

RESOLUTION 59-25-91
PIPESTONE COUNTY
SOLID WASTE MANAGEMENT
SERVICE FEE ORDINANCE

The County Board of Pipestone County does ordain:

SECTION I: SERVICE CHARGE

Subsection 1. Purpose and Authority

This section is enacted pursuant to Minnesota Statute 400.08 which grants Pipestone County the authority to impose reasonable charges for solid waste management and disposal. The purpose of this section is to establish a method of collection for such charges.

Subsection 2. Collection of Charges

It shall be the duty of the County Auditor, upon order of the County Board, to extend the assessments upon the tax rolls of the County for the taxes of the year in which the assessment is filed. The assessment shall be carried into the tax becoming due and payable in January of the following year, and shall be enforced and collected in the manner provided for the enforcement and collection of real property taxes in accordance with the provisions of the laws of the State. The charges, if not paid, shall become delinquent and be subject to the same penalties and the same rate of interest as the taxes under the general laws of the State.

Subsection 3. Rates and Charges

The County Board, by resolution, may establish or revise the rate schedule for solid waste management services. All rates and charges shall be uniform in their application to use and service of the same character and quantity. A copy of the current rate schedule shall be kept on file in the office of the County Auditor. If no new rate schedule for solid waste management services is adopted in any year, the rate schedule for the previous year shall remain in effect.

In establishing or revising the rate schedule, the Board may take into account all factors relevant to solid waste management and disposal. Such factors include, but are not limited to, the character, kind and quality of service and of solid waste, the method of disposition, the number of people served at each place of collection, and all other factors that enter into the cost of providing service including, but not limited to, public education, recycling programs, solid waste management facilities operating and debt service cost.

Subsection 4. Tax Exempt Properties

Tax exempt property may be subject to these assessments and any unpaid charges may be collected in Small Claims Court or through such other means as may be approved by the County Attorney.

Subsection 5. Appeals

Any property owner who believes that the service charge imposed upon his property is incorrect, may appeal the charges. An appeal form may be obtained at the office of the County Assessor. The County Assessor shall review the appeal and notify the appellant by U.S. mail whether an adjustment is due and how much, or whether the appeal is denied.

SECTION II: SERVICE AREA

This section is enacted pursuant to Minnesota Statutes Section 400.08 which grants Pipestone County the authority to establish and determine the boundaries of solid waste management service areas in the County. The boundaries of Pipestone County shall constitute the boundaries of the solid waste management service area.

SECTION III: EFFECTIVE DATE

This ordinance amendment shall be in full force and effect following the adoption by the County Board of Commissioners and publication as required by law.

NOW, THEREFORE, BE IT RESOLVED that this ordinance is hereby adopted this 22nd day of November 1991.

IT IS ORDERED by the Board of County Commissioners that a full, true and correct copy of this ordinance shall be certified to by the County Auditor who shall forthwith file for record such certified copy in the Office of the Recorder of Pipestone County; and the same shall be filed within the Auditor's Ordinance Book located in the Office of the County Auditor and published by the County Auditor as required by law.

SIGNED:

Darlene M. Johnson
Darlene Johnson, Chairperson

ATTEST:

Gordon Baden
Gordon Baden, County Auditor

RESOLUTION ESTABLISHING SOLID WASTE
MANAGEMENT SERVICE FEES

WHEREAS, the County of Pipestone has adopted and established a solid waste management service fee ordinance pursuant to the provisions of Minnesota Statutes 400.08; and,

WHEREAS, Said Ordinance provides that the Board of Commissioners shall establish by resolution a rate schedule for solid waste management service fees to be assessed against various parcels of land within the County, and,

WHEREAS, the County Board has duly considered all factors relevant to establishing a solid waste management and disposal fee, and,

WHEREAS, the Board of Commissioners has determined that it is prudent to provide for the collection of costs associated with solid waste management and disposal by the imposition of a solid waste management fee;

NOW THEREFORE, BE IT RESOLVED by the Pipestone County Board of Commissioners as follows:

That there is hereby established a solid waste management fee in the amount of \$ 12.00 per assessable unit per year. That the number of assessable "units" shall be determined by including those parcels with buildings or structures according to the schedule as set forth herein, and shall include those parcels which are habitable and/or capable of generating solid waste and which "assessable units" shall be determined and established following the rate schedule as set forth herein.

<u>Assessment Code Number</u>	<u>Description</u>	<u>Unit Value</u>
101, 102	Agricultural Residential	1.0
151	Seasonal Recreational Residential	1.0
201	Residential	1.0
204	Non-Homestead 1-3 Units	1.0
205	Non-Homestead Over 3 Units	.75 unit per Apt.
208	FMHA Over 3 Units	.75 unit per Apt.
223	Community Service, Non-Homestead	Same as 233
230	Public Utility, Locally Assessed	
	Market Value 1-100,000	1.5
	Market Value 100,001-250,000	3.0
	Market Value 250,001-500,000	4.5
	Market Value Over 500,000	6.0
231	Commercial/Homestead	.25
232	Commercial Seasonal Recreational	Same as 233

233	Commercial		
	Market Value	1-100,000	1.5
	Market Value	100,001-250,000	3.0
	Market Value	250,001-500,000	4.5
	Market Value	Over 500,000	6.0
234	Industrial		
	Market Value	1-100,000	1.5
	Market Value	100,001-250,000	3.0
	Market Value	250,001-500,000	4.5
	Market Value	Over 500,000	6.0
235	Railroad Buildings		Same as 233
240	Public Utility, Locally Assessed		
	Market Value	1-100,000	1.5
	Market Value	100,001-250,000	3.0
	Market Value	250,001-500,000	4.5
	Market Value	Over 500,000	6.0
243	Commercial		
	Market Value	1-100,000	1.5
	Market Value	100,001-250,000	3.0
	Market Value	250,001-500,000	4.5
	Market Value	Over 500,000	6.0
244	Industrial		
	Market Value	1-100,000	1.5
	Market Value	100,001-250,000	3.0
	Market Value	250,001-500,000	4.5
	Market Value	Over 500,000	6.0
402	Leased Residential (Publically Owned)		1.0
442	PP Structures on RR R-O-W		
	Market Value	1-100,000	1.5
	Market Value	100,001-250,000	3.0
	Market Value	250,001-500,000	4.5
	Market Value	Over 500,000	6.0
452	PP Structures on RR R-O-W		
	Market Value	1-100,000	1.5
	Market Value	100,001-250,000	3.0
	Market Value	250,001-500,000	4.5
	Market Value	Over 500,000	6.0
453	PP MS 272.01		Same as 233
901	Public Elem/Sec School	1 unit per 50 students	
902	Private Elem/Sec School	1 unit per 50 students	
915	Church Sanctuary/Education		1.0
916	Church Rectory		1.0
917	Church Residence/Parsonage		1.0
918	Church Enterprise/Nursing Home	.25 unit per bed	
920	Public Hospitals	.25 unit per bed times 50%	
931	Institutions of Purely Public Charity	1 unit per 50 students or .25 unit per bed(1.5 unit min)	
951	Federal Public Property		1.5
	Federally-owned single family residences		1.0
952	State Public Property		1.5
953	County Enterprise		1.5
954	County Law Enforcement/Fire		1.5
955	County Miscellaneous		1.5
956	Municipal Enterprise		1.5
957	Municipal Law Enforcement/Fire		1.5

958	Municipal Miscellaneous	1.5
959	Special Taxing Districts except Campgrounds	1.5
	Campgrounds	.25 per campsite times 33 1/3%
960	Tax Forfeited Property	Same as last assessment year

BE IT FURTHER RESOLVED, that said schedule shall be effective upon the date hereof and shall remain in place until specifically amended or revoked by the Board of Commissioners.

Adopted this 22nd day of November, 1991

Darlene M. Johnson
 Darlene Johnson, Chairperson
 Pipestone County Board of Commissioners

Attest: *Gordon Baden*
 Gordon Baden, Pipestone County Auditor

DEFINITIONS OF ASSESSMENT CODES
FOR SOLID WASTE MANAGEMENT FEE PURPOSES

CODE #

101 & 102 Includes only those parcels having a dwelling, garage, and up to one acre of land.

201 Includes all homesteads not included in 101 and 102 and includes homesteads with not more than two non-homestead apartments.

151 & 204 Non-homestead single family residences and apartments of not more than 3 units.

205 Non-homestead dwellings with rental units over 3 units. There is factored into this a "vacancy factor" and the total number of units are multiplied by 75% anticipating that throughout the course of the year there will be occurring a 25% vacancy in these units.

208 Non-homestead apartment rental units in excess of 3 units and financed with the Farmers Home Administration.

223 Nonprofit community service properties. The market value of this classification is to be added to the associated commercial market value to determine the total market value and its appropriate assessment unit charge.

230 Includes locally assessed utility structures. No state assessed sub-stations, powerlines, etc. are intended to be included in this grouping.

231 Those units where an individual has homesteaded a portion of a commercial property. This is assessed at only .25 per unit in light of the fact that the property will receive a regular assessment under its residential classification.

232 Commercial Seasonal Recreational properties. The market value of this classification is to be added to the associated commercial market value to determine the total market value and its appropriate assessment unit charge.

233 Includes only those commercial properties which are eligible for the "preferred classification" as the primary property.

234 Includes only those industrial properties which are eligible for the "preferred classification" as the primary property.

235 Locally assessed railroad buildings.

240 Locally assessed public utility property other than that eligible for the "preferred classification".

243 Commercial Property other than that eligible for the "preserved classification".

- 244 Industrial Property other than that eligible for the "preferred classification".
- 402 Publically-owned leased non-homestead single family residences.
- 442 Structures on railroad operating right-of-way other than that eligible for the "preferred classification".
- 452 Structures on railroad operating right-of-way which are eligible for the "preferred classification" as the primary property.
- 453 All other leased real estate under MS 272.01.
- 901 Public Elementary/Secondary School. These properties are assessed at 50 students per unit. Number of students is rounded to the nearest 50 to determine the full number of units provided it is not less than 1.5 units.
- 902 Private Elementary/Secondary School. Same as 901.
- 915 Church Sanctuary/Education. Assessed at one unit per church building and one unit per residence.
- 916 Church Rectory. Assessed as one unit per church building and one unit per residence.
- 917 Church Residence/Parsonage. Assessed as one unit per church building and one unit per residence.
- 918 Church Enterprise. Includes nursing homes and is assessed at .25 units per bed to reflect some of the efficiencies realized by a large number of individuals residing in one place.
- 920 Public Hospitals. This is assessed at .25 units per bed based upon the same theory as the nursing homes. However, this is multiplied by a 50% occupancy factor due to the fact that the hospital, as opposed to the nursing homes, does experience considerable vacancy.
- 931 Institutions of Purely Public Charity. This may include various educational facilities which are assessed the same as schools at 50 students per unit with a minimum of 1.5 units. This classification also may include other nursing homes, group homes, and chemical and substance abuse shelters which are assessed at .25 units per bed. Other uses may qualify and at no time will the assessment fee be less than 1.5 units.
- 951 Federal Public Property. Assessed at one and one-half units per site/location of property plus 1.0 unit per single family dwelling.
- 952 State Public Property. Assessed at one and one-half units per site/location plus 1.0 unit per single family dwelling.
- 953 County Enterprise. Assessed at one and one-half units per site/location. County nursing homes are assessed at .25 units per bed to reflect some of the efficiencies realized by a large number of individuals residing in one place.

954 County Law Enforcement/Fire. Assessed at one and one-half units per site/location.

955 County Miscellaneous. Same as 954.

956 Public Enterprise. Same as 954.

957 Municipal Law Enforcement/Fire. Same as 954.

958 Municipal Miscellaneous. Same as 954.

959 Special Districts. This is basically computed the same as 954 with the exception that this classification includes the Nakomis Apartments and that these apartments are assessed the same as regular apartments at .75 unit per apartment. This classification also includes all residences/dwellings owned by the Housing and Redevelopment Authority of the City of Pipestone. These residences/dwellings are assessed at 1.0 unit per structure.

960 Tax Forfeited Property. These properties shall be assessed in the same manner that they were valued and classified in the last year prior to forfeiture.

PIPESTONE COUNTY SOLID WASTE MANAGEMENT SERVICE FEES BILLING GUIDELINES

1. Every habitable single family dwelling, irregardless if currently occupied or not, shall be subject to the fee. Properties included in this category include non-farm residences, farm residences, mobile homes (both those taxed as personal property and those taxed as real estate), parsonages and any other dwelling units exempt from ad valorem taxation.
2. Properties classed for property tax purposes as Seasonal Residential Recreational shall be subject to the same fee as single family dwellings if improved with a structure that could be occupied as a year round home.
3. Every multi-family dwelling with four or more units, apartment buildings, and apartment units associated with business buildings shall be subject to one recycling fee per habitable dwelling unit.
4. Every non-farm business improved with a structure and normally occupied during business hours and occupying a single property shall be subject to 1 fee. If the same business occupies 2 contiguous properties, the entire business is subject to one fee and the fee shall be billed to the property having the largest estimated market value. If both a business and a residence occupy the same property, 1 fee shall be collected for the business plus a second fee shall be collected for the residence. When the same business occupies 2 or more non-contiguous properties, each property is subject to a separate fee. A property of 2 or more contiguous properties occupied by a single business, even though the business has two or more distinct enterprises shall be subject to 1 fee for the entire property.
5. Federally-owned structure, state-owned structures, city-owned structures, churches, and other properties exempt from real estate taxes shall be subject to this fee. Private and public schools shall be subject to this fee. Nursing homes shall be subject to this fee. The number of beds will be the number for which that facility is licensed for by the state in the year preceeding the assessment. The number of students will be the total number of students enrolled in the school year preceeding the assessment.
6. Agricultural properties with no house but improved with other usable structures shall be exempt from this fee.
7. The determination of what constitutes a habitable dwelling or apartment, or how many dwelling units a structure contains shall be made by the County Assessor.

8. For all properties except those taxed as personal property mobile homes to determine the fee payable in 1991 and 1992 the condition of the property, use classification of the property, and number of dwelling units shall be determined as of January 2, 1991. For the fee payable in 1993 and subsequent years, these determinations shall be made as of January 2nd of the preceeding year.
9. The determination of whether a property is farm property, residential property or business property shall be made by the County Assessor and for properties subject to ad valorem taxation shall be the same classification as used for computation of the property tax.
10. Properties with no structures shall be exempt from this fee.

Adopted this 22nd day of November, 1991

Darlene M. Johnson
Chairman, Pipestone County Board of Commissioners

Gordon Baden
Pipestone County Auditor