

**RESOLUTION NO. 23- 66**

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF ERIE COUNTY, OHIO,  
APPROVING AMENDMENTS TO THE RATES, CHARGES AND RULES FOR THE  
DISPOSAL OF GARBAGE AND REFUSE BY AND WITHIN THE ERIE COUNTY  
SOLID WASTE MANAGEMENT DISTRICT**

The Board of County Commissioners of Erie County, Ohio met this 27th day of February, 2023 in regular session with the following members present:

Patrick J. Shenigo, Mathew R. Old, and Stephen L. Shoffner.

Mr. Shoffner introduced the following Resolution and moved its adoption:

**WHEREAS**, the Board of Erie County Commissioners has heretofore, by appropriate legislation, established the Erie County Garbage and Refuse Disposal District, pursuant to Chapter 343 of the Ohio Revised Code, and has constructed garbage and refuse disposal facilities, including a sanitary landfill; and

**WHEREAS**, by order of the director of the Ohio Environmental Protection Agency, effective January 1, 1994, a Solid Waste Management District known as the Erie County Solid Waste Management District was established pursuant to the Assembly of the State of Ohio, and effective June 24, 1988; and

**WHEREAS**, by Resolution No. 99-109, adopted April 8, 1999, this Board fixed the current rates and charges for disposal of garbage and refuse at the Erie County Landfill by and within the Erie County Garbage and Refuse District; and

**WHEREAS**, prior resolutions amending rates and rules include Resolution No. 99-109, amended by Resolution No. 99-170, Resolution No. 00-300, Resolution No. 03-112, Resolution No. 04-181, Resolution No. 05-485, Resolution No. 06-25, Resolution No. 06-118, Resolution 07-533, Resolution No. 09-523, Resolution No. 10-137, Resolution No. 11-611, Resolution No. 14-411 Resolution 14-617 and Resolution 17-83; and

**WHEREAS**, in the best interests of residents to amend rates and charges and rules for disposal of solid waste at the Erie County Landfill to conserve air space and extend the lifetime of the Landfill for the residents of Erie County,

**WHEREAS**, this Board supports the efforts of the Erie County Land Reutilization Corporation's desire to reduce blight, increase property values, strengthen neighborhoods and improve the quality of life for all Erie County residents;

**WHEREAS**, as required under Section 343.08(B) and (C) of the Ohio Revised Code three (3) public hearings were held February 8, February 15 and February 27 2023, to discuss proposed rates or charges for garbage and refuse disposal or collection, refuse recycling or resource recovery services; **NOW THEREFORE**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO:**

THAT, Erie County Sanitary Landfill amendments in bold and underlined in Paragraphs A, C, D, F, G, I, J, K, L, and N shall take effect upon approval of this resolution:

A. GENERAL BULK RATES:

1. The general bulk rate will be ~~\$41.00~~ **\$52.00**<sup>1</sup> per ton disposal fee for Municipal Solid Waste ~~plus all~~ inclusive<sup>1</sup> appropriate Other Fees.
2. Exempt Waste ~~and~~; Construction and Demolition Debris Waste (CD&D) ~~and nonhazardous contained soil~~<sup>2</sup> disposal rate is \$30.00 per ton inclusive of all fees for In-District and \$40.00 per ton inclusive of all fees for Out-of-District per ton. <sup>3</sup> All CD&D waste generated from the Erie County Land Reutilization Corporation shall be charged only Other Fees of \$1.60 per ton. <sup>3</sup>.
3. Municipal Wastewater Plant Sludge disposal rate shall be \$30.00 per ton inclusive of all fees and disposal volumes may be limited daily by the ~~Sanitary Engineer~~ Utilities Director or their designee<sup>4</sup> for operational purposes.
4. Non-Hazardous Contaminated Soil disposal rate shall be \$40.00 per ton inclusive of all fees and disposal volumes may be limited daily by the Utilities Director or their designee, for operational purposes<sup>5</sup>.

~~Under an intergovernmental agreement with the Huron County Commissioners, Erie County will haul and dispose of Municipal Solid Waste from Huron County Transfer Station to Erie County Sanitary Landfill at a charge to Huron County of \$24.10 per ton for year 2015, of \$24.25 per ton for year 2016, of \$24.38 per ton for year 2017, of \$26.48 per ton for year 2018, and of \$26.58 per ton for year 2019, inclusive of all other fees, plus 30% of fuel surcharge for hauling.~~ <sup>6</sup>

~~Agricultural Lime Waste for beneficial reuse at the Erie County Sanitary Landfill shall be accepted at no cost.~~ <sup>7</sup>

B. SMALL VEHICLE RATES

\$10.00 minimum for the first 400 pounds, and  
\$20.00 minimum for 401-800 pounds, and

for loads in excess of 800 pounds shall be assessed the appropriate bulk rate plus other fees for municipal solid waste currently at \$52.00 per ton. The above "Small Vehicle" rates include all "Other Fees".

C. SPECIAL CHARGES

1. \$20.00 for each appliance containing Freon.
2. \$25.00 (minimum) per 15 minute dig-out.
3. \$10.00 extra for untarped/unsecured loads.
4. Charges related to the Yard Waste Program and Scrap Tire Program.

5. ~~\$5.00~~ **\$10.00**<sup>8</sup> additional charge for mattresses, box springs and sofa beds with mattresses. A surcharge of \$40.00 (total \$50.00) per unit on disposal of more than ten mattresses per day<sup>8</sup>.
6. \$100.00 for clean-up fee when customer disposes of waste in an unacceptable location.<sup>9</sup>

D. OTHER FEES may include, but are not limited to the following:

1. Host Township Fee
2. Ohio EPA<sup>10</sup> State Disposal Fees
3. Solid Waste District/Generation Fees
4. Out-of-State Fees
5. All mandated outside charges, not controlled by the Board of Erie County Commissioners are subject to change.

E. The application of all fees and charges are subject to the discretion of the scale attendant.

F. Roadside litter is exempt from disposal fees with the advance approval of the Landfill Superintendent., Utilities Director or their designee.<sup>11</sup>

G. Government litter is exempt from disposal fees with the advance approval of the Landfill Superintendent., Utilities Director or their designee.<sup>11</sup>

H. Landfill Hours of Operation:

- a. 7:00 a.m.- 3:00 p.m. Mondays through Fridays
- b. 8:00 a.m – 12:00 Noon Saturday
- c. Closed Sundays and POSTED HOLIDAYS
- d. Closed on the following holidays; New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day

I. Industrial Any<sup>12</sup> waste generators with potentially prohibited waste streams are required to provide a disclosure and comply with the procedures for Industrial Waste and Potential Prohibited Waste Disposal prior to disposal.

J. The Erie County Sanitary Landfill may not exceed the Ohio EPA Permit Authorized Maximum Daily Waste Receipts which is currently at ~~800~~ 1200<sup>13</sup> tons per day, but subject to change if approved by Ohio EPA. The Landfill will close for the remainder of the day once the Authorized Maximum Daily Waste Receipt limit has been received and reopen the following scheduled day.

~~K. Out of County waste generators or haulers may be required to provide a disclosure and shall be required to enter into an agreement with the Erie County Commissioners limiting the quantity of waste and concerning liability issues. Approval from the Solid Waste District of origin of Out of County waste and Erie County Commissioners shall be provided prior to acceptance. (Reserved for future use).~~<sup>14</sup>

- L. The Erie County Sanitary Landfill may close ~~for situations such as~~<sup>14</sup> ~~because of~~ high winds resulting in uncontrollable litter blowing onto private property, ~~severe injury/death on site, severe accident that involves the major functions of landfill operations or other dangerous circumstances)~~<sup>15</sup> upon approval of the County Administrator ~~and or~~<sup>15</sup> ~~Sanitary Engineer, Utilities Director or their designee.~~<sup>4</sup>
- M. All wooden railroad ties, guard rail posts, fence posts and telephone poles to be reduced in size to no longer than 4 feet in length for disposal at the Erie County Landfill.
- N. Monthly account customers shall be mailed invoices on or near the 1<sup>st</sup> day of the month for prior month solid waste disposal at the Erie County Landfill. Payment is due on the last workday of the same month. Should payment not be received by the due date, a finance charge of 3% will be charged against all past due amounts. Should payments become more than 2 months past due the customer's account will be placed on a cash basis for the remainder of the calendar year and until all past due amounts are paid in full. The exception to this finance charge would be governmental agencies that are exempt from late fees. ~~Customers must own property in Erie County to be eligible for a Landfill Monthly Account~~<sup>16</sup>.

**THAT**, the Utilities Director is hereby ordered and directed to conduct a review of the foregoing rates and charges for disposal of solid waste at least every twelve (12) months from the effective date of this resolution and report to the Board concerning the necessity of amending said rates, charges and procedures; and

**THAT**, this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of the Resolution were taken in an open meeting of this Board; and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.


Mr. Old seconded the motion for the adoption of said Resolution; and the roll being called upon its adoption, the vote resulted as follows:

**Roll Call:** Mr. Shoffner, Aye; Mr. Old, Aye; Mr. Shenigo, Aye

**Adopted:** February 27, 2023

### CERTIFICATE

I, Erin Paolano, Clerk of the Board of County Commissioners of Erie County, Ohio, hereby do certify that the above is a true and correct copy of Resolution adopted by said Board under said date, and as same appears in Commissioners' Journal, Volume #233.

  
Erin M. Paolano Clerk  
Board of County Commissioners  
of Erie County, Ohio

Approved by County Administrator:

  
Hank S. Solowiej, CPA