



CITY OF KINGSTON
REPORT TO COUNCIL

Report No.: 10-266

TO: Mayor and Members of Council
FROM: Jim Keech, President & C.E.O., Utilities Kingston
RESOURCE STAFF: John Giles, Manager, Solid Waste Department
DATE OF MEETING: 2010-08-24
SUBJECT: Landfill Scale and Fees & Charges By-law Amendment for Solid Waste

EXECUTIVE SUMMARY:

The scale at the Kingston East Landfill is out-of-order. The scale can no longer be used to establish the weight of waste brought into the landfill. A user fee per visit to the landfill could be established, or the scale at the landfill could be repaired.

On July 7, 2010, EITP carried the staff recommendation in Report No. EITP-10-026 stating, *“That the Kingston East Landfill be closed to the public when the public drop-off area is full and that the public be notified of this change through site signage, notices on the website, and mailings.”* Subject to the EITP recommendation being passed by Council at the August 24, 2010 meeting, the need for a scale at the landfill will only exist until approximately the end of 2010.

Staff recommends that the Fees and Charges By-law (Solid Waste) be amended to create a \$15 fee for a passenger vehicle with waste and a \$30 fee for a passenger vehicle with waste pulling a trailer with waste or a full sized van with waste or a truck larger than a pick-up truck with waste.

RECOMMENDATION:

That subject to Report No. EITP-10-026 “Public Access at the Kingston East Landfill” being carried by Council which will close the landfill to the public near the end of 2010 that the scale not be repaired; and further

That By-Law 2005-10 “A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, as amended” be further amended as outlined in this report; and further

That the aforementioned by-law be given three readings and passed; and further

That users be provided with written notification of the change in fees upon entry into the landfill to be effective September 1, 2010, with additional notices for the public posted on the website.

AUTHORIZING SIGNATURES:

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| ORIGINAL SIGNED BY PRESIDENT & CEO, UTILITIES KINGSTON _____ Jim Keech, President and CEO, Utilities Kingston |
| ORIGINAL SIGNED BY CHIEF ADMINISTRATIVE OFFICER _____ Gerard Hunt, Chief Administrative Officer |

CONSULTATION WITH THE FOLLOWING COMMISSIONERS:

| | |
|---|-----|
| Cynthia Beach, <i>Sustainability & Growth</i> | N/R |
| Terry Willing, <i>Community Services</i> | N/R |
| Denis Leger, <i>Transportation, Properties & Emergency Services</i> | N/R |
| Jim Keech, <i>President and CEO, Utilities Kingston</i> | N/R |

(N/R indicates consultation not required)

OPTIONS/DISCUSSION:

Background

The landfill is nearing capacity, and subject to Report EITP-10-026 being carried by Council at the August 24, 2010 meeting, the landfill will be closed to the public once the public drop-off area is full, which is anticipated near the end of 2010. At that time municipal trucks will still use the landfill, however the scale will no longer be required as the weight of municipal trucks will be established after weighing at the organics facility.

Landfill Scale

The scale at the landfill broke in late July and we are unable to establish weights for invoicing. Consequently we are charging residential customers the minimum fee for July unless there is tonnage information verifying that they exceeded the minimum. A minimum fee will continue to be charged until such time as the scale is repaired or a fee per visit is established by amending the Fees and Charges By-law.

The indicator (screen that displays weight) in the scale is not functioning and needs to be replaced. The City's scale maintenance contractor indicates that additional work on the scale will likely be required to ensure that a new indicator and the existing scale load cells synchronize in order to meet the recertification requirement of the Weights and Measures Act. The cost to replace the indicator and have the scale recertified is estimated to be between \$3,600 and \$7,000.

Existing Landfill User Fees

In accordance with the Fees and Charges By-law, users are invoiced monthly at \$110 per tonne based on total waste delivered during the month with a minimum fee of \$15. The minimum fee covers the cost of 130 kg of waste. Approximately half of the residential users visit the site once per month and are charged the \$15 minimum fee. Most others visit twice and charges are generally less than \$30.

Optional Methods to Deal With Broken Scale:

Option 1 – Do Not Repair Scale and Amend the Fees & Charges By-Law to Establish a Fee per Use

The fee schedule attached to By-Law 2005-10, "A By-Law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, as amended", is updated annually. This process was completed for 2010 on December 15, 2009 and was last amended on May 4, 2010. An amendment to the solid waste fee charged is required to be established in the fee schedule and will result in the following by-law amendment:

| Section to be changed / added | Reason for change / addition | Change requested by |
|--|--|---|
| <p>Change to Solid Waste KINGSTON EAST LANDFILL Lines 1 & 2 under Kingston East Landfill be deleted in their entirety and replaced with the following two lines:</p> <ul style="list-style-type: none"> • Fee per use for passenger vehicles including cars, mini-vans, SUVs, pick-up trucks, and trailers (if no waste in vehicle) 2010 fee of \$15.00 • Fee per use for passenger vehicles with waste pulling a trailer with waste, full-sized vans, trucks larger than pick-ups 2010 fee of \$30.00 | <ul style="list-style-type: none"> ▪ Waste disposal charges are currently based on tonnage and change is required to base it on a fee per use | <p>John Giles Manager, Solid Waste</p> |

Three private transfer stations in the City were contacted. They charge per use and have minimum fees of \$15.00, \$17.50 and \$30.00 respectively.

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In some cases the City would lose revenue, compared to a weight based fee, if a passenger vehicle had more than 130 kg per visit. However, it is anticipated that the lost revenue will be negligible in comparison to the cost of repairing the scale. This option may also result in operational savings as the scale will no longer require maintenance.

Due to the cost estimate to repair the scale and the limited time that the landfill will be open to the public, and subject to Report EITP-10-026 being carried, staff recommends that the scale not be repaired and that the Fees and Charges By-law be amended. In addition it is recommended that the by-law amendment be given all three readings in order that a fee per visit can be started September 1, 2010 as invoices are sent out monthly.

Option 2 – Repair the Scale

The expense of repairing the scale is estimated to be \$3,600 to \$7,000, and there is no guarantee that the repairs completed will meet the requirements of the Weights and Measures Act. The scale cannot be used to establish a public charge if it is not certified under the Act.

As stated above, subject to Report EITP-10-026 being carried, the landfill will be closed to the public when the public trench reaches capacity, anticipated to be by the end of 2010. Therefore, the scale would only be used for another 4 months.

Recommended Option

The cost of repairing the scale is estimated to be approximately \$3,600 to \$7,000, and there is a potential that the scale will not meet the requirements for recertification. Additionally, the landfill may only be open to the public for another 4 months.

It is recommended that the scale be left out-of-order and that a set user fee per visit to the landfill based on the vehicle used to transport waste be established. Customers entering the landfill would be provided with written notification of the new fee structure for the use of the landfill. Further notices can be posted for the public on the website. Many other municipal rural landfills use this type of user fee structure for the use of their sites.

In addition, the fees remain comparable with the private transfer stations located within the City.

EXISTING POLICY/BY LAW:

By-law 2005-10 "A By-law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, as amended".

NOTICE PROVISIONS:

The City will provide written notification to customers at the time of entry into the landfill, with further notices posted on the website.

ACCESSIBILITY CONSIDERATIONS: N/A**FINANCIAL CONSIDERATIONS:**

Repairing the scale will incur a cost of approximately \$3,600.00 to \$7,000.00. Establishing a set user fee per visit based on the type of vehicle used to transport waste to the landfill will generate a similar tipping fee income as the current system.

Keeping the scale out-of-operation at this time, could also reduce the annual scale maintenance costs.

CONTACTS: N/A

OTHER CITY OF KINGSTON STAFF CONSULTED:

Carolyn Downs, City Clerk
Stephen Dickey, Financial Services
Heather Gough, Solid Waste
Lyn Suggit, Solid Waste

EXHIBITS ATTACHED:

Appendix A: Draft By-Law to amend By-Law 2005-10 "A By-law to Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, as amended (Change Solid Waste Fees)".

BY-LAW NO. 2010-XXX

A BY-LAW TO AMEND BY-LAW NO.2005-10 “A BY-LAW TO ESTABLISH FEES AND CHARGES TO BE COLLECTED BY THE CORPORATION OF THE CITY OF KINGSTON”, AS AMENDED (CHANGE SOLID WASTE FEES)

PASSED:

The Council of the Corporation of the City of Kingston hereby enacts as follows:

1. By-Law 2005-10 of the Corporation of the City of Kingston entitled “A By-law To Establish Fees and Charges to be Collected by the Corporation of the City of Kingston, As Amended” is hereby amended as follows:
BY DELETING Lines 1 & 2 under Kingston East Landfill in their entirety and replaced with the following two lines:
 - Fee per use for passenger vehicles including cars, mini-vans, SUVs, pick-up trucks, and trailers (if no waste in vehicle) 2010 fee of \$15.00
 - Fee per use for passenger vehicles with waste pulling a trailer with waste, full-sized vans, trucks larger than pick-ups 2010 fee of \$30.00
2. This By-law shall come into force and take effect on the date of its passing.

GIVEN ALL THREE READINGS AND PASSED

CITY CLERK

MAYOR