

SANTA CRUZ COUNTY SOLID WASTE FACILITIES

**Rio Rico Landfill
Sonoita-Elgin Landfill
Tubac Transfer Station**

**2150 N. Congress Drive
Nogales, AZ 85621
(520) 375-7830**

**USER FEE POLICY
AND
NEW ACCOUNT APPLICATION
FOR
ALL BUSINESS AND COMMERCIAL HAULERS**

Original July 17 2001
Revision History:
2002; 2003; June 20 2007; June 9, 2010

REVISION RECORD:

The original draft of this policy was first submitted to Victor Gabilondo at the PWD on 1/4/01. This policy has been reviewed by the following people: The Board of Supervisors (3/13/01), Carlos Rivera (4/3/01), Holly Hawn (3/19/01 & 6/8/01), Jennifer St. John (3/13/01), Ken Zenhentner (1/31/01 & 2/13/01) and Victor Gabilondo (2/1/01). These comments and suggestions have resulted in this User Fee Policy. Management wishes to personally thank each person who has provided input.

- Resolution No. 2001-26; Adoption of User Fee Policy.
- Resolution No. 2002-02; Increase User Fee to \$36/ton
- Resolution No. 2003-19; Adjustment of load weight limits for vehicles and increased user fee to \$37/ton.
- Resolution No. 2007-06; Update Contact Information, Changed Definition to Unsecured and Uncovered Loads and Asses Total Cost to After Normal Hours of Operation.
- Resolution No. 2010-10; Increase User Fee to:
 - Rio Rico Landfill:
 - Commercial = \$40.00/ton
 - Residential
 - Over 500 lbs = \$40.00/ton.
 - 0 to 250 lbs = \$ 5.00/load.
 - 250 to 500 lbs \$10.00/load.
 - Sonita Elgin Landfill:
 - Commercial = \$40.75/ton
 - Residential
 - Over 500 lbs = \$40.75/ton.
 - 0 to 250 lbs = \$ 6.75/load.
 - 250 to 500 lbs \$10.75/load.
 - Tubac Amado Transfer Station:
 - All loads < bed high = \$ 7.00/load.

INTRODUCTION:

This document contains the User Fee Policy; directions as to how the Fee Shed Attendant should determine the type of loads and subsequent fee charges; the New Account Application for Credit/Charging Privileges; and definitions that will be used by staff of the SANTA CRUZ COUNTY, Solid Waste Facilities.

Santa Cruz County, Solid Facilities include the Rio Rico Landfill, Sonoita/Elgin Landfill and the Tubac/Amado Transfer Station. Hereinafter referred to as facilities.

Hereafter, the facilities will charge rates that are necessary to sustain and pay for the cost of operating and maintaining each facility. Thus different user fees are established for each facility.

DEFINITIONS AND ASSOCIATED REQUIREMENTS:

"Bulky Items" means large items of solid waste whose size or shape precludes or complicates their handling by normal collection, processing or disposal methods. Materials defined, as bulky waste will be determined on a site-specific basis, depending on equipment and facilities capability. These items may include, but are not limited to, furniture, mattresses, barrels, steel, fencing, woody materials, etc.

"Commercial Vehicle" means any vehicle that is identified by a commercial business logo, or exceeds the half-ton weight certification limit. All commercial vehicles will be weighed in and weighed out and charged the per ton rate identified in the Fee Schedule.

"Commercial Solid Waste Hauler" means any person, business entity, corporation, company, partnership, firm, association or society, including governmental entities that receive direct or indirect compensation, provides or offers disposal service of solid waste, including landscapers, RV Parks, contractors, tire and appliance dealers. All such parties will be weighed in and out and charged the per ton rate identified on the attached Fee Schedule.

"Commercial Solid Waste Hauler Permit" means that any "Commercial Solid Waste Hauler" must have a current SANTA CRUZ COUNTY Solid Waste Facility **USAGE PERMIT** and/or **Charge/Credit Application** on file at all times. The information contained on these forms is necessary, because it provides point of contact information for landfill staff. Staff may from time to time need to contact a hauler or person who disposed of solid waste to investigate origin of the waste, the contents of the waste or obtain other information about the characteristics of the solid waste.

"Commercial Waste" means any solid waste transported in commercial vehicle. All commercial waste will be weighed in and weighed out and charged the per ton rate identified in the Fee Schedule.

"Construction and Demolition (C&D)" Is defined as any solid waste that is generated from construction or demolition activities (ARS 49.701.5 & 7, respectively). Examples of C&D material include, but are not limited to rock, dirt, sand, concrete, asphalt, metal, bricks, sheet rock, asphalt and wood shingles, processed and natural wood wastes, automobile body parts, etc. Tree trunks and other natural/processed wood that exceed 6" in diameter and 4' in length will be not be accepted. All residential and commercial C&D material, will be weighed in and weighed out and billed at the per ton charge.

"Municipal Solid Waste" is defined as garbage, refuse, and similar solid waste material discarded from residential, commercial, institutional and industrial sources and community activities, including recyclables that are separated.

"Non-Standard Vehicle/Load" is defined as any vehicle, single axle trailer used to transport solid waste or load of solid waste, that substantially exceeds a large or small pickup truck, bed high or the anticipated weight (i.e. if the net weight or volume for small pickup or full size pickup exceeds 500 lbs or 2.63 cubic yards, it is considered "Non-Standard") and billed by the per ton charge. Additional examples of non-standard vehicles include panel wagons and trucks; pickup trucks with side boards; dump trucks; multi-axle trailers, and horse trailers.

"Person" means any business entity, corporation, company, partnership, firm, association, society or governmental entity. As well as a natural person.

"Residential Waste" means solid putrescible waste that would commonly be found inside a residential dwelling.

"Solid Waste" means all putrescible and non-putrescible solid and semi-solid wastes, including any garbage, trash, rubbish, refuse, dry sludge, cold ashes, manure, street and parking lot cleanings, and other discarded material, but does not include domestic sewage, large dead animals (livestock), offal, hazardous wastes or C&D material.

"Un-accepted Waste" means the following types of solid waste are not accepted at the Facilities:

- Radioactive materials.
- Toxic or Hazardous substances as defined by ARS Section 49-281 and 40CFR261.
- Pesticide and hazardous containers or other containers used to hold waste, unless they are rendered incapable of holding

the pesticide or hazardous waste.

- Livestock greater than 70 pounds.
- Offal (livestock guts).
- Out of County waste.
- Out of Country waste.
- Other suspect waste.
- Bio-hazardous waste.
- Shredded synthetic, petroleum fabric.
- Large loads of asphalt material.
- Printer Cartridge (large quantities).
- Friable Asbestos.
- Petroleum Contaminated Soil.

Other suspect waste would be waste that does not fit into one of the categories above and is not municipal or residential solid waste.

As such, per 40 CFR 258.20 procedures for excluding the receipt of hazardous material require Facilities practice an active waste-screening program, which excludes the following materials:

- Hazardous.
- Chemical.
- Liquids.
- Acids.
- Sealed drums and containers.
- Corrosives.
- Pathological.
- Explosives.

"Unsecured and Uncovered Loads" are defined as follows. Failure to properly secure and cover a load may subject the user to doubling of the disposal fee charge, because of the high probability that the solid waste will be blown or fall out of the vehicle and cause litter and road hazards on public right of ways.

- An Unsecured Load is defined as a load that is not restrained, tied down or secured with tarps, nets or ropes.
- An Uncovered Load is defined as a load that is not covered or restrained by a tarp, nets or ropes.

"Usage Permit" means any person, business entity, corporation, company, partnership, firm or entity that receives direct or indirect compensation, provides or offers disposal service of solid waste to an approved site, including landscapers, RV Parks, contractors, tire and appliance dealers **MUST HAVE AND MAINTAIN A VALID SOLID WASTE FACILITIES USAGE PERMIT AND/OR CHARGE/CREDIT APPLICATION ON FILE AT THE FACILITIES.**

"White Goods" means large household appliances including, but not

limited to refrigerators, stoves, ovens, washers, dryers, and hot water heaters. All residential originating white goods will be weighed in and weighed out and charged the per ton rate identified in the Fee Schedule. White goods delivered by a commercial businesses will be weighed in and weighed out and charged by the per ton charge as defined by the "Commercial Solid Waste Hauler definition.

All refrigerators or freezer units that have their compressor removed or have a certificate stating that the Freon refrigerant has been vacuumed out can be accepted. In addition, a customer wanting to dispose of a refrigerator(s) and/or freezer(s) must sign the refrigerant log, certifying that to the best of their knowledge the unit(s) does not contain Freon refrigerant.

1. FEE ASSESSMENT

All persons disposing of waste at the Facilities shall be charged a fee as identified by the enclosed Fee Schedule, the above definitions, definitions used by ADEQ and EPA and by this policy. The SANTA CRUZ COUNTY, Solid Waste Manager will administer the fee collection program.

The user fee shall be due in cash or payable with a check that has current address, phone number, driver license and/or social security number at the time of usage unless other arrangements have been made with SANTA CRUZ COUNTY and approved by the Solid Waste Manager. The user fee schedule is subject to revision as determined by the SANTA CRUZ COUNTY Board of Supervisors.

A. FEE SCHEDULE - Fees for use of the SANTA CRUZ COUNTY, Facilities shall be assessed as set forth in the fee schedule incorporated herein. The Board of Supervisors on a quarterly basis may amend the Fee Schedule. The fee schedule for all commercial or businesses hauling solid waste, solid waste haulers and charge/credit accounts will be based upon the weight of the load (i.e. by the ton) and charged the per ton rate identified in the Fee Schedule. This includes the use of commercial vehicle to transport residential waste.

The Fee Shed Attendant shall determine the appropriate user fee based on the definitions herein and procedures identified by this policy:

FEE ATTENDANT OPERATING GUIDELINES:

1. All commercial loads and commercial vehicles must be accompanied by a Solid Waste Facilities Uniform Solid Waste Manifest Form, which identifies the solid waste load contents, source and point of origin or physical address. All such loads will be charged the per ton rate identified in the Fee Schedule.

2. In the event, that a non-standard vehicle (i.e. panel wagon, dump truck, full or small size pickup with side rails or single axle trailer with or without side boards) is used to transport solid waste, the Fee Attendant is required to weigh in and weigh out the vehicle.

If in the objective opinion of the Fee Shed Attendant the vehicle and/or trailer used to transport solid waste or other material fits within the descriptive terms identified under the Residential Flat Rates section of the Fee Schedule, the user will be charged the appropriate flat rate. If the user's load does not meet these criteria then the load will be weighed in and weighed out and charged the per ton rate identified in the Fee Schedule.

If the Fee Attendant requires a weigh in and weigh out, they will write down the driver's vehicle license number to ensure that the driver returns to the fee shed for weigh out, payment of fees and for identification purposes.

3. The compacted and uncompact cubic yard charge values identified on the Fee Schedule will be used only if the scale breaks down or if the software crashes and such information will be noted on all hand written invoices. In addition, the compacted and uncompact cubic yard charge values will be used at Solid Waste Facilities that lack a scale for all-commercial haulers, vehicles and/or waste.
4. Staff, will attempt to educate the user on properly securing and covering a load. Repeated failure to follow staff directions will result in a double charge. The education effort will include verbal communication and warnings. Vehicles license numbers will be used to track education efforts and will provide proof and documentation of the education effort. This information will be recorded in an incident log and also become part of the computer database.
5. The Board of Supervisors on a quarterly basis may amend the fee schedule. The fee for all commercial solid waste haulers, business, vehicles and/or waste and businesses will be based on weight and charged the per ton rate identified in the Fee Schedule. **The fees will be adjusted annually for the Consumer Price Index (CPI) and/or what is necessary to cover the full cost of operating and maintaining each facility.**

6. Checks will be accepted at the Solid Waste Facilities with a Bank Guarantee Card or Driver License number, current address, and phone number for the amount only. Under no circumstances will a counter check be accepted. Checks will be made payable to SANTA CRUZ COUNTY.
7. A twenty-five dollar (\$25.00) charge will be assessed for any check returned by a customer's bank and the SANTA CRUZ COUNTY Bad Check Program procedures will be followed in attempting to collect payment for the bad check. In the event of dishonor of a customer's check, SANTA CRUZ COUNTY reserves the right to require subsequent payment to be made in cash, cashier's check or certified funds.

- B. COMMERCIAL SOLID WASTE HAULERS' PERMIT** - No Commercial Solid Waste Hauler, business, vehicle and/or waste shall be authorized to conduct business with the Solid Waste Facilities, in whole or in part without first obtaining a "valid **COMMERCIAL SOLID WASTE USAGE PERMIT AND/OR CHARGE/CREDIT APPLICATION**."

Beginning on October 1, 2001, and thereafter, no Commercial Solid Waste Hauler, business, vehicle and/or waste shall be allowed to use the Facilities, in whole or in part, without first presenting a valid "Commercial Solid Waste Haulers Permit"; copy thereof; or have a copy on file with the Facilities prior to disposal of any solid waste. In lieu of the Permit a Charge/Credit Application can be used to allow use of the facility.

The information contained on these forms is required by the Facilities and provides essential point of contact information for investigative purposes.

Users of the facilities need to be aware that an active waste-screening program is in place per ADEQ Operational Requirements. As such random and suspect loads will be inspected for un-acceptable solid waste. If it is determined that material disposed of is suspected of being an Un-Acceptable Waste, then Staff needs to be able to contact responsible parties to implement appropriate clean up and/or other emergency response procedures.

- C. REVOCATION OF CHARGING PRIVILEGES** - Credit/Charging privileges can only be revoked upon written notification, addressed to the responsible party identified on the Charge/Credit Application. Notice may be made by First Class Mail and will be deemed received 5 calendar days after the date notice is mailed. Charging privileges will be revoked based upon the following:

- Failure to abide by the terms and conditions of credit unless alternative payment arrangements are made.
- This option for alternative payment arrangements is limited to twice in any 12-month period and will not be allowed to exceed 4 times in the Facilities life.
- Any person, or business without a valid Usage Permit, Charging/Credit Application or who has had their Credit privileges revoked will still be allowed to use the Facilities on a cash basis only.

D. Annual Permit Renewals - The Commercial Solid Waste permit will be renewed annually. Annual Permit Renewals that take place within fifteen (15) days of expiration the date will not be charged a permit fee. All business and commercial haulers that currently have a commercial charge or cash account with the Facilities will be grandfathered and will not be assessed a permit fee if they are current with their monthly bill at the time this policy takes effect. If they are not current the renewal fee will assessed. All other business or commercial accounts will be subject to a one-time \$10.00 permit fee and account set up fee. The fee is to be used to pay for the cost obtaining a credit report and for setting up the account.

E. REVOCATION OF FACILITY USAGE - Usage of the facility can only be revoked upon written notification, addressed to the responsible party identified on the Usage Permit and/or Charge/Credit Application. Notice may be made by First Class Mail and will be deemed received 5 calendar days after the date notice is mailed. Prior to revoking a customer's disposal privilege, the Manager will consult with the Public Work Director and other appropriate County staff when necessary.

Examples and reasons for revoking a customer disposal privilege include, but are not limited to the following:

- Repeated violation of this policy.
- Repeated failure to follow staff directions.
- Deliberate disregard for the safety of customers and/or employees.
- Disobedience of posted Speed Limits.
- Knowingly and/or recklessly disposing of hazardous or toxic waste or any other waste not permitted at the facilities.
- Fighting with customers and/or employees.
- Public drunkenness.

If the customer is not satisfied with the Manager's determination of revocation, the customer has the right to appeal, in writing to the Santa Cruz County, Public Works Director at the following address:

Santa Cruz County
Public Works Department
County Complex, Ste. 117
2150 N. Congress Drive
Nogales, AZ 85621
Phone #: (520) 375-7830
Fax #: (520) 375-7846
e-mail: kmoyers@co.santa-cruz.az.us

The appeal of the Manager's Decision to revoke shall be filed within twenty (20) days of the date of the Manager's Determination of Revocation of Facility Usage.

- F. DETERMINATION OF CHARGES** - The Fee Attendant (e.g. cashier) shall determine whether a particular load is commercial or non-commercial based on the above definitions. The user shall, at the time of use, abide by that decision and/or vacate the property. If the user decides not to dispose of their solid waste they can depart the facility at no charge. If a user disposes of solid waste and then fails or refuses to pay, an incident report and complaint being filed with the Sheriff's Office.

If a user believes s/he has been wrongly charged the commercial rate, s/he may submit a written statement to the Manager, stating that the load was non-commercial and did not fall under the definition used by the Fee Shed Attendant to determine the user fee. The user shall provide proof thereof. Proof can be photographs of the load, witnesses that were either other users of the Facilities or accompanied the person to the Facilities and witnessed the unloading of the solid waste at the Facilities.

Depending on the Manager's determination of the load status, the difference between the commercial and the non-commercial fee may be refunded to the user. If the customer is not satisfied with the Manager's determination of revocation, the customer has the right to appeal to the Santa Cruz County, Public Works Director in the same manner as an appeal of the Decision to Revoke Facility Usage (See Section E).

- G. ORGIN OF WASTE** - The Santa Cruz County Solid Waste Facilities have been established and are operated to serve the population and businesses of Santa Cruz County. As such, the facilities shall not accept solid waste from locations outside of Santa Cruz County, and will not accept loads originating in other states, counties or countries.
- H. SPECIAL WASTES** - Special handling services that require reallocation of Facilities personnel or equipment from

normal operations shall be charged to the customer at the rate of \$100.00 per hour at one-hour increments during normal operating hours. In addition, the customer will be charged the per ton fee identified in the Fee Schedule for the special waste handling. Wastes that require special handling services include, but are not limited to, asbestos and asbestos-containing materials, septic, unauthorized dumping of solid waste or tires at the Facilities without the permission of the compactor operator.

The special waste surcharge will also be assessed when special disposal arrangements are required to handle solid waste by the Customs Department, USDA or other Federal Agency, State agency or other governmental agency etc.

Residential users are required to exit the landfill by 4:00 p.m. Failure to exit by this time will result in a \$100.00 additional charge in one hour increments. Commercial users of the facilities are required to leave 30 minutes prior to the posted closing time. Failure to adequately plan for these departure times, requires that the Special Waste Handling fee of \$100.00 per hour be assessed.

The reason for this special charge is that the Facilities are required to place daily cover on any exposed waste. If a customer is still disposing of solid waste after the 30 minute prior to the posted closing time for commercial and the posted closing time for residential users, the spreading of daily cover is delayed. Delaying daily cover requires that additional personnel and equipment to be kept at the working face and in the fee shed until the customer leaves the facility and subjects the County to paying overtime.

If the Special Waste Handling event takes place after normal operating hours for commercial and residential customer's respectively. Then the customer will pay the total cost of the after hours services.

The Solid Waste Division requires prior notice of such after hour requests for services, which must be approved by only one of the following: Solid Waste Manager, Forman or Assistant Forman (e.g. Management). Failure to meet this requirement will result in a denial of after hour services for that day and the customer will have to return during normal operating hours on another day.

If the customer does not have a credit account, they can establish a temporary credit account using the standard credit account form. Payment arrangements must

be made and approved by Management prior to being allowed to dispose of the load. Payment must be received per 1% 10, Net 20. The total cost of after hour's service will be calculated as follows:

Employee Cost = Current Overtime cost per hour * number of hours worked
Equipment Cost = Current FEMA Rate per hour * number of hours worked
Cost of Materials = Cost of materials used during the event.

All times will be billed in 15 minute increments.

I. BILLING - Any Commercial Solid Waste Hauler may, upon submitting a completed credit/charge application (refer to enclosed copy) and the Manager's approval, pay solid waste service fees through a monthly billing from the Santa Cruz County Finance Department. At a minimum an application must contain an authorized company officer signature, social security number, a valid mailing address and phone number. Monthly bills shall be due and payable upon receipt with terms of 1% 10, Net 20.

1% 10, is defined as 1% discount if the bill is paid within 10 days of the date on the invoice. Net 20, means that if the discount is not taken then the amount of the invoice is to be paid in full by the 20th day from the date on the invoice.

Any past due account will be subject to the terms contained herein. Any person in arrears on a monthly bill (e.g. 40 days past due, or two times within twelve months) may be required to post an Irrevocable Letter of Credit (minimum bond amount \$1,000.00). The Letter of Credit will be from a local bank and designate the County payee to continue monthly billing privileges. The Letter of Credit will be used against any amount unpaid forty after (40) days of the date of billing. At such time that the person or company no longer desires a monthly billing, any amount remaining in the Letter of Credit will be returned to the person and/or company within 45 days.

The Manager may terminate a customer's monthly credit privilege at any time for non-payment.

J. CREDIT TERMS AND DELINQUENCY:

- 1. Any monthly bill in arrears shall be considered delinquent.
- 2. 1% 10, Net 20.

3. 1 1/2% Interest per Month or 18% annual interest on all past due balances to be assessed on the 21st day after the date of the invoice.
4. Any Account 60 days or more past due will be terminated immediately, unless other payment arrangements are made prior to the 60th day. Conditions of other payment arrangement are:
 - Payment in full within 45 days of the arrangement and interest still occurs on any past due balance.
 - Regular monthly payments are made when agreed upon.
 - Failure to abide by these terms will result in credit termination.
 - This option for alternative payment arrangements is limited to two times in any 12-month period and will not be allowed to exceed 4 times over operating life of the Facilities.

If credit privileges are terminated the customer will still be allowed to utilize the facility on a cash and carry basis only.

5. Any Account terminated for failure to pay, will be turned over to a Collection Agency for reporting arrears on the customers credit report and for collection activity.
6. Accounts that have been forty (40) or more days past due more than two times in any twelve month period may be required to post an Irrevocable Letter of Credit, issued by a local bank or financial institution approved by Santa Cruz County in it's sole discretion and made payable to Santa Cruz County. This procedure will be implemented on only commercial charging accounts.

The minimum amount of any such Letter of Credit shall be one thousand dollars (\$1,000.00). Santa Cruz County reserves the right to require a Letter of Credit valued in excess of \$1,000.00 if the average monthly amount charged by the permittee exceeds \$1,000.00 per month.

7. The Board of Supervisors reserves the right to alter or amend these terms from time to time, as it deems necessary or appropriate in its sole discretion.
8. The County reserves the right to recoup any legal

and administrative expenses incurred necessary to secure payment from the customer; and,

9. Charge a \$25.00 service fee any returned check.

K. PENALTIES AND REMEDIES

1. If any person stores, collects, transports, disposes or reclaims solid waste in violation of this policy, the Solid Waste Facilities Manager, acting through Santa Cruz County Attorney, (in addition to the other remedies provided by this policy and any applicable state and federal law), may institute an injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent or abate any unlawful act, transport or cause removal of any unlawful deposit of solid waste.
2. Those violations of this policy which constitute violations of A.R.S. 13-1603 (Criminal Littering or Polluting), A.R.S. 49-791 (Violations Related to Solid Waste Regulations) or any other applicable County, State, or Federal statute, ordinance, rule or regulation shall be referred to the appropriate agency for enforcement procedures.
3. The fine and penalty provided for in this section are in addition to any costs, which may be assessed pursuant to this policy for the removal of said solid waste.
4. Any person that disposes of un-accepted waste at the facilities which results in the County incurring cost, expenses, penalties, fees, fines or other charges, shall reimburse the County for such costs, expenses, penalties, fees, fines or other cost.

L. DEDICATION OF COLLECTED FEES

All fees, penalties, and interest that are collected pursuant to this policy shall be dedicated to the costs of administering this program and to the costs incurred by Santa Cruz County in connection with providing solid waste disposal services.

M. UN-ACCEPTABLE WASTE

The SCC, Solid Waste Facilities practice an Active Waste Screening Program. As such we reserve the right to inspect any load or portion of load arriving at any of the facilities. We will reject all un-accepted waste and any other wastes determined un-acceptable by our management. **Your participation in this program is not**

optional!

If you use the facilities and are discovered to be delivering un-acceptable materials, you will be required to pay for the clean-up and transportation costs of those materials to a location of our choice, or as designated by the State and/or Federal Regulatory Agency. As such, it is the customer's responsibility to know which waste and materials are acceptable and un-acceptable at the facilities. If the customer is in doubt, ask us before you bring it to us

Beside this notice, the Facilities have a Waste Screening Program in place that can be reviewed by the customer.

N. EFFECTIVE DATE

This policy becomes affective October 1, 2001. The Solid Waste Facilities Manager under the direction of the Santa Cruz County Public Works Director is directed to implement the appropriate provisions of this policy as rapidly as possible after these dates, in a manner in which the Solid Waste Facilities Manager determines to be appropriate to achieve public awareness and compliance with these provisions.

O. SEVERABILITY

In the event that any provision of this policy or the application thereof is held to be invalid, such invalidity shall have no effect on other provisions and their applications, which can be given effect without the invalid provisions, or application, and to this end the provisions of this policy are severable.

NEW ACCOUNT APPLICATION FOR CHARGE/CREDIT PRIVILEGES:

Businesses and Commercial Solid Waste Haulers wishing to use the Santa Cruz County Solid Waste Facilities are required to obtain a SOLID WASTE FACILITIES Usage Permit. Management reserves the right to revoke any person or business usage permit, upon ten (10) days written notice.

All loads delivered to the SOLID WASTE FACILITIES must be accompanied by a Non-Hazardous Waste Manifest listing the Permit Number and describing the nature and source (i.e. physical address) of the solid waste in that particular load.

If a permittee wishes to establish a charge account, a SANTA CRUZ COUNTY Charge/Credit Application must be submitted, with the responsible party signature and approved by the Manager. Santa Cruz County Solid Waste Facilities Terms of Credit are:

- 1% 10, Net 20.
- 1 1/2% Interest per Month (18%) APR on all past due balances.
- Any Account, which is 40 days or more past due, shall be, assessed a special surcharge of \$100.00 per load.
- Any Account, which is 60 days or more past due, will be terminated immediately or at the Manager's discretion and turned over to a Collection Agency for reporting on the Customer Credit Report and further collection activities.
- Accounts that have been forty (40) or more days past due more than two times in any twelve month period may be required to post an Irrevocable Letter of Credit, issued by a local bank, payable to SANTA CRUZ COUNTY. This procedure is only effective on commercial charging customers. The minimum amount of any such Letter of Credit shall be one thousand dollars (\$1,000.00). SANTA CRUZ COUNTY reserves the right to require a Letter of Credit value in excess of \$1,000.00 if, in its discretion, the application and/or situation warrants up to three (3) times the average monthly amount charge by the permittee.
- The Board of Supervisors reserve the right to alter or amend these terms from time to time as it deems necessary or appropriate in its sole discretion.

If on a monthly basis a permittee's charges exceed the amount of the Letter of Credit, SANTA CRUZ COUNTY may require an increase in the amount of the Letter of Credit as a condition of continuing

permittee's charge/credit privileges. Increases in the Letter of Credit amount shall be in increments of five hundred dollars (\$500.00). All accounts are subject to periodic review by SANTA CRUZ COUNTY to determine an increase in the Letter of Credit amount is appropriate. If permittee fails to provide a Letter of Credit in the required amount of time, within ten (10) days after the date of written notice from the SOLID WASTE FACILITIES Manager of an increase, the entire balance of permittee's account shall be immediately due and payable, and all further transactions with such permittee shall be on a cash basis only.

SANTA CRUZ COUNTY will review all charge/credit accounts on at least an annual basis. If the payment history for an account is deemed satisfactory, the account may be renewed at the discretion of the SOLID WASTE FACILITIES Manager. If the annual review demonstrates lack of prompt payment and/or other non-compliance with the terms and condition hereof, SANTA CRUZ COUNTY reserves the right to terminate charge/credit account privileges, upon ten (10) days written notice.

Annual permit renewals that take place within fifteen (15) days of expiration date will not be charged a permit fee. All business and commercial haulers that currently have a commercial charge or cash account with the SOLID WASTE FACILITIES will be grand fathered and will not be assessed a permit fee if they are current with their monthly bill. If they are not current the renewal fee will assessed. All other business or commercial accounts will be subject to a one-time \$10.00 permit fee and account set up fee.

All accounts are subject to a three (3) month review to determine a three (3) month usage average.

Should you have any questions, please call Karl O. Moyers, SANTA CRUZ COUNTY Solid Waste Department, Manger, at (520) 761-7892 or 761-1220 or email at kmoyers@co.santa-cruz.az.us

**SANTA CRUZ COUNTY
SOLID WASTE FACILITIES**

**2150 N. Congress Drive
Nogales, AZ 85621
(520) 375-7830**

USAGE PERMIT APPLICATION

Date: _____

Company Name: _____ Phone: _____

Address: _____

City/State/Zip: _____

Responsible Party, Name & Title: _____

Please indicate the following:

Estimated usage by (Tons or Cu. Yds.): _____ (Wk., Mo., Yr.)

PRIMARY TYPE OF MATERIALS DISPOSED:

| | |
|-----------------------------|------------------------|
| _____ Municipal Solid Waste | _____ Yard/Green Waste |
| _____ Loose Trash | _____ C&D Debris |
| _____ Septic | _____ Other |

(Please Describe)

Primary Location of Areas Served:

VEHICLE INFORMATION

(Use addition sheets if necessary)

| <u>YEAR</u> | <u>MAKE</u> | <u>PERMIT</u> | <u>BODY TYPE</u> | <u>TARE WEIGHT</u> |
|-------------|-------------|---------------|------------------|--------------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

**SANTA CRUZ COUNTY
SOLID WASTE FACILITIES**

**2150 N. Congress Drive
Nogales, AZ 85621
(520) 375-7830
NON-HAZARDOUS WASTE MANIFEST**

Name: _____ **Date:** _____

Address: _____ **Phone:** _____

City: _____ **State & Zip:** _____

Vehicle Permit # or Truck #: _____ **Customer Number #:** _____

Source of Solid Waste: (address, if available)

City: _____ **State: Zip:** _____

PRIMARY TYPE OF MATERIAL BEING DISPOSED:

_____ **Municipal Solid Waste** _____ **Yard Waste; Pine Needles; Slash/Woody Material**

_____ **Loose Trash** _____ **C&D Debris**

_____ **Other (please describe below)** _____

CERTIFICATION:

As driver of the identified vehicle, I assert that I have no reason to believe that the solid waste presented for disposal is HAZARDOUS WASTE as defined by A.R.S. Title 49 and 40CFR Part 261 and/or any other regulations that may apply. I further acknowledge that Santa Cruz County will rely on the information provided in accepting this solid waste for disposal, and that any misrepresentation may be: fraudulent conduct; a civil offense punishable by penalties of up to \$25,000 per day; and, as severe a criminal offense as a class 3 felony.

Driver Signature: Date: _____

Name: (Print or Type): _____

**SANTA CRUZ COUNTY
SOLID WASTE FACILITIES
2150 N. Congress Drive
Nogales, AZ 85621
(520) 375-7830**

CHARGE/CREDIT APPLICATION

To request credit for services in the disposal of garbage, trash, septic, C&D etc., please provide the following financial information: (Please print or type and complete the entire form).

Name of Applicant _____ Phone #: _____

Mailing Address: City/State/Zip: _____

Date of Birth: _____ Social Security No. _____

Applicant's Bank: (Branch, Phone No., Account No., Name under which the Account is Carried and Type of Account)

Bank Name, Address: _____

Phone #: _____ Account No: _____

Authorized Account Signer(s):

| | | |
|------|-------|-----------------|
| Name | Title | Social Sec. No. |
|------|-------|-----------------|

| | | |
|------|-------|-----------------|
| Name | Title | Social Sec. No. |
|------|-------|-----------------|

| | | |
|------|-------|-----------------|
| Name | Title | Social Sec. No. |
|------|-------|-----------------|

Applicant is: () Partnership () Corporation () Proprietorship () Other: _____

Number of Years in Business: _____ Partnership: Date Organized: _____

Full Names of Partners, Residence and Mailing Address, Social Sec. No. (List as a General or Limited Partner:

Corporation: List Name, Residence & Mailing Address and Social Sec. No. of President, Vice President, Secretary & General Manager:

Have Articles of Incorporation been filed? () Yes () No: County Where Filed _____ Date: _____

Proprietorship: Owners Name & Soc. Sec. No.: _____

Residence & Mailing Address: _____

Credit References: Firm Name, Address, Phone No., Type Account, Amount of Credit:

Authorized Signature **Date**

CREDIT TERMS & CONDITIONS

This application to establish charge/credit privileges and the information provided herein is given by the undersigned Credit Applicant in his/her capacity as a Corporate Officer and/or an individual ("Collectively Applicant") to the SANTA CRUZ COUNTY ("SANTA CRUZ COUNTY") to establish a twenty (20) day line of credit. Applicant agrees and fully understands that the terms of this agreement are those identified below and other conditions contained within this application packet become affective 10/01/01:

- 1% 10, Net 20.
- 1 1/2% Interest per Month (18%) APR on all past due balances.
- All applicants for credit authorize SANTA CRUZ COUNTY to obtain a Credit Report, which will be utilized, along with their previous record of payment to SANTA CRUZ COUNTY to determine if Credit Privileges will be extended to the Applicant.
- Any Account, which is 40 days or more past due, shall be, assessed a special surcharge of \$100.00 per load.
- Any Account, which is 60 days or more past due, may be terminated immediately at the Manager's discretion and will be turned over to a Collection Agency for reporting on the Customer Credit Report and further collection activities.
- Accounts that have been forty (40) or more days past due more than two times in any twelve month period may be required to post an Irrevocable Letter of Credit, issued by a local bank, payable to the SANTA CRUZ COUNTY. The minimum amount of any such Letter of Credit shall be one thousand dollars (\$1,000.00). The SANTA CRUZ COUNTY reserves the right to require a Letter of Credit value in excess of \$1,000.00 if, in its discretion, the application and/or situation warrants up to three (3) times the average monthly amount charge by the permittee.
- The SANTA CRUZ COUNTY Board of Director's reserve the right to alter or amend these terms from time to time, as it deems necessary or appropriate in its sole discretion.

Applicant warrants that all information supplied is true and correct and Applicant agrees to give the SANTA CRUZ COUNTY a written notice of any changes within ten days of their occurrence. Failure to provide written notification of changes in any of this information doe not waives the applicant's responsibility to the terms contained in the Charge/Credit Application packet. Applicant represents that it has the authority to enter into this agreement and agrees to all of the following: Each signature appear below is intended to represent Applicants agreement in both his/her capacity as a Corporate Officer and his/her capacity as an individual. Applicant hereby authorizes each source/reference to supply to SANTA CRUZ COUNTY such information, which SANTA CRUZ COUNTY may deem necessary. Applicant hereby waives any right it has or may have relating in any way to any information, which SANTA CRUZ COUNTY may obtain from such sources of information concerning applicant. If Credit is granted, Applicant agrees to be liable for and pay all bills when rendered or in accordance with such other written terms as may agreed upon. Applicant terms and condition of credit at identified above. Time is of the essence of this agreement. The right of the Corporation stated in this agreement are cumulative and are in addition to any other right or remedies provided by law.

Authorized Signature

Date

SANTA CRUZ COUNTY SOLID WASTE FACILITIES

FEE SCHEDULE

| ITEM | USER FEE |
|---|--|
| Rio Rico Landfill: | |
| Commercial | \$40.00/ton |
| Residential | |
| Over 500 lbs or More Than 2.63 Cu. Yds. | \$40.00/ton |
| 0 to 250 lbs or Less Than 1.67 Cu. Yds. | \$ 5.00/load. |
| 250 to 500 lbs or Less Than 2.63 Cu. Yds. | \$10.00/load. |
| Sonita Elgin Landfill: | |
| Commercial | \$40.75/ton |
| Residential | |
| Over 500 lbs or More Than 2.63 Cu. Yds. | \$40.75/ton. |
| 0 to 250 lbs or Less Than 1.67 Cu. Yds. | \$ 6.75/load. |
| 250 to 500 lbs or Less Than 2.63 Cu. Yds. | \$10.75/load. |
| Tubac Amado Transfer Station: | |
| All loads (Residential Bagged MSW only) | \$ 7.00/load. |
| All loads (Residential Bagged MSW only) | \$14.00/load. |
| COMPACTED ⁴ | \$10.00/Cubic Yard |
| UNCOMPACTED ⁴ | \$ 3.00/Cubic Yard |
| TIRES: | |
| Passenger, Light Truck Tires (Registered Tire Dealer) | No Charge |
| Large Truck Tires (Semi Etc) | \$150/ton |
| 5+ Passenger, Light Truck Tires (non-Registered Origin) | \$150/ton |
| Passenger Tires on Rims | \$5.00/tire |
| WHITE GOODS & BULKY ITEMS:² (Refrigerators, Furniture, Etc.) | \$40.00/ton |
| SPECIAL WASTE HAULING AND DISPOSAL: (Illegal Dumping, Non Friable Asbestos, Etc.) | Normal Oper. Hrs. – \$40/ton + \$100/hr Outside of Normal Oper. Hrs. – Actual Cost of Disposal (See Attachment B, Section H) |
| UNSECURED/UNCOVERED LOAD PENALTY FEE: | |
| A) COMMERCIAL | \$ DOUBLE |
| B) RESIDENTIAL | \$ DOUBLE |

NOTES:

1. All commercial loads must be accompanied by SANTA CRUZ COUNTY Uniform Solid Waste Manifest Form, which identifies the solid customer account number, waste load contents, source and point of origin or physical address.
2. In the event, that a non-standard vehicle (i.e. panel wagon, dump truck, full or small size pickup with side rails or single axle trailer with or with out side boards) is used to transport solid waste, the Fee Attendant is required to weigh in and weight out the vehicle. If in the opinion of the Fee Shed Attendant the vehicle and/or trailer used to transport solid waste or other material substantially exceeds 250 lbs. or 1.67 cubic yards for a small pick up or 500 lbs. or 2.63 cubic yards for a larger pickup, then the vehicle will be weighed in and weigh out and charged at the per ton rate.
3. The compacted and uncompacted values will be used only if the scale breaks down or if the software crashes, which will be noted on all hand written invoices.
4. Construction and Demolition (C&D) debris is defined as any solid waste that is generated from construction or demolition activities (ARS 49.701.5 & 7, respectively). Examples of C&D material include, but are not limited to rock, dirt, sand, concrete, asphalt, metal, bricks, sheet rock, asphalt and wood shingles, processed and natural wood wastes, and automobile body parts. All residential and commercial C&D material, will be weighed in and weighed out and billed at the per ton charge.
5. Unsecured and Uncovered Loads will be charged double the disposal fee, because of the high probability that the solid waste will be blown or fall out of the vehicle and cause litter and Road Hazards of public right of ways.
 - An Unsecured Load are defined as loads that are not restrained, tied down or secured with tarps, nets or ropes.
 - An Uncovered Load is defined as loads that are not covered or restrained by a tarp, nets or ropes.
6. DETERMINATION OF CHARGES - The Fee Attendant (e.g. cashier) shall determine whether a particular load is commercial or non-commercial based on the above definitions. The user shall, at the time of use, abide by that decision or vacate the property.

If a user believes s/he has been wrongly charged the commercial rate, s/he may submit an affidavit to the Manager, stating that the load was non-commercial and did not fall under the definition used by the Fee Shed Attendant to determine the user fee and provide proof thereof. Proof can be photographs of the load, witness's that were either other users of the Facilities or accompanied the person to the Facilities and witness the unloading of the solid waste at the Facilities.

Depending on the Manager's determination of the load's status, the difference between the commercial and the non-commercial fee may be refunded to the user.

7. The SCC, Solid Waste Facilities are all Active Waste Screening Facilities. As such we reserve the right to insect any load or potion of load arriving at any of the facilities. We will reject all un-accepted waste and any other wastes determined un-acceptable by our management. Your participation in this program is not optional!