

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON  
FOR THE COUNTY OF YAMHILL  
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Imposition )  
of an Additional Fee for Non- )  
Covered Loads Received at New- ) BOARD ORDER 88-290  
berg Transfer Recycle Center )  
and Riverbend Landfill, Effect- )  
tive August 1, 1988 )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on the 8th day of June, 1988 in special session, Commissioners Ted Lopuszynski, Donald D. Porter, and David E. Bishop being present.

IT APPEARING TO THE BOARD that a serious problem exists with respect to large amounts of roadside litter falling from uncovered or unsecured loads of refuse in transit to franchised disposal facilities in Yamhill County; and

IT FURTHER APPEARING TO THE BOARD that the current franchise holders employ personnel to pick up litter along public roadway approaches to franchise facilities and that costs attributed to clean-up crews are absorbed by the franchise holders as part of overall operational costs; and

IT FURTHER APPEARING TO THE BOARD that even with clean-up crews employed by franchise holders, unsightly conditions still remain on public roadsides from refuse which has fallen off uncovered or unsecured loads; and

IT FURTHER APPEARING TO THE BOARD that it is prudent to enact an additional fee which should be paid by haulers of refuse who bring uncovered or unsecured loads of refuse to the disposal franchises in order to deter roadside litter and to compensate franchise holders for costs attributable to clean-up of public roadways leading to their facilities; and

IT FURTHER APPEARING TO THE BOARD that a reasonable additional fee for each vehicle or container of less than six cubic yards which is not properly covered or secured is \$5.00 and that a reasonable additional fee for each load in excess of six cubic yards not properly covered or secured is \$15.00, and that such fees should be dedicated to offset the expense of approved roadside litter control programs; and

IT FURTHER APPEARING TO THE BOARD that prior to imposition of an additional fee, a substantial public information campaign to make haulers and individuals aware of this board order should be conducted and that the effective date of the imposition of the fee provided for herein should be delayed until such public education program has been completed; and

IT FURTHER APPEARING TO THE BOARD that on the 8th day of June, 1988, a public hearing was held in Room 32 of the Yamhill County Courthouse before the Board of Commissioners on the question of whether an additional fee should be imposed as described above, following a recommendation for such fee from the Solid Waste Advisory Committee; and

IT FURTHER APPEARING TO THE BOARD that on June 8, 1988 the Board considered the matter and voted to approve the committee's recommendation; and

IT FURTHER APPEARING TO THE BOARD that the Yamhill County Solid Waste Ordinance, Section 10, provides authority for the Board to impose disposal fees and that authority for establishment of the fee provided for herein is set forth in said ordinance; Now, Therefore,

IT IS HEREBY ORDERED by the Board as follows:

1. Effective August 1, 1988, a fee of \$5 is hereby imposed on each vehicle or container transporting open loads containing less than six cubic yards of solid waste which is not tarped, tied down, or otherwise secured to effectively prevent the spillage, leakage, or escape of refuse or debris from the container in which it is being hauled.

2. Effective August 1, 1988, a fee of \$15 is hereby imposed on each vehicle or container transporting open loads of more than six cubic yards of solid waste which is not tarped, tied down or otherwise secured to effectively prevent the spillage, leakage or escape of refuse or debris from the container in which it is being hauled.

3. The fees established in paragraphs 1 and 2 are in addition to all other fees for solid waste disposal authorized by the Board.

4. Disposal franchise holders shall maintain a written log which indicates the date of the imposition of any additional fee as established in paragraph 1 or 2, the license number of the vehicle involved, and the amount of the fee assessed. Copies of the log shall be supplied to the Yamhill County Department of Planning and Development not later than January 15 and July 15 of each year for six month periods ending December 31 and June 30 of each year.

5. Revenue raised by fees imposed by this board order shall be used solely to offset roadside litter control programs approved by the county. Disposal franchises given authority to impose the fees provided herein shall maintain strict accounting records reflecting the fees received together with the specific purposes for which the money collected is expended. Any sums not used specifically for roadside litter control programs shall be remitted to Yamhill County for deposit in the county solid waste fund.

DONE this 22nd day of June, 1988 at McMinnville, Oregon.

ATTEST:

YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN  
County Clerk

Ted Lopuszynski  
Chairman TED LOPUSZYNSKI

By: Elaine Pearcey  
Deputy County Clerk ELAINE PEARCEY

Donald D. Porter  
Commissioner DONALD D. PORTER

APPROVED AND TO BE FORM BY:

John M. Gray, Jr.  
JOHN M. GRAY, JR.  
Yamhill County Counsel

(not available for signature)  
David E. Bishop  
Commissioner DAVID E. BISHOP