



RESOLUTION 2017-051

Establishing the Solid Waste Management Fee as provided in Ordinance 94-12

WHEREAS, the county of Torrance has entered into a contract for collection and billing of solid waste services for the residents of unincorporated Torrance County, with the Estancia Valley Solid Waste Authority; and,

WHEREAS, said contract with Estancia Valley Solid Waste Authority identifies costs associated with providing collection and billing of solid waste services to residents of unincorporated Torrance County; and,

WHEREAS, the Torrance County Board of Commissioners does levy the Solid Waste Management Fee enacted in Ordinance 94-12, to offset the costs of solid waste services for the citizens of unincorporated Torrance County; and,

WHEREAS, the Torrance County Board of Commissioners, upon revising solid waste ordinance 94-12, does wish to grant certain discounts of the solid waste management fee to residents of unincorporated Torrance County, by resolution;

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Torrance County that the Solid Waste Management Fee will hereby be established at the base rate of \$19.21 plus tax per month per billable account, and so instructs the Estancia Valley Solid Waste Authority to proceed as contracted; and,

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Board of County Commissioners instructs the Estancia Valley Solid Waste Authority to offer the following discounts to County residents who qualify:

1. Any responsible party, as herein defined, may make application to the Solid Waste Authority, on forms approved by said Authority, for a reduced monthly fee as set out above, and by furnishing to the Authority with said application proof that the responsible party is an individual that qualifies for Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Low Income Home Energy Assistance Program (LiHEAP), General Assistance (GA) or Medicaid according to the standard of need as set forth in Sections 27-2-3 and 27-2-4 NMSA 1978, as they currently exist or may hereafter be amended. Upon approval of the application, the

solid waste management fee for any such responsible person shall be 50% (Fifty Per Cent) of the established solid waste management fee.

2. Any responsible party contracting with a private hauler franchised to collect and transport solid waste within the county shall be entitled to a reduction of the established county solid waste management fee. The reduced rate is hereby set \$6.40 per month, plus tax. Proof of contract with a private hauler shall be the responsibility of the property owner, and shall be submitted biannually. If it is determined that the contract with the private hauler has been terminated, the Estancia Valley Solid Waste Authority will change the billing for that property owner to the full amount.

NOW THEREFORE BE IT STILL FURTHER RESOLVED that the Board of County Commissioners Further instructs the Estancia Valley Solid Waste Authority to waive the solid waste management fee to any responsible party owning or possessing a vacant residence, upon affidavit and verification that the residence is indeed vacant. Affidavit shall be the responsibility of the property owner, and shall be submitted biannually. Any property owner falsely certifying that a residence is vacant is in violation of the Solid Waste Ordinance, and is subject to penalties set forth in Section 16.A.

Definition of "Vacant" for Ordinance 94-12, Solid Waste Ordinance Section 13.E.

Vacant is defined as something that is without content or occupant. A dwelling with furniture but no occupant is not considered vacant, it is unoccupied. The Code Enforcement Officer will verify the vacant status of the residence through legal means with permission from the home owner or an inspection order issued by the Court. Home owners or the party responsible for the property may appeal the Code Enforcement Officer's determination to the County Commission by submitting in writing on prescribed forms obtainable from the Zoning Director upon payment of the applicable fee. Appeals not submitted within 30 days after determination shall not be considered by the County Commission.

PASSED, APPROVED AND ADOPTED this 18th day of November, 2017.

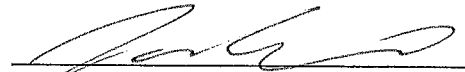
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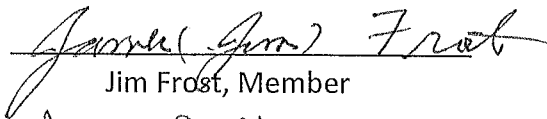
Lina Jaramillo, Clerk of the Board



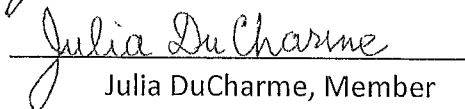
TORRANCE COUNTY COMMISSION



Javier Sanchez, Chair



Jim Frost, Member



Julia DuCharme, Member