

BEFORE THE BOARD OF COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

In the matter of regulation of)	
solid waste collection and the)	RESOLUTION
use of franchise fees)	92 - 19

WHEREAS, on October 30, 1986, the Board of Commissioners adopted Ordinance 541 which incorporated the 1986 version of Portland City Code Chapter 17.102 as the county regulations for solid waste within the unincorporated areas of the Portland urban service boundary; and

WHEREAS, in October of 1986, Multnomah County and the City of Portland entered into an intergovernmental agreement in which all solid waste permit revenue from the unincorporated areas of the Portland urban service boundary would be retained by the City of Portland and the City would administer the requirements of Ordinance 541; and

WHEREAS, on October 2, 1991, the City of Portland adopted Ordinance No. 164701 establishing residential solid waste, recycling, and yard debris franchises and raising the base price for collection to \$17.50 per month; and

WHEREAS, the City Bureau of Environmental Services has estimated that the City will receive an annual sum of roughly \$1.5 million from its five percent franchise fee of which roughly \$280,000 will be used within city limits to address solid waste nuisances such as illegal dumping and solid waste accumulation; and

WHEREAS, the City Bureau of Environmental Services has estimated that there are roughly 15,000 households within the mid-county unincorporated areas potentially subject to these regulations. This number of households is likely to generate for the City in excess of \$130,000 in annual franchise fee revenue, including in excess of \$20,000 for expenditure solely within city limits on solid waste nuisances; and

WHEREAS, the Regional Solid Waste Plan of the Metropolitan Service District contains a chapter on illegal dumping which documents the serious extent of the problem in the rural unincorporated areas, the source of this garbage as primarily from within the incorporated areas, the relationship of the problem to the use of a user fee system, and the need to revive enforcement efforts; and

WHEREAS, the code enforcement efforts of Multnomah County for illegal dumping and solid waste accumulation have essentially collapsed due to budget cuts; and

WHEREAS, the current fee distribution arrangement between Multnomah County and the City of Portland has left the County without a source of funds to handle solid waste problems which primarily originate from the metropolitan area; and

WHEREAS, the public interest will be well served by a full and open discussion about the options for solid waste regulation for the unincorporated areas.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS RESOLVES:

1. The Board of Commissioners states that the policy of the County shall be to use an equitable percentage of solid waste franchise fees derived from the unincorporated areas to handle solid waste nuisances such as illegal dumping and accumulation in the unincorporated areas.

2. The Board requests the Office of County Counsel to prepare an ordinance that (a) implements the policy directive set forth above; (b) facilitates the implementation of the new Portland solid waste plan; and (c) addresses the application of ORS 459.085 so as not to discourage the possibility of future westward annexation by the City of Gresham.

3. The Board requests the Department of Environmental Services or the Department of Health in conjunction County Counsel and the Office of the Chair to meet with the City of Portland to renegotiate the intergovernmental agreement as soon as feasible and report back with recommendations about implementing the policies established in this resolution, including a plan for the expenditure of revenue from the unincorporated area.



ADOPTED this 30th day of January, 1992.

By Sharon Kelly for
Gladys McCoy, Chair
Multnomah County, Oregon

for Laurence Kressel, County Counsel
of Multnomah County, Oregon