuance of the building permit.

8.04.270 Business—Liability.

The proprietor, partner, corporation, or other business entity of each business, industrial, or mercantile establishment shall be liable for payment of all solid waste collection charges billed to such establishment.

8.04.280 Extent of Service—Determined by Director of Public Works.

The Director of Public Works or designee shall determine those areas of the City which shall be provided with three hundred-gallon container alley service, packout service, curb line service, alley property line service, or commercial/industrial cubic yard container service.

8.04.290 Extent of Service—Residential.

The fees established entitle the owner of each dwelling unit to the removal of the equivalent of the contents of two thirty-gallon containers of solid waste or rubbish once each calendar week. The fees for removal of additional containers of solid waste or rubbish from any premises shall be increased in proportion to the amount of additional solid waste or rubbish removed; provided, that collection service to residences will be provided no more frequently than once each week.

8.04.300 Extent of Service—Downtown.

Within the downtown central business district, collection service will be provided six (6) days each calendar week, except legal holidays.

8.04.310 Extent of Service—Outside of Downtown.

Collection schedules for business, industrial, or mercantile establishments outside of downtown central business district shall be determined by the Director of Public Works, commensurate with the volume of solid waste and the nature thereof, but in no event shall such collection be made less than once each week.

8.04.320 Special Services and Conditions.

If special services are requested by a solid waste customer or if special conditions exist which make the rates set forth in this Chapter inequitable to the customer or the City, the Director of Public Works may, with the approval of the City Council, enter into a special contract with the customer.

8.04.330 Increased Service Requirement Procedure.

A. Notwithstanding any other provision of this Chapter, the Director of Public Works shall have the authority to increase the number or size of solid waste containers required of a solid waste service customer and/or to increase the frequency of collections or to make unscheduled collections in those instances where the existing containers and/or collections are not adequate to handle the accumulation of solid waste at the residence or establishment.

B. The solid waste service customer shall be notified in writing at least two (2) weeks in advance of any election by the Director of Public Works to increase the containers or collections, except in those emergency situations where the public health would be threatened if immediate steps were not taken to remove the solid waste from the residence or establishment.

C. If the solid waste service customer fails to furnish additional containers as required by the Director of Public Works, the Director of Public Works may furnish the containers and charge the cost thereof to the solid waste service customer. Additional collections shall be billed to the solid waste service customer on a cost basis.

D. A solid waste service customer who is dissatisfied with the determination made by the Director of Public Works pursuant to this Section may appeal in writing such determination to the City Council within ten (10)

days of receiving the written notice thereof. Upon receipt of the appeal, the action of the Director of Public Works shall be stayed (except in emergency situations) until the City Council has acted upon the appeal. The City Council shall hold a hearing upon the appeal within thirty (30) days thereafter and shall determine the appeal within fifteen (15) days of the hearing. The solid waste service customer shall be notified of the date and time of the hearing and of his/her right to appear and be heard at the hearing.

ARTICLE III. RECYCLING

Sections:

- 8.04.410 Definitions.**
- 8.04.420 Rules Established.**
- 8.04.425 Exemptions From Use of Services Provided by the City of Merced.**
- 8.04.430 City Containers.**
- 8.04.450 Placement of Receptacles.**
- 8.04.455 Designated Locations and Days.**
- 8.04.480 Use of Another's Receptacle.**
- 8.04.520 Collection is Duty of Director of Public Works.**
- 8.04.630 Curbside Recycling Rates and Charges.**
- 8.04.635 New Residential.**
- 8.04.640 Commercial Recycling Rates and Charges.**

- 8.04.410 Definitions.

A. Recyclable material. 'Recyclable material' as used in this Chapter means any material that has been designated by the City for collection in a residential recycling program. This would typically include, but may not be limited to, a variety of paper, cardboard, plastics, aluminum, and steel cans. This list may change as markets change to accept more, or fewer, materials for processing in accordance with the administrative rules

and procedures established by the Director of Public Works and approved by the City Manager.

8.04.420 Rules Established.

A. The following requirements, as contained in this Article, covering the handling of accumulations of recyclable material to be observed by the occupants of places of residence and places of business are established. The Director of Public Works is hereby authorized to promulgate administrative rules and procedures subject to the approval of the City Manager which are necessary and proper to ensure the efficient operation of the recycling program. The City Council in establishing this rule-making authority specifically reserves unto itself the authority to set rates and charges.

B. Nothing herein shall limit the right of residents or businesses to take cash redemption value of 'CRV' or other material to a recycling center so long as the resident or business otherwise participates in the recycling program established by this Article or the resident or business opts-out through the self-haul provisions hereof.

8.04.425 Exemptions from Use of Services Provided by the City of Merced.

A. No person shall be required to use the collection services provided by the city if that person can establish to the city's satisfaction that any one (1) of the following conditions are met:

1. That the property the person owns, occupies, possesses, or controls is undeveloped and/or does not produce any recyclable material;
2. That all recyclable material produced or accumulated at the property is disposed of by agreement with and through the use of the

approved recycling container of a person
subscribing to the service provided by the City;

3. That the person self-hauls all recyclable material to an approved buy-back center or processing site in accordance with the procedures set forth in subsection B of this Section.

B. Any person subject to the requirements of this Chapter who opts to self-haul recyclable material that is produced or accumulated on the person's property ('self-haulers'), as permitted by subsection (A)(3) of this Section shall do so subject to the following conditions:

1. The owner, occupant, or manager of a residential property may collect and transport recyclable material generated on the property to an authorized buy-back center or processing site. Owners, occupants, and managers of residential properties who self-haul such materials, as provided in this Section, may not contract with any entity other than the City for transport services, unless: (a) the entity does not charge any transport fee, and (b) the entity pays the owner compensation for such materials.

2. The owner or manager of a commercial or industrial establishment, or the employee of such person, may collect and transport recyclable material generated on the property to an authorized buy-back center or processing site. Owners or managers of a commercial establishment who self-haul such materials, as provided in this Section, may not contract with any entity other than the City for transport services, unless: (a) the entity does not charge any transport fee, and (b) the entity pays the owner compensation for such materials.

3. Self-haulers shall make an application on forms developed by the Director of Public Works. Self-haulers shall submit to the Director of Public Works following every calendar quarter, i.e., April 1st, July 1st, October 1st, and January 1st, ('reporting dates'), evidence, including receipts, of self-hauling to authorized recycling centers. Such self-haul certification shall be submitted on forms developed by the Director of Public Works which includes a declaration under the penalty of perjury that the submittal is true and correct. The purpose of the submittal is to ensure that recyclable materials are diverted from landfills and that the city gets credit for such diversion under AB 939. Should any self-hauler fail to submit the self-hauler certification later than thirty (30) days after the reporting date therefor, the self-haul authorization shall be revoked following notice from the city and the self-hauler shall thereafter be subject to the rates and charges set forth in Section 8.04.630 and 8.04.640 of this Chapter for a period of no less than one (1) year.

C. With the exception of those who self-haul recyclable material from their property in compliance with this Section, it is unlawful, subject to punishment in accordance with Chapter 1.12 of this Code, for any person other than the City to collect and transport recyclable material, unless: (1) no transport fees are charged, and (2) compensation is paid to the owner of the recyclable material. Except as provided in this Section, it is unlawful, subject to punishment in accordance with Chapter 1.12 of this Code, for any person to solicit or attempt to obtain from the owner, occupant, or manager of any residential or commercial property in the City permission to remove recyclable material, unless: (1) no transport fees are charged, and (2) compensation is paid to the owner of the recyclable material. The City may revoke any exemption granted pursuant to this Section upon a determination that the factual basis for it no

longer exists. A provider of transport services under this Section must comply with the business license provisions of Title 5 of this Code.

8.04.430 City Containers.

Containers which are provided by the City shall be the exclusive containers for the deposit of recyclable material and shall be kept in good repair by the customer, reasonable wear and tear excepted. The cost to replace a City container which is lost, damaged, or not returned to the city upon cessation of service shall be charged to the customer.

8.04.450 Placement of Receptacles.

Residential and commercial curbside recyclable collection customers shall place container(s) provided by City at the curb on the designated day of collection and in a location accessible to solid waste collection trucks.

8.04.455 Designated Locations and Days.

It shall be unlawful subject to punishment in accordance with Chapter 1.12 of this Code, for any person to place, keep or cause, or suffer or permit to be placed or kept, any receptacle for solid waste, rubbish, green waste, other waste matter or recyclables upon the any public street, curb, sidewalk, alley or public way except in the location that has been designated by the City, and then only after four p.m. on the day preceding the day designated, and on the day designated by the city for the collection thereof until nine p.m. No aforementioned receptacle shall be stored between collection days in such a manner that it is visible from the public right-of-way.

8.04.480 Use of Another's Receptacle.

Except as provided in Section 8.04.425, no person shall place any recyclable material or permit or allow any

recyclable material to be placed in the City's or any other person's receptacle without the consent of the City or such other person. No consent is given by the City for any person to place recyclable material in City receptacles intended for use of others.

8.04.520 Collection is Duty of Director of Public Works.

It shall be the duty of the Director of Public Works of the City or designee to collect all recyclable material from the places of residence and places of business in the City and to deposit such matter so collected as soon after collection as is reasonably possible at the place provided for by the City.

8.04.630 Curbside Recycling Rates and Charges.

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

Effective Date:	07/01/2020	07/01/2021	07/01/2022	07/01/2023	07/01/2024
1. Per residential dwelling unit provided with curbside recycling collection per container per month	\$6.71	\$7.04	\$7.40	\$7.77	\$7.77
2. Per commercial property provided with curbside recycling collection per container per month	\$6.71	\$7.04	\$7.40	\$7.77	\$7.77
3. Contamination Fee	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00

8.04.635 New Residential.

Each residential unit for which a building permit is issued on or after January 1, 2004 shall pay an additional one time charge for recycling service, at the time of issuance of said permit as follows:

	Per Unit
New single family residential, including mobile homes	\$148.61
New multi family development fee per unit	\$84.46

8.04.640 Commercial Recycling Rates and Charges.

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

**ARTICLE IV.
GREEN WASTE**

Sections:

- 8.04.700 Definitions.**
- 8.04.710 Rules Established.**
- 8.04.720 Exemptions From Use of Services Provided by the City of Merced.**
- 8.04.730 City Containers.**
- 8.04.740 Placement of Receptacles.**
- 8.04.750 Designated Locations and Days.**
- 8.04.760 Use of Another's Receptacle.**
- 8.04.770 Collection is Duty of Director of Public Works.**
- 8.04.780 Curbside Green or Organic Waste Rates and Charges.**

8.04.790 New Residential.

8.04.800 Commercial Green or Organic Waste Rates and Charges.

8.04.700 Definitions.

A. Green waste. 'Green waste,' as used in this Chapter, means any plant material that is separated at the point of collection. Green waste includes, but is not limited to, yard trimmings, plant wastes and untreated wood wastes. Green waste does not include treated wood waste, mixed demolition or mixed construction debris.

B. Organic waste. 'Organic waste,' As used in this Chapter, means any material that is biodegradable and comes from either plant or animal. Organic waste includes, but is not limited to, leaves, grass, agricultural crop residues, and food scraps.

8.04.710 Rules Established.

A. The following requirements, as contained in this Article, covering the handling of accumulations of green or organic waste material to be observed by the occupants of places of residence and places of business are established. The Director of Public Works is hereby authorized to promulgate administrative rules and procedures subject to the approval of the City Manager which are necessary and proper to ensure the efficient operation of the green and organic waste program. The City Council in establishing this rule-making authority specifically reserves unto itself the authority to set rates and charges.

8.04.720 Exemptions From Use of Services Provided by the City of Merced.

A. No person shall be required to use the collection services provided by the City if that person can establish

to the City's satisfaction that any one (1) of the following conditions are met:

1. That the property the person owns, occupies, possesses, or controls is undeveloped and/or does not produce any green or organic waste material;
2. That all green or organic waste material produced or accumulated at the property is disposed of by agreement with and through the use of the approved green waste or organic waste container of a person subscribing to the service provided by the City;
3. That the person self-hauls all green or organic waste material to an approved processing site in accordance with the procedures set forth in subsection B of this Section.

B. Any person subject to the requirements of this Article who opts to self-haul green or organic waste material that is produced or accumulated on the person's property ('self-haulers'), as permitted by subsection (A)(3) of this Section shall do so subject to the following conditions:

1. The owner, occupant, or manager of a property may collect and transport green or organic waste material generated on the property to an authorized processing site. Owners, occupants, and managers of properties who self-haul such materials, as provided in this Section, may not contract with any entity other than the City for transport services, unless: (a) the entity does not charge any transport fee, and (b) the entity pays the owner compensation for such materials.
2. A landscaping or gardening contractor hired by the owner, occupant, or manager of a property

may remove green or organic waste materials from the property where that contractor is working, if the removal is an incidental part of the gardening, landscaping, tree trimming, cleaning, maintenance, construction, or other similar service such contractor is providing.

3. Self-haulers shall make an application on forms developed by the Director of Public Works. Self-haulers shall submit to the Director of Public Works following every calendar quarter, i.e., April 1st, July 1st, October 1st, and January 1st, ('reporting dates'), evidence, including receipts, of self-hauling to an authorized processing center. Such self-haul certification shall be submitted on forms developed by the Director of Public Works which includes a declaration under the penalty of perjury that the submittal is true and correct. The purpose of the submittal is to ensure that green or organic waste materials are diverted from landfills and that the City gets credit for such diversion under AB 939. Should any self-hauler fail to submit the self-hauler certification later than thirty (30) days after the reporting date therefor, the self-haul authorization shall be revoked following notice from the City and the self-hauler shall thereafter be subject to the rates and charges set forth in Section 8.04.780 and 8.04.800 of this Chapter for a period of no less than one (1) year.

C. With the exception of those who self-haul green or organic waste material from their property, or a licensed landscaping or gardening contractor, in compliance with this section, it is unlawful, subject to punishment in accordance with Chapter 1.12 of this Code, for any person other than the City to collect and transport green or organic waste material, unless: (1) no transport fees are charged, and (2) compensation is paid to the owner of the green or organic waste material. Except as provided in this Section, it is unlawful, subject to punishment in

accordance with Chapter 1.12 of this Code, for any person to solicit or attempt to obtain from the owner, occupant, or manager of any residential or commercial property in the City permission to remove green or organic waste material, unless: (1) no transport fees are charged, and (2) compensation is paid to the owner of the green or organic waste material. The City may revoke any exemption granted pursuant to this Section upon a determination that the factual basis for it no longer exists. A provider of transport services under this Section must comply with the business license provisions of Title 5 of this Code.

8.04.730 City Containers.

Containers which are provided by the City shall be the exclusive containers for the deposit of green or organic waste material and shall be kept in good repair by the customer, reasonable wear and tear excepted. The cost to replace a City container which is lost, damaged, or not returned to the City upon cessation of service shall be charged to the customer.

8.04.740 Placement of Receptacles.

Residential and commercial curbside green or organic waste collection customers shall place container(s) provided by City at the curb on the designated day of collection and in a location accessible to solid waste collection trucks.

8.04.750 Designated Locations and Days.

It shall be unlawful, subject to punishment in accordance with Chapter 1.12 of this Code, for any person to place, keep or cause, or suffer or permit to be placed or kept, any receptacle for solid waste, rubbish, green waste, other waste matter or recyclables upon the any public street, curb, sidewalk, alley or public way except in the location that has been designated by the City, and then

only after four p.m. on the day preceding the day designated, and on the day designated by the City for the collection thereof until nine p.m. No aforementioned receptacle shall be stored between collection days in such a manner that it is visible from the public right-of-way.

8.04.760 Use of Another's Receptacle.

Except as provided in Section 8.04.720, no person shall place any green or organic waste material or permit or allow any green or organic waste material to be placed in the City's or any other person's receptacle without the consent of the City or such other person. No consent is given by the City for any person to place green and organic waste material in City receptacles intended for use of others.

8.04.770 Collection is Duty of Director of Public Works.

It shall be the Duty of the Director of Public Works of the City or designee(s) to collect all green or organic waste material from the places of residence and places of business in the City and to deposit such matter so collected as soon after collection as is reasonably possible at the place provided for by the City.

8.04.780 Curbside 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 is established as follows:

Effective Date:	07/01/2020	07/01/2021	07/01/2022	07/01/2023	07/01/2024
1. Per dwelling unit provided with green waste service per container per month	\$6.68	\$7.02	\$7.37	\$7.74	\$7.74
2. Per commercial property provided with curbside green	\$6.68	\$7.02	\$7.37	\$7.74	\$7.74

waste collection per container per month					
3. Contamination fee	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00

8.04.790 New Residential.

Each residential unit for which a building permit is issued on or after January 1, 2004 shall pay an additional one time charge for green or organic waste service, at the time of issuance of said permit as follows:

	Per Unit
New single family residential, including mobile homes	\$123.96
New multi family development fee per unit	\$70.45

8.04.800 Commercial Green or Organic Waste Rates and Charges.

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

SECTION 3. 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 4. 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 _____, 2020, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2020, by the following called vote:

AYES: **Council Members:**

NOES: **Council Members:**

ABSTAIN: **Council Members:**

ABSENT: **Council Members:**

APPROVED:

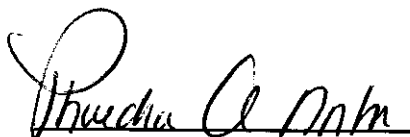
Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

 _____ 2-21-2020
City Attorney **Date**