

LOCAL LAW NO. 13-95
CHAUTAUQUA COUNTY

A LOCAL LAW ESTABLISHING USER FEE POLICY AND PROCEDURE

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

Section 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.

Section 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 costs of debt service, future landfill closure and groundwater monitoring, and all other expenses associated with the operation of the landfill and transfer stations), market prices and the nature and volume of such refuse except to the extent otherwise specified by County Legislature pursuant to a duly adopted and approved resolutions.

Section 3. User Fee Procedure. The Deputy Director of the DPW Division of the Environmental shall develop and periodically revise a user fee schedule generally applicable to refuse deposited at the County landfill. The user fee schedule shall be sent to the Clerk of the County Legislature for distribution to appropriate committees and members of the Legislature, and shall become effective seventy-two (72) hours after its receipt by the Clerk or after the next meeting of the Chautauqua County Legislature, whichever is sooner, unless the County Legislature enacts a duly adopted and approved resolution rejecting or changing such user fees. The Deputy Director of the DPW Division of Environmental shall also establish charges for specific waste contracts for in-County and out-of-County refuse based on existing market conditions, which may vary from the generally applicable user fee schedule. This procedure shall be subject to such other terms and conditions as may be specified in a duly adopted and approved resolution of the County Legislature. The County Executive is hereby authorized and empowered to execute municipal cooperation agreements with other municipalities pursuant to this Local Law.

Section 4. Construction. Local Law 12-91, as amended is hereby repealed.

Section 5. Effective Date. This Local Law shall take effect immediately upon filing with the Secretary of State.

Approved by Legislature: 4/24/95 (R/C Vote: 17 Yes; 8 No) No's: Bobseine, Fagerstrom,
Kubera, Porphiglia, Tarnowski, Taylor, Teresi, Trusso
Public Hearing: 6/12/95
Adopted as Local Law 13-95