## City of Kramer Resolution 25-06 **Kramer Permit-by-Rule (PBR) Inert Waste Landfill Site Fees**

**Whereas** the City of Kramer concurs with the finding of necessity in the management of waste landfills and the need to establish procedures for permits governing the design, construction, and operation of solid waste management facilities and systems within the State of North Dakota in accordance with NDCC 23.1-08 Solid Waste Management and Land Protection.

**Whereas,** the City of Kramer recognizes by authority of NDCC 23.1-08-06 - Local Government Ordinances and GUIDELINE 16 – OPERATION OF INERT WASTE LANDFILLS, the City of Kramer may enact and enforce a solid waste management ordinance that is equal to or more stringent than established by NDCC.

**Whereas** the City of Kramer finds that people Kramer have a right to a clean environment, and the costs of maintaining a clean environment through the efficient environmentally acceptable management of solid wastes should be borne by those who use such services.

**Whereas** the City of Kramer recognizes the State’s guideline that require the disposal site should be open only during specific days and times of the week and that these times a site supervisor or operator must be present to supervise disposal and they should ensure that spilled debris is properly cleaned up.

**Whereas** the City of Kramer recognizes the State’s guidelines require access to the disposal site must be controlled with a fence and a lockable gate and that the site must be locked when it is not occupied. Furthermore, the city recognizes that as the agent responsible for the site, as defined on the State Permit as the City of Kramer, should not loan out the keys or have duplicate keys made for any persons other than the landfill operators or supervisors.

**Whereas** the City of Kramer recognizes that the deterioration of landfill fencing, gates, signs, and general maintenance of the landfill requires funding beyond what the City of Kramer General Operating fund can sustain.

**Now, therefore, be it resolved** the Kramer City Council shall ensure the North Dakota mandated requirements for site fencing, gates, signage, road grading, and costs associated with site burning are maintained by establishing a pay-by-usage fee of three dollars ($3.00) per load. The city reserves the right to adjust the fee based on the size of the load, with a maximum fee of five dollars ($5.00) per load.

**Now, therefore, be it resolved** the Kramer City Council shall control access to the landfill and hereby decrees the landfill shall be available Monday-Wednesday – Friday from 10am to 6pm by appointment. On Saturday, the site will be available from Noon to 6pm by appointment. The council shall permit drop-by requests; however, the city cannot guarantee a council member will always be available.

**Now, therefore, be it resolved** the Kramer City Council declares the landfill will be officially accessible between May 1 through October 15 annually, otherwise it is a closed site. The site will require a fall or winter burn and open under emergency conditions.

**Now, therefore, be it resolved** the Kramer City Council shall be open to discussion on a copy of the key being kept at the Cork n Bottle; however, the requirement for this interaction is the certainty that landfill is not left unattended and/or unlocked, that no unsanctioned materials have been dumped, and the appropriate fee is collected.

**Now, therefore, be it resolved** the Kramer City Council declares all such fees for access and dumping shall be paid to the city representative that inspects the load and opens the landfill before dumping and that said agent will present the funds to the city auditor. The city shall provide a receipt of payment. The auditor shall report the fees collected to the city council, and deposit said funds in the City of Kramer Utilities Account under the account Garbage.

**Now, therefore, be it resolved** the Kramer City Council decrees this resolution shall be in effect on the day of publication of the fee in the Bottineau Courant.

Council Vote

Adopted this day

Mayor/Council President Attested City Auditor