

CHAPTER 5.03

DISPOSAL SITE FRANCHISE FEES

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5.03.010 Purpose and Authority

It is the purpose of this chapter to establish solid waste disposal franchise fees pursuant to Code Section 5.01.140.

(Ordinance No. 81-112, Sec. 1.)

5.03.020 Franchise Application Fees

Each application for issuance of a solid waste disposal franchise shall include and be accompanied by a franchise application fee in the amount of \$200. Such fee shall defray Metro's costs of processing each application and shall be nonrefundable. No application for issuance of a solid waste disposal franchise shall be considered without payment of said application fee. Facilities operating pursuant to Code Section 5.01.060(c) are exempt from this section.

(Ordinance No. 81-112, Sec. 2. Amended by Ordinance No. 02-974, Sec. 1.)

5.03.030 Annual Franchise Fees

(a) Franchisees, issued a solid waste disposal franchise, shall pay to Metro an annual franchise fee. Such fee shall be paid on or before January 1 of each year for that calendar year.

(b) Annual solid waste disposal franchise fees shall be \$300 per site; provided, however, that said fee shall be \$100 per site for each franchised site that only receives waste from the franchisee or a company, partnership or corporation in which the franchisee has a financial interest.

(c) Franchisees who are issued franchises during a calendar year shall pay a fee computed on a pro-rated quarterly

basis such that one quarter of the annual fee shall be charged for any quarter or portion of a quarter that the franchise is in effect. The franchisee shall thereafter pay the fee annually as required by subsection (a) of this section. Franchise fees shall not for any reason be refundable in whole or in part. Annual franchise fees shall be in addition to franchise application fees.

(Ordinance No. 81-112, Sec. 3. Amended by Ordinance No. 02-974, Sec. 1.)

#### 5.03.040 Non-Payment of Franchise Fee

(a) The issuance of any franchise shall not be effective unless and until the annual franchise fee has been paid for the calendar year for which the franchise is issued.

(b) Annual franchise fees are due and payable on January 1 of each year. Failure to remit said fee by said date shall constitute a violation of the Metro Code and of the franchise and shall subject the franchisee to enforcement pursuant to Code Section 5.01.180 in addition to any other civil or criminal remedies Metro may have.

(Ordinance No. 81-112, Sec. 4. Amended by Ordinance No. 02-974, Sec. 1.)

#### 5.03.050 Transfer and Renewal

For purposes of this chapter, issuance of a franchise shall include renewal and transfer of a franchise; provided, however, that no additional annual franchise fee shall be paid upon transfer or renewal when the annual franchise fee for the franchise being renewed or transferred has been paid for the calendar year in which the transfer or renewal becomes effective.

(Ordinance No. 81-112, Sec. 5.)