

ORDINANCE NO. 715

AN ORDINANCE IMPOSING A TAX ON SOLID WASTE DISPOSAL SITES AND AMENDING TITLE 3 OF THE TROUTDALE MUNICIPAL CODE

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City has at least one solid waste disposal site within the City.
2. Solid waste disposal sites impose certain burdens, such as increased traffic congestion, upon the City.
3. The City desires to impose a tax on solid waste disposal sites to compensate in part for the additional burden that such sites impose upon the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROUTDALE

That Title 3 of the Troutdale Municipal Code is amended to add the following Chapter 3.30 entitled "Solid Waste Disposal Site Tax":

3.30.010 Definitions

As used in this chapter, unless the context requires otherwise:

"City" means City of Troutdale.

"Disposal site" means land and facilities used for the disposal, handling or transfer of, or energy recovery, material recovery and recycling from solid wastes, including, but not limited to dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, transfer stations, energy recovery facilities, incinerators for solid waste delivered by the public or by a collection service, composting plants and land and facilities previously used for solid waste disposal at a land disposal site. "Disposal site" does not include municipally owned or operated land and facilities.

"Quarterly basis" shall mean a quarter of a calendar year, and shall be measured from January 1 of the calendar year.

"Solid waste" means all useless or discarded putrescible and nonputrescible materials, including but not limited to garbage, rubbish, refuse, ashes, paper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge, useless or discarded commercial, industrial, demolition and construction materials, discarded or abandoned vehicles or parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid materials, dead animals and infectious waste as defined in ORS 459.386. "Solid waste" does not include: materials recovered and delivered to viable recycling markets, hazardous waste as defined in ORS 466.005, materials used for fertilizer or for other productive purposes or which are salvageable as such materials are used on land in agricultural operations and the growing or harvesting of crops and the raising of animals.

"Tax" means the tax payable by a disposal site under this chapter.

"Tax administrator" means the Finance Director of the City of Troutdale.

“Ton” means a measure of weight fixed at two thousand pounds.

“Transfer station” means a fixed or mobile facility other than a collection vehicle where solid waste is deposited temporarily after being removed from the site of generation but before being transported to a final disposal location.

3.30.020 Tax Imposed

For the privilege of disposing solid waste in the City, all solid waste disposal sites shall pay a tax of \$0.65 per ton on all solid waste processed. This sum constitutes a debt owed to the City, which is extinguished only by payment by the disposal site to the City.

3.30.030 Exemptions

No tax imposed under this chapter shall be imposed upon disposal sites receiving less than 2,000 tons of solid waste per month.

3.30.040 Remittance and Record keeping

The tax imposed by this chapter shall be paid by each disposal site to the City on a quarterly basis by the fifteenth day of the following month for the preceding three months. The initial payment under this chapter may be for less than the three months preceding the quarterly due date. With each payment of the tax, each disposal site shall submit a detailed return showing the total tonnage of solid waste delivered to the site in each of the preceding three months. Tax payments and returns shall be delivered to the tax administrator either by personal delivery or by mail. If mailed, the postmark shall be considered the date of payment.


3.30.050 Delinquency and Penalties

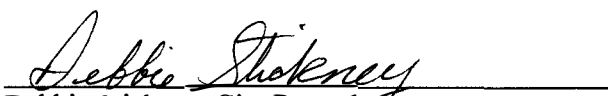
Taxes imposed by this chapter are delinquent if unpaid on the last day of the month in which they are due or if unaccompanied by a return. Any disposal site that is delinquent in paying taxes required by this chapter shall pay a penalty of 10% of the amount of the tax due in addition to the amount of tax. For each 30 day period following the day a tax payment is delinquent that the tax remains unpaid, the disposal site shall pay an additional penalty of 15% of the amount of the tax due in addition to any previously imposed penalty or taxes.

3.30.060 Effective Date

The tax imposed by this chapter shall become effective April 1, 2002, and the first payment will be due on July 15, 2002.

YEAS: 5
NAYS: 1 (Right)
ABSTAINED: 0


Paul A. Thamer, Mayor
Dated: 1-25-02


Debbie Stickney, City Recorder
Adopted: January 22, 2002