

**PETERSBURG BOROUGH
ORDINANCE #2013-17**

**AN ORDINANCE PROVIDING FOR CHAPTER 14.12, ENTITLED SANITATION, OF THE MUNICIPAL
CODE, UPDATING CURRENT LANGUAGE TO REFLECT BOROUGH INCORPORATION; AND
PROVIDING INCENTIVE FOR RECYCLING**

Whereas, on January 3, 2013 the Election Division for the State of Alaska certified the election results of the December 18, 2012 incorporation election for the Petersburg Borough, and

Whereas, the certified election confirmed the incorporation of the Petersburg Borough and dissolved the City of Petersburg, and

Whereas, Petersburg Borough Charter, Section 19.06 requires all ordinances, resolutions, regulations, orders and rules in effect for the former City of Petersburg continue in full force and effect within the Petersburg Borough, Service Area 1, until expressly reaffirmed, revised or repealed by the assembly.

Therefore the Petersburg Borough Ordains, the existing provisions for Chapter 14.12 Refuse, as noted with amendments below, are hereby approved and adopted as a borough ordinance to be administered on an areawide (borough-wide) basis.

Section 1. Classification: This ordinance is of a permanent nature and shall be codified in the Petersburg Borough Code.

Section 2. Purpose: The purpose of this ordinance is to update Code language to reflect borough incorporation and to provide for a co-mingled recycling service.

Section 3. Substantive Provisions: The provisions of the former City of Petersburg (now Service Area 1) Municipal Code, Chapter 14.12 are hereby transferred and incorporated into this borough ordinance, and shall read as follows. Chapter and section numbers from the prior city code are retained for future referencing and codification of the Borough Code.

Chapter 14.12 – **SANITATION**

Sections:

- 14.12.010 - Definitions.
- 14.12.020 - Borough to provide for refuse collection.
- 14.12.030 - State or borough permit required for commercial refuse or recyclables hauling.
- 14.12.040 - Regulations governing refuse collectors.
- 14.12.050 - Unlawful disposal of refuse designated.
- 14.12.060 - Disposal of industrial waste.
- 14.12.070 - Polluting water prohibited.
- 14.12.080 - Duty to have, use and maintain containers.
- 14.12.090 - Notices.
- 14.12.100 - Application for utility service and associated fees.
- 14.12.110 - Account deposits.
- 14.12.120 - Billing.
- 14.12.130 - Borough may combine utility bills.
- 14.12.140 - Rates for refuse collection.
- 14.12.150 - On-site refuse disposal rates.
- 14.12.160 - Rate discount for low-income senior citizens.

- 14.12.165 - Refunds and rebates.
- 14.12.170 - Disputed bills.
- 14.12.180 - Delinquent accounts.
- 14.12.190 - Service discontinued at property owner's request.
- 14.12.195 – Community recycling goals.
- 14.12.200 - Administrative authority.
- 14.12.210 - Penalties for violations.

14.12.010 - Definitions.

The following words, terms and phrases when used in this title and in the administrative procedures associated with this title, shall have the meanings ascribed to them except where the context clearly indicates a different meaning:

“Baler Waste” means any materials that are not accepted by the utility as wood waste, metal waste, household hazardous waste or recyclables, and will be baled as municipal solid waste. This is referred to as the refuse stream.

“Commingled” means a mixture of recyclable materials that meets the acceptable standards as defined by the sanitation department and the recycling program. Also referred to as “single stream recycling”.

"Container" means a container supplied or approved by the borough.

“Household hazardous waste” means non-industrial, residential grade chemical wastes which require specialized disposal to meet environmental law. These materials shall not be disposed of through the borough’s wastewater treatment system or by inclusion in the refuse stream. Examples include, but are not limited to: paint, wood stain, varnish, lacquer, corrosive cleaners, lubricants, hydraulic fluid, brake fluid, transmission fluid and solvents.

“Landfill Salvage Program” means a program and permit system that allows customers to enter the landfill for the purposes of salvaging usable materials. The program is subject to the written Landfill Salvage Program, that may be amended from time to time by the Public Works Director.

“Metal Waste” means any material that is predominantly metallic in nature and has limited non-metallic attachments or trim. Examples include, but are not limited to: small engines and equipment, outboard motors, appliances, scrap metals, bicycles, etc. This applies to ferrous and non-ferrous metals.

"Reasonable effort" means storing a container in an enclosed building or securing a container with a line, rubber bungee cord, or other method capable of holding the lid closed should the elements cause the container to be knocked over on its side. A simple weight atop the container is not sufficient. The container shall be secured or stored in such a manner until the day of refuse pick-up.

“Recyclable Materials or Recyclables” means the materials which are targeted and accepted by the borough for inclusion in the recyclable stream.

“Recycling rate” means the percentage (by weight) of recyclable materials that are removed from the community refuse stream in any 12 month period.

"Refuse" means garbage, rubbish or any other trash including but not limited to accumulations of animal, fruit or vegetable matter created by the use and preparation of meat, fish, fowl, fruits or vegetables, fish waste and offal, crockery, bottles or other containers, cans, plastic, metal vessels;

trimmings from lawns, trees and gardens; pasteboard boxes, berry boxes, rags, paper, straw, sawdust, packing material, shavings, ashes and similar materials. Refuse does not include recyclable materials.

“Used oil” means engine oil which has been used for a purpose prior to containment and delivery to the utility. Residential used oil is accepted at all times by the utility. Commercial deliveries of used oil shall be accepted based upon available space and operational capacity of the utility.

“Vector” refers to animals or insects that can potentially spread disease through contact with solid wastes and thereby pose a danger to public health.

“Voucher” refers to a purchased permit which allows for discounted disposal rates for borough residents as defined by the Refuse Voucher Program.

“Wood Waste” means all wooden based waste such as lumber, logs, clean stumps, branches, brush, plywood and other woody waste that can be burned without creation of black smoke.

14.12.020 – Borough to provide for refuse collection

The borough shall provide for the regular and systematic collection and disposal of all refuse and recyclables within Service Area 1. The Borough will additionally provide all residents of the Borough with a designated location for deposit of refuse, wood or metal waste, household hazardous waste and recyclables. The area-wide location for such deposit shall be the solid waste baling facility and adjacent work area.

14.12.030 – State or borough permit required for commercial refuse or recyclables collection .

It is unlawful for any person to haul, transfer or convey for hire any refuse or recyclables, of any description, upon or through the streets of the borough, without having first obtained a contract, franchise or permit from the appropriate certifying agency of the state of Alaska and/or the borough, as applicable.

14.12.040 – Regulations governing refuse collectors.

Any person authorized by the borough, through its Borough Assembly, to collect and dispose of refuse or to collect and deliver recyclables for the borough, shall be governed by the following regulations:

- A. Provide a conveyance adapted to the purpose that no litter of any kind, or contents of such conveyance, shall be permitted to spill or escape onto the streets or highways over which refuse is being hauled;
- B. Collect and remove all accumulated refuse or recyclables at frequent intervals so as to prevent the premises becoming encumbered and to prevent the development of fire or health hazards, or unsightly and objectionable conditions existing at any time or place in the borough; provided, that collections be made at least once each week from each residence, store, shop or other establishment. Collections for more than once per week shall be arranged where conditions require more frequent service;
- C. Deliver all refuse or recyclables to a disposal or transfer site designated by the borough for such purpose, and to no other place;
- D. Keep the baling facility and work areas in a sanitary and orderly condition as circumstances permit, using every reasonable means to contain refuse and recyclables and to prevent the baling facility/work areas from becoming a refuge or breeding place for vectors, or becoming detrimental to the public health and safety.

14.12.050 – Unlawful disposal of refuse designated.

- A. It is unlawful for any person within the Borough to deposit refuse, which may be offensive, noxious or dangerous to the public health, or recyclables on any private property, public ground, alley, street or areaway, or on any other public place within the borough limits where it may become unsightly, dangerous or offensive to the public health.

B. Outside burning of refuse or other combustible materials shall be restricted to authorization or special permit of the fire chief, as regulated by Chapter 9.24 of this code.

C. It is unlawful for any person to deposit refuse in a refuse receptacle provided by the Borough without the express permission of the owner or lessee of the receptacle unless receptacles are specifically placed and known to be for the use of the general public. Refuse receptacles located at the boat harbors are restricted to vessel-generated refuse only. Refuse receptacles located in the yards or parking areas of, or adjacent to, municipal buildings are restricted to municipal use only.

D. It is unlawful for any person within the Borough to deposit refuse on the grounds surrounding a refuse or recyclables receptacle. Refuse or recyclables that cannot be lifted into the receptacle or will not fit into the receptacle so that the lid can be completely closed, must be transported to an approved disposal or collection area.

E. It shall be permissible for any person within the Borough to deposit recyclable materials into any recyclable receptacle that serves a municipal facility, site or public area, provided that the receptacle is capable of containing the material without overflowing onto the ground.

F. Nothing in this section shall be construed to prevent a person from removing refuse from private property and transporting it to an approved disposal area.

G. It shall be unlawful to deposit refuse or any other material not accepted by the borough recycling program into any recyclable receptacle within the borough.

H. It shall be unlawful to commingle household hazardous waste with other refuse or to deposit same into the borough refuse stream. Household hazardous waste shall be disposed of only at the hazardous waste disposal site established at the solid waste baling facility.

14.12.060 – Disposal of industrial waste.

Within the Borough, every person or corporation owning, operating, maintaining, conducting or managing any cannery, cold storage plant, packing plant, saltery, smokery, fertilizing plant or any plant where fish or animal products are kept, sold, canned, smoked, salted, pickled, frozen or handled in any manner, shall remove and dispose of all refuse and unused portions of fish, fish products and animals. Removal and disposal of refuse shall be in a manner that the refuse shall not become a nuisance or a menace to the health or well-being of the public. Except when specifically permitted by the Alaska Department of Environmental Conservation or the United States Environmental Protection Agency, refuse shall not be deposited in or on any of the following areas within or adjacent to the borough: beaches or shores; water ways, including oceans, creeks, streams and lakes; public or private highways or streets; and public or private lands.

14.12.070 – Polluting water prohibited.

Within the Borough, it is unlawful for any person to put, dump, place or convey any sewage, drainage, refuse or any polluting matter of any kind whatsoever which, either by itself or in connection with other matter, will corrupt or impair the purity or healthfulness of any water held or intended for domestic, industrial or commercial use or consumption.

14.12.080 – Duty to have, use and maintain containers.

A. Within Borough Service Area 1, it shall be the duty of every person in possession, charge or control of any residence to keep and utilize approved refuse storage containers for refuse collection and disposal by the borough. Applicability of this provision to future borough service areas shall be determined during the establishment of each service area. Commercial or industrial structures where refuse is created or accumulated shall keep approved refuse storage containers for refuse collection and shall either provide for delivery to the borough solid waste baling facility, or enroll in the Borough's collection service.

B. The borough will provide approved refuse containers to customers within Service Area 1, for voluntary customers outside of Service Area 1 and for future service areas as determined during

service area development, and when provided they shall be used. Refuse storage containers shall be of an approved type as designated by the borough and shall be strong, watertight, not easily corrodible, rodent-proof, and insect-proof. Containers shall have an overlapping cover or a cover permanently attached to the container. A reasonable effort shall be made by each customer to stow or secure refuse containers in such a manner that refuse will not be accessible to animals. Containers which cannot be mechanically emptied shall not be allowed. Customers failing to adhere to this section shall be subject to a fee of \$5.00 per pickup of a non-approved container, in addition to their monthly service charge and any applicable extra refuse charge imposed under subsection .140(G) of this chapter.

C. The Borough will provide recyclable containers for all customers who elect to recycle and when provided they shall be used. Recyclable containers shall be capable of protecting the materials from weather by means of an overlapping lid or ability to be sealed from the elements. The containers shall function so as to minimize odors and vector attraction. Consumer food and beverage containers deposited into recyclable containers shall be rinsed prior to placement in the container to prevent vector attraction and provide a product acceptable to recycling markets.

D. The customer shall keep each refuse or recyclable storage container clean inside and out so that no odor nuisance shall exist. Covers shall not be removed except when necessary to place refuse in the storage container or take refuse from the container. Containers shall not be overloaded to the extent covers cannot be securely replaced or the deposited materials would be exposed to the weather.

E. A level pad of concrete or wood plank shall be provided by the customer for siting of wheeled dumpsters. The pad shall be constructed to drain water to keep the dumpster from freezing to the pad and of a sufficiently smooth surface so the dumpster can be easily rolled. The pad shall be located to provide ease of access by the collection equipment and shall be built at a correct height so that trucks can secure and empty containers.

F. On the customer's designated collection day, refuse and recyclable storage containers shall be placed so the collector can have direct access to the containers by no later than the start of that day's sanitation work shift. Access to containers must remain thereafter until collected by borough personnel. It shall be required that refuse and recyclable containers be placed within 8 feet of the driven road surface on any public property or right of way. Containers shall not have obstructions between the container and the collection truck and must be placed with a minimum of 3 feet clear space around the container.

14.12.090 – Notices.

A. Notices from the borough regarding a customer's account will normally be given in writing and either mailed or delivered to the property owner's last known address. Notices for changes in collection schedules due to public holidays or other operational considerations shall be made borough wide by issuance of Public Service Announcements that are delivered to local media and posted to the borough website. Where conditions warrant and in emergencies, the borough may notify either by telephone or messenger.

B. Notices from a customer to the borough may be given by the customer or authorized representative, orally or in writing, at the finance or public works offices of the borough, or to an agent of the borough authorized to receive notices.

14.12.100 – Application for utility service and associated fees.

A. All customers shall complete an application for utility service form provided by the finance department of the borough, giving all information necessary to establish a utility account. The application for service form may include inquiries regarding the customer's credit and ability to pay for services and such other information as the borough may reasonably require.

B. In signing the application, the customer agrees to abide by the provisions of this chapter.

C. At the time a customer files an application for service where no service previously existed or if the property owner is filing for a change in service size, the customer shall submit with the application any applicable account deposit.

14.12.110 – Account deposits.

A. Account deposits may be required from all customers who have not received any Petersburg municipal utility services for a period of nine months or more prior to application and from customers who are known to have been delinquent on prior Petersburg municipal utilities.

1. Account deposits for new customers shall be equal to one month's collection fee for the size of service required, if applicable.

Account deposits for customers who have been delinquent but not disconnected from any prior Petersburg municipal utilities, shall be equal to two month's collection fee for the size of service required.

3. Account deposits for customers who have been delinquent and disconnected from any Petersburg municipal utility for nonpayment shall be two month's collection fee for the size of service required.

4. Account deposits may be waived for customers who have demonstrated timely payment for the most recent twelve-month period on all municipal utilities received, regardless if the municipal utility services were provided by the Petersburg Borough

B. Account deposits are not to be considered payment on account until after twelve consecutive months of non-delinquent payment on all municipal utilities. After twelve consecutive months of non-delinquent payment, the deposit shall be applied to the next utility bill.

C. Administrative procedures, approved by the borough manager, may be implemented to accommodate special circumstances or hardships.

D. Account deposit rates shall be reviewed annually by the sanitation and finance departments and a recommendation made to the borough manager for presentation to the borough assembly for the increase or decrease of deposit rates as needed for the sound financial management of the sanitation utility.

14.12.120 – Billing.

A. Customers will be billed for refuse collection service based on the service container size and the number of days collected during a week.

B. Bills shall be issued monthly. Opening or final bills, or bills that for any other reason cover a period containing less days than in the normal billing period, shall be prorated.

C. The borough will keep an accurate record of all refuse accounts as prima facie evidence of the use of refuse service by a property owner.

14.12.130 – Borough may combine utility bills.

A. The borough reserves the right to combine the refuse collection and disposal fees with the monthly billing for other utility services, but in such event the charges for separate services shall be specifically identified.

B. Any municipal utility service may be disconnected if any part of the utility bill is delinquent.

14.12.140 – Rates for refuse collection.

A. Except as otherwise provided in this chapter, each residential unit within Service Area 1 shall maintain and be charged for at least the minimum level of service. Single-family residential and duplex units requiring more than the minimum level shall be charged accordingly.

B. Commercial and industrial users including hotels, motels, bed and breakfast units and apartment buildings with three or more units shall be charged for the level of service requested.

C. The monthly rates for refuse collection by the borough or its designated or authorized agent shall be:

7/01/13—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$27.63	\$33.16	\$49.08	\$57.58	\$166.84	\$221.47	\$276.10	\$310.25
2			\$75.79	\$112.21	\$330.73	\$440.00	\$549.26	\$617.55
3				\$166.84	\$494.63	\$658.52	\$822.42	\$924.85
4					\$658.52	\$877.05	\$1,095.57	\$1,232.15
5							\$1,368.73	\$1,539.45
6								\$1,880.90
7								

7/01/14—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$28.19	\$33.83	\$50.06	\$58.73	\$170.18	\$225.90	\$281.62	\$316.45
2			\$77.31	\$114.45	\$337.35	\$448.80	\$560.24	\$629.90
4				\$170.18	\$504.52	\$671.69	\$838.86	\$943.35
5								
6								
7								

7/01/15—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$28.75	\$34.50	\$51.06	\$59.90	\$173.58	\$230.42	\$287.26	\$322.78
2			\$78.86	\$116.74	\$344.09	\$457.77	\$571.45	\$642.50
3				\$173.58	\$514.61	\$685.13	\$855.64	\$962.22
4					\$685.13	\$912.48	\$1,139.83	\$1,281.92
5							\$1,424.03	\$1601.64
6								\$1,956.89
7								

7/01/16—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$29.32	\$35.18	\$52.08	\$61.10	\$177.05	\$235.03	\$293.00	\$329.24
2			\$80.43	\$119.08	\$350.98	\$466.93	\$582.88	\$655.35
3				\$177.05	\$524.90	\$698.83	\$872.75	\$981.46
4					\$698.83	\$930.73	\$1,162.63	\$1,307.56
5							\$1,452.51	\$1,633.68
6								\$1,996.02
7								

7/01/17—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$29.91	\$35.89	\$53.12	\$62.32	\$180.59	\$239.73	\$298.86	\$335.82
2			\$82.04	\$121.46	\$358.00	\$476.27	\$594.53	\$668.46
3				\$180.59	\$535.40	\$712.80	\$890.21	\$1,001.09
4					\$712.80	\$949.34	\$1,185.88	\$1,333.71
5							\$1,481.56	\$1,666.35
6								\$2,035.94
7								

7/01/18—2% Increase

Pick-ups Per Week	32 gal Recycling Incentive Rate	32 gal	64 gal	96 gal	288 gal	384 gal	480 gal	540 gal
1	\$30.51	\$36.61	\$54.18	\$63.57	\$184.20	\$244.52	\$304.84	\$342.54
2			\$83.68	\$123.89	\$365.16	\$485.79	\$606.43	\$681.83
3				\$184.20	\$546.11	\$727.06	\$908.01	\$1,021.11

4					\$727.06	\$968.33	\$1,209.60	\$1,360.39	
5							\$1,511.19	\$1,699.68	
6								\$2,076.66	
7								\$2378.25	

D. Pack-out Service. Pack-out service shall be provided for an additional monthly charge of ten dollars for each 32 gallon equivalent within the customer's service level. No pack-out service shall be provided for containers located more than fifty feet from the street. No pack-out service shall be provided for service levels greater than 96 gallons.

E. Return Call Pick-ups. Customer containers and dumpsters must be readily available for pick-up as determined by the borough. Return call pick-ups deemed not to be an oversight or responsibility of the refuse collection personnel will be charged \$15.00 per return call in addition to the regular monthly bill.

F. Minimum Charge. The minimum refuse collection charge shall be the rate for thirty-two gallons for once per week pick-up.

G. Extra Refuse. If a customer places an extra carton, box, bag, bale or container out for pick-up by the refuse collection personnel beyond the level of service billed to the customer, that customer shall be charged an extra refuse fee equal to an additional one quarter of the minimum monthly refuse collection charge for each thirty-two gallon equivalent, or portion thereof, that is over and above the customer's service level.

H. Multi-unit Commercial and/or Residential Premises. The landlord/owner may be billed for the service provided to multi-unit commercial and/or residential premises with three or more units where the refuse containers communally serve the units.

I. Vacation Rate. In the event the residence will be vacant for a time period of one month or more, the customer may request a vacation rate of five dollars per month which will discontinue collection pickups during the vacancy of the residence. The customer will provide the utility with a specific date of return at which time regular service and billing will resume. The vacation rate is available for full billing periods only. It shall not be prorated for partial billing periods.

J. If customers set out refuse beyond their billed level of service more than twice per month, the utility will notify the customer and upgrade the service to the appropriate level.

K. Irregular Service Charge. When requests are made by customers for irregular collection service for less than a month's time or for special events, the refuse charge will be prorated from the collection schedule for the size of container requested. In no case shall the prorated charge be less than one week's billing. An additional fifty-five-dollar fee will be applied for each pick-up of the requested container if it is 288 gallons or above in size. A deposit may be required for this service.

L. Recycling Incentive Rate. Beginning with the implementation of a residential commingled curbside recycling program, the service fee for 32 gallon refuse collection shall be increased by 20% over codified rates and programmed increases contained in section 14.12.140.C. This increase shall be waived for all customers who enroll in the borough's commingled curbside recycling program. By enrollment in the curbside recycling program, the customer agrees to actively recycle and follow the rules of the program as established by the sanitation utility.

14.12.150 – On-site refuse disposal rates.

A. Standard Fees.

Description	7/1/13	7/1/14	7/1/15	7/1/16	7/1/17	7/1/18

Baler waste (per lb)	\$.160	\$.165	\$1.65	\$.165	\$.165	\$.165
Metal waste (per lb)	.065	.065	.065	.065	.065	.065
Wood waste (per lb)	.065	.065	.065	.065	.065	.065
Refrigeration unit w/Freon (per each)	40.00	40.00	40.00	40.00	40.00	40.00
Passenger or light truck tires (per each)	4.25	4.50	4.50	4.50	4.50	4.50
Heavy equipment tires (per each)	50.00	50.00	50.00	50.00	50.00	50.00
White Goods (per lb)	.065	.065	.065	.065	.065	.065
Household hazardous waste (per lb)	.160	.165	.165	.165	.165	.165
Antifreeze (per gallon)	3.50	3.50	3.50	3.50	3.50	3.50
Auto/Marine Battery (per each)	5.50	5.50	5.50	5.50	5.50	5.50
Used Oil (per gallon)	0.00	0.00	0.00	0.00	0.00	0.00
Paint (per gallon)	1.00	1.00	1.00	1.00	1.00	1.00
Commercial Noncompacted (yard)	16.00	16.00	16.00	16.00	16.00	16.00
Junk Vehicles (per each)	75.00	75.00	75.00	75.00	75.00	75.00
Voucher Vehicles (per each)	37.50	37.50	37.50	37.50	37.50	37.50

Vouchers (per each)	40.00	45.00	45.00	45.00	45.00	45.00
Salvage permits (per day)	10.00	10.00	10.00	10.00	10.00	10.00
Wood waste - charity (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Baler waste- charity (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Metal waste- charity (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Wood waste - borough (per lb)	0.00	0.00	0.00	0.00	0.00	0.00
Metal waste -borough (per lb)	0.00	0.00	0.00	0.00	0.00	0.00

B. Adjustment or Waiver of Standard Fees. The public works director may adjust or waive standard refuse fees in the event a customer experiencing financial hardship is disposing of a structure and/or its contents that were ruined due to an accidental fire or natural disaster. This provision shall not apply to the intentional burning and disposal of any structure. This provision shall not apply if insurance payments have been received by the customer for the purpose of reimbursing the customer for their loss and disposal of the debris.

C. Refuse rates and fees shall be reviewed annually by the sanitation utility and finance department and a recommendation made to the borough manager for the increase or decrease of rates needed for the sound financial management of the refuse utility. The borough manager shall review the findings and present the recommendation to the borough assembly.

14.12.160 - Rate discount for low-income senior citizens.

All rates, including the monthly minimum, shall be reduced fifty percent in instances where a senior citizen has signed an affidavit at the borough finance office attesting they are the head of the household, are sixty-five years of age or older and all combined income for the household did not exceed twenty thousand dollars during the previous year.

14.12.165 - Refunds and rebates.

A. Prior to taking action for any refund or rebate of unanticipated revenues, the borough assembly will seek a recommendation from the department head with oversight responsibilities for those funds. The refund or rebate shall be accepted and allocated by the borough assembly by resolution.

B. After the consideration of a recommendation by a department head the borough assembly, by resolution, may refund or rebate any user fees or charges collected for service in any manner deemed appropriate and on an equitable basis to the affected users. Refunds or rebates shall only be made when the utility receives unanticipated revenues from funding sources outside the utility's rate structure. Refunds or rebates may be used to postpone or lessen a planned rate increase only to the extent of the amount of the refund or rebate.

14.12.170 - Disputed bills.

Disputed bills shall be remedied by administrative procedure approved by the borough manager.

14.12.180 - Delinquent accounts.

A. Amounts owed the borough under this title shall be considered past due if not paid in full on or before the due date and delinquent if not paid in full by the end of the following billing cycle. Utilities may be disconnected if any part of any delinquent municipal utility bill is not paid.

B. Past due and delinquent accounts are subject to accrual of interest on the unpaid balance at the rate of 10.5% per annum, from the due date until paid. Delinquent accounts are subject to discontinuance of service in addition to accrual of interest.

C. The borough shall make reasonable efforts to notify customers of delinquent accounts prior to disconnection of service. However, failure of the customer to receive notice does not waive any fee, interest or disconnection.

D. A service disconnected for delinquency shall not be restored until payment in full, including interest and reconnect fees, is received by the borough; or written arrangements acceptable to the borough to bring the account current have been made.

E. Disconnect of other municipal utilities shall be the method of refuse service fee collection when necessary and applicable to the customer in question. If other municipal utility services are disconnected for nonpayment of a refuse collection account, the refuse account deposit shall be applied to the unpaid refuse collection balance due. No municipal utility services will be restored to the property owner at the same or different premises until all outstanding utility bills due the borough have been paid and new account deposits made.

F. The noticing and administration of past due and delinquent accounts shall be by administrative procedure approved by the borough manager. The administrative procedures shall provide for written notice to delinquent account holders informing of the date utility services will be disconnected if the delinquent account is not promptly paid in full.

G. In cases of extreme hardship or special circumstances, the borough manager shall have the discretion of renewing service to, or making payment arrangements with, a customer who has been disconnected from municipal utilities for nonpayment.

H. If a landlord, or utility employee informs the utility administration of a vacancy or change in residency at a service location that is past due on their utility bill and the customer of record has not arranged for disconnect of services, the utility may be disconnected from the customer in order to limit amounts owed to the borough by the customer. The landlord or new tenant shall transfer utilities into their name, and pay all applicable fees and deposits, in order to continue receiving services. This shall not apply to temporary caretaking of a residence while the utility customer is on vacation.

14.12.190 - Service discontinued at property owner's request.

A. Notice. Each customer about to vacate any premises supplied with municipal refuse collection service shall give the borough at least one-day written notice specifying the day service is to be discontinued. If one-day written notice is not given, the customer will be responsible for all scheduled pick-up charges accrued by the premises until the borough receives notice.

B. Final Billing. At the time service is disconnected due to unit vacancy and after notice is given by the customer, a bill will be issued for the proportionate share of the monthly rate. The final bill is payable immediately.

14.12.195 – Community recycling goals.

It shall be the goal of the borough sanitation department to implement recycling programs and systems that will achieve the following community wide, recycling rates by the respective deadlines:

- A. By January 1, 2017 the community will achieve a recycling rate of 30%.
- B. By January 1, 2019 the community will achieve a recycling rate of 40%.
- C. By January 1, 2021 the community will achieve a recycling rate of 50%.
- D. The sanitation department shall promote recycling through public education, programmatic revisions as necessary, capital equipment planning and funding, and operational enhancements as required to achieve the published goals.

14.12.200 - Administrative authority.

The borough manager is authorized to establish and implement procedures for the daily administration and collection of revenues of the refuse utility and to address unusual circumstances that may arise.

14.12.210 - Penalties for violations.

A. A person who violates a provision of this Chapter, other than past due and delinquent accounts, shall be guilty of a violation, and shall be subject to a fine as provided in Chapter 1.16 of the borough code.

B. A person who violates a provision of this Chapter by making any unlawful disposal is also liable for all costs and expenses incurred by the borough in the clean up and remedy of that disposal, in addition to administrative costs and attorney fees incurred by the borough as a result of the violation. If the unlawful disposal occurs on private property, the provisions of section 9.12.130 shall apply.

Section 4. Severability: If any provision of this ordinance or any application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected.

Section 5. Effective Date: This Ordinance shall become effective immediately upon final passage. The provisions regarding borough collection of recyclable materials shall become effective upon impletion of the borough’s residential commingled curbside collection recycling program. Prior to implementation of that program, all customers receiving 32 gal/once a week service shall be charged at the lowest rate set for 32 gallon service, referred to as the ‘recycling incentive rate’ in the tables found at section .140; following implementation of the program, that incentive rate is available only to those customers who participate in the borough’s curbside collection recycling program.

Section 6. Application of 14.12.050B: Subsection 14.12.050B shall not be applied outside of Service Area #1 except in accordance with a borough open burning ordinance subsequently adopted by the Assembly.

Passed and approved by the Petersburg Borough Assembly, Petersburg, Alaska this 2nd Day of December, 2013.

Mark Jensen, Mayor

ATTEST:

Kathy O’Rear, Clerk

Adopted: 12-02-2013
Published: 12-05-2013
Effective:12-02-2013