

LOCAL LAW NO. 13-91
(Print 3)
CHAUTAUQUA COUNTY

ESTABLISHING LANDFILL USER FEE POLICY AND PROCEDURE

BE IT ENACTED, by the County Legislature of the County of Chautauqua as follows:

1. Purpose. The purpose of this Local Law is to specify the policy of the County of Chautauqua to operate the County landfill and transfer stations in a fiscally responsible manner, with the user fees and other charges designed to cover all the expenses. It is also the intent of this local law to provide the professional management team at the landfill with sufficient management flexibility and authority to operate the landfill like a business as efficiently and as cost-effectively as possible, including the ability to adjust user fees to take advantage of market conditions and to reflect changing costs, subject to the continuing review of the County Legislature.

2. User Fee Policy. The user fees and other charges at the County landfill and the transfer stations shall be based on the projected costs of operation calculated on an accrual accounting method that includes the cost of debt service, future landfill closure and groundwater monitoring, and all other expenses associated with the operation of the landfill and transfer stations. In addition, the County shall impose a surcharge for all refuse from outside the County based on market prices and the nature and volume of such refuse, except to the extent otherwise specified by the County Legislature pursuant to a duly adopted and approved resolution.

3. User Fee Procedure. The Deputy Director of the DPW Division of Environment, with input from the Director of Finance and the Budget Director, shall develop a recommended user fee schedule designed to cover all projected costs at the County landfill and transfer stations calculated on the accrual accounting method, and shall from time-to-time recommend changes in the user fees and other charges to ensure that such fees and charges continue to meet all projected expenses. A copy of the schedule of all user fees and other charges shall be sent to the Clerk of the County Legislature, and shall become effective automatically 45 days thereafter unless the County Legislature enacts a duly adopted and approved resolution rejecting or changing such user fees or other charges. The Deputy Director of the DPW Division of Environment shall also establish the surcharge for out-of-county refuse based on existing market conditions and the nature and volume of such refuse.

4. Legislative Authority Continued. Nothing herein shall be interpreted or constructed as preventing the County Legislature, at any time, from enacting a duly adopted and approved resolution setting or changing the user fees or other charges for the County landfill and transfer stations, or otherwise adopting or changing County policy regarding out-of-county garbage, construction and demolition debris, or any other aspects of the County solid waste management system.

Introduced: 8/14/91

Approved by Legislature 8/28/91

Public Hearing: 9/11/91

Adopted as Local Law 13-91