

**RECORD OF PROCEEDINGS
BOARD OF COMMISSIONERS
MARION COUNTY, KS**

June 25, 2018, Continued

Section 2. The owners of real property in the Marion County solid waste service area, on whose property solid waste is or may be generated, shall pay the following per unit disposal fee for each residence and/or business located on their real property:

- a. Residences
For each residence located in Marion County, as defined in Section 1 above, the assessed fee shall be \$8.33 per month, to be billed at the annual rate of \$100.00, for one (1) unit of solid waste.
- b. Businesses
Each business located in Marion County, as defined in Section 1 above, shall be assessed a minimum of one (1) unit of solid waste annually, at the rate of \$11.00 per month, to be billed at the annual rate of \$132.00, per unit. Businesses that generate more than one (1) unit of solid waste, as the result of more than one dumpster collection per week, shall be classified, assessed and billed as follows:

Classification	# of Units	Annual Assessment
A	1	\$132.00
B	2	\$264.00
C	3	\$396.00
D	4	\$528.00
E	5	\$660.00
F	6 or more	*

*The annual assessment for any business that generates six (6) or more units of solid waste per week shall be fixed by the Board of County Commissioners.

Section 3. The County Sanitarian or his or her designee is hereby authorized to determine the number of units of solid waste each business generates above the one (1) unit minimum, by contacting the City Clerk if collection is by municipal waste collection service or the private collection service if otherwise, to determine the number of two (2) cubic yard dumpsters serviced at each business and the number of times per week the solid waste is collected. The County Clerk shall then impose the proper solid waste assessment fee on the real property of each business as provided herein.

Section 4. All solid waste assessments shall be collected on an annual basis, and shall be billed with the ad valorem property tax statements. Owners of tax exempt real property on whose property solid waste is generated shall be sent a notice of assessment by the County Clerk at the same time that the ad valorem property tax statements are issued.

Section 5. Solid waste assessments which accompany the ad valorem tax statements are for the calendar year – January 1 to December 31 – following the year in which the solid waste statement is dated and mailed. For example, the assessments mailed in the last quarter of the year 2018 are for the calendar year 2019. Solid waste assessments are due and payable at the office of the County Treasurer at the same time that the general property tax bill is due and payable. Delinquent solid waste assessments shall be subject to the same penalties, interest, and procedure and sale in case of delinquency as provided for ad valorem property taxes. All laws applicable to the levy, collection, and enforcement of County ad valorem property taxes shall be applicable to solid waste assessments.

Section 6. Refunds for solid waste assessments may be authorized for the current year and the year immediately preceding. Should it be verified by the County Clerk or her designee that a business has been under-assessed, Marion County may collect the proper fee for the current year and the preceding year from the owner of real property on which the solid waste was generated. The services of the County Sanitarian may be utilized to assist in verification.

Section 7. If at any time prior to the mailing of the solid waste assessments, a real property owner on whose property solid waste is generated believes that a classification error has occurred, such owner shall supply the County Clerk or her designee with a verified application for re-classification. Upon review of and agreement with the request, the County Clerk or her designee shall re-classify the subject property and certify to the Marion County Board of Commissioners the correct classification and assessment.

Section 8. For new residences or businesses, solid waste assessments shall go into effect at a time and rate set by current resolution.

Section 9. In accordance with K.S.A. 65-3410, the County Clerk or her designee shall cause to be mailed annually a schedule of the solid waste assessment fees to each owner of real property on which solid waste is or may be generated in Marion County. Said schedule of fees may be mailed with the annual solid waste assessments.

Section 10. In accordance with K.S.A. 65-3410, on or before September 30th of each year the Board of County Commissioners shall prepare a report of delinquent owners of real property on which solid waste is generated.

Section 11. This Resolution shall be effective from and after its adoption by the Board of County Commissioners. The County Clerk is hereby authorized, ordered and directed to cause publication of this Resolution one time in the official County newspaper.

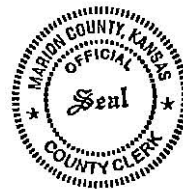
ADOPTED by the Board of County Commissioners of Marion County, Kansas, this 25th day of June, 2018.

BOARD OF COUNTY COMMISSIONERS OF
MARION COUNTY, KANSAS

Dianna R. Novak
Dianna R. Novak, Chairman

Kent Becker
Kent Becker, Commissioner

Randy Dallke
Randy Dallke, Commissioner



ATTEST:

Tina D. Spencer
Tina D. Spencer, Marion County Clerk