



## Legislation Text

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**DATE:** March 21, 2018

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator  
Mark Hilty, Assistant City Administrator of Public Works  
Jack Tucker, Sanitation and Environmental Services Director  
Lawrence Sullivan, Assistant City Recorder

**SUBJECT:**

Consideration of Ordinance 2016-42, "An Ordinance To Amend Title 17 - Refuse And Trash Disposal Of The Franklin Municipal Code For The Purpose Of Providing for Various Clarifications And Other General Housekeeping, and Appendix A - Comprehensive Fees and Penalties to be Consistent With the Amendments to Title 17" (Referred from 10/20/16 Budget & Finance, and 6/27/17, 02/13/18, 02/27/18, and 3/27/18 Work Sessions; 04/10/18 1<sup>st</sup> Reading 7-0). SECOND AND FINAL READING

**Purpose**

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning recommended changes to Title 17 of the Municipal Code. Specifically, the changes define service types for use in Revenue Management, clarify roll out container ownership, identify backdoor residential services and codify existing practices for management of monthly billing. In terms of the transfer station, the proposed language increases the tipping fee from \$45 per ton to \$55 per ton. Additionally, needed grammatical and formatting changes are included.

**Background**

During the past few years, the changes to Title 17 have been minor. The introduction of Infor enterprise billing software creates flexibility and offers an opportunity to clarify our services and requirements for such. The primary areas with recommended changes to Title 17 of Municipal Code include definition of service types, roll out container ownership, identification of backdoor residential services, and guidelines for billing practices associated with collection services and transfer station accounts.

As development products in our community becomes more diversified, there are changes needed in Title 17 to clarify specific types of services and fees associated with each. The existing verbiage in Title 17 does not clearly define customer types for use by Revenue Management. The current process for establishing billing follows the customer classification used by Water Management, which creates inconsistent billing for solid waste collection services.

The recommended change defines municipal solid waste (MSW) service as either a residential service or nonresidential service. This will allow us to treat all services and customers in a consistent manner. Specifically, residential services include detached single-family dwellings, duplexes, mobile homes and townhomes, and properties that are not served by a centralized dumpster or dumpsters. The proposed language establishes that residential customers are to be served through the use of rollout containers only.

Nonresidential service includes but is not limited to federal, state, county and municipal government locations, educational institutions, hospitals, lodges, clubs, multifamily dwelling complexes of three (3) or more units, as well as business, commercial, industrial and office establishments. There are instances in which nonresidential customers may be served by either a dumpster or rollout container. All future developments would maintain consistency using these new definitions. Nonresidential service may be provided using either a rollout container or a dumpster as defined by the Director.

In Section 17-110 the current code speaks to the customer's "purchase" of rollout containers as well as City ownership of rollout containers. This language has caused some confusion with customers. Staff has proposed language to clarify this situation by defining an administrative set-up fee and clearly establishing City ownership of the container in the code.

We currently provide back door solid waste collection services based on needs of the homeowner and/or occupant. These services are provided at no additional fee. This service is not identified, nor is it included in the current language of Title 17. The recommendation identifies backdoor residential services as those provided for residents with disabilities, at no added monthly service fee. Additionally, the recommended verbiage includes a requirement for completion of an annual application for such service.

Although we consistently follow the same practices for billing residential, nonresidential and transfer station customers, there are no written guidelines. The recommended changes to Title 17 include the processes we follow for billing and receipt of payments. The verbiage defines the billing schedule and the consequences for non-payment of fees owed to the City for use of our transfer station services.

Finally, the proposed transfer station tipping fee is consistent with the revenue requirements for that operation by changing the rate from \$45 per ton to \$55 per ton.

### **Financial Impact**

Based on anticipated transfer station volumes, the financial impact from the recommended changes would result in an annual increase in revenues of approximately \$350,000 per year.

### **Recommendation**

Staff recommends the proposed update to Title 17 the municipal code.