

RESOLUTION NO. 8139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING BIENNIAL RATE CEILING ADJUSTMENTS FOR ALLIED SOLID WASTE SERVICES

WHEREAS, the City maintains franchise agreements with Allied Waste Services for the private collection, processing and disposal of solid waste, recyclables, yard trims, and street sweeping services; and

WHEREAS, Allied Waste Services does provide waste disposal services, including collection and processing services for the community's solid waste and recycling needs, residential yard trimmings, and provides street sweeping services in accord with those agreements; and

WHEREAS, the collection and disposal agreements identify mechanisms for periodic adjustments of the maximum ceilings for the rates that the private franchised company may charge for the provision of such services; and

WHEREAS, the City has reviewed the rate adjustment statement from Allied Waste Services and determined that it complies with the contractually agreed-upon formulae and inflation adjustors; and

WHEREAS, uncodified City of Milpitas Ordinance No. 276.1, setting the rate ceilings for 2010 and 2011 recycling and solid waste services, shall terminate upon the adoption of this Resolution pursuant to the effectiveness and self-termination provisions of that Ordinance.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The attached Exhibit A sets forth the approved not-to-exceed rate ceilings for recycling, yard waste and solid waste services effective January 1, 2012 and January 1, 2013.
3. The collection agreements for recycling, yard waste and solid waste services shall be amended to reflect the approved rate ceilings effective January 1, 2012 and January 1, 2013, as shown in attached Exhibit A.

PASSED AND ADOPTED this 15<sup>TH</sup> day of November 2011 by the following vote:

AYES: (5) Mayor Esteves, Vice Mayor McHugh, and Councilmembers Giordano, Gomez and Polanski

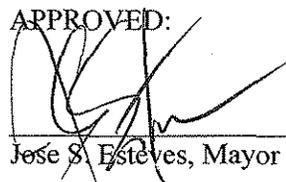
NOES: (0) None

ABSENT: (0) None

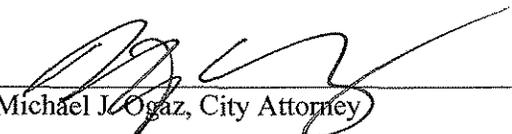
ABSTAIN: (0) None

ATTEST:

  
Mary Lavelle, City Clerk

APPROVED:  
  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

  
Michael J. Ogaz, City Attorney

**EXHIBIT A**

**City of Milpitas  
2012/2013 Recycling and Solid Waste Service Rate Ceiling**

**CITY OF MILPITAS  
SINGLE UNIT SERVICE LEVEL CEILING**

Dated: September 2, 1986; Amended: December 1988; December 20, 1990; January 8, 1991; July 21, 1992; December 15, 1992; January 4, 1994; December 20, 1994; November 21, 1995; June 4, 1996; December 17, 1996; May 4, 1999; June 1, 1999; February 20, 2001; December 17, 2002; November 16, 2004; January 15, 2008; December 15, 2009; November 15, 2011

**TABLE 1  
SINGLE UNIT DWELLINGS  
MONTHLY RATE CEILING**

Item	Effective January 1, 2012
ALLIED RATE	\$16.01
FRANCHISE & BILLING FEES <sup>(1)</sup>	\$3.05
<i>BASE RATE (SUBTOTAL)</i>	<i>\$19.06</i>
RECYCLING PROGRAM	\$4.33
COMMUNITY RELATIONS	\$0.40
HOUSEHOLD HAZARDOUS WASTE PROGRAM	\$0.09
ADMINISTRATIVE FEE	\$0.74
STREET SWEEPING	\$0.39
<b>BILLING RATE (TOTAL) <sup>(2)</sup></b>	<b>\$25.01</b>
CART RENTAL <sup>(3)</sup>	\$2.96

- (1) Billing fee set at 0% for senior citizen and 4% for all others
- (2) Amount may not be the actual amount billed to customers. The cost of other service provided under separate agreements (*i.e., yard trimmings service*) should be included to obtain the actual billed amount as allowed in City Council Resolution.
- (3) Optional 96-gallon cart. Some residential developments may include conditions requiring a mandatory 64-gallon cart rental.

**TABLE 2  
SENIOR CITIZENS <sup>(1)</sup>  
MONTHLY RATE CEILING**

Item	Effective January 1, 2012
ALLIED RATE	\$7.64
FRANCHISE & BILLING FEES <sup>(2)</sup>	\$1.04
<i>BASE RATE (SUBTOTAL)</i>	<i>\$8.68</i>
RECYCLING PROGRAM	\$2.94
COMMUNITY RELATIONS	\$0.40
HOUSEHOLD HAZARDOUS WASTE PROGRAM	\$0.09
ADMINISTRATIVE FEE	\$0.22
STREET SWEEPING FEE	\$0.16
<b>BILLING RATE (TOTAL) <sup>(3)</sup></b>	<b>\$12.49</b>
CART RENTAL <sup>(4)</sup>	\$2.96

- (1) Limited to two 32 Gallon Cans or cart rented from COLLECTOR
- (2) Billing fee set at 0% for senior citizen and 4% for all others
- (3) Amount may not be the actual amount billed to customers. The cost of other services provided under separate agreements (*i.e., yard trimmings service*) should be included to obtain the actual billed amount as reflected in City Council Resolution.
- (4) Optional 64-gallon cart. Some residential developments may include conditions requiring a mandatory 64-gallon cart rental.

**TABLE 3**  
**BULKY ITEM PICK-UP CEILING**  
 Effective January 1, 2012

Pickup fee for two items	\$50.55
Pickup fee for each additional item	\$19.05
Fee in addition to pickup fees for appliances containing refrigerants	\$37.59
Senior on-call fee for first two (2) pickups per year.	\$0.00

Late Utility Payment Penalties

All accounts are due and payable within fifteen (15) days of the date of the bill. Accounts shall become delinquent and a late fee equal to five percent of the amount due shall be imposed if payment has not been received by 5:00pm on the due date.

Prior to discontinuing service for delinquent accounts, a final notice shall be issued to delinquent account and payment shall be due within fifteen (15) days of the date of the final notice. If payment has not been received by 5:00 p.m. of the due date of the final notice, an additional late fee equal to five percent of the amount then due shall be imposed. A twenty-four (24) hour warning notice shall be placed on an exterior door of the building where service is provided and for which payments are delinquent and a service charge of ten dollars (\$10) shall be imposed on the delinquent account.

Said warning notice shall state that water and/or solid waste service will be discontinued if payment of the delinquent account is not received by 5:00 p.m. of the due date indicated on the warning notice. If payment has not been received by 5:00 p.m. of the due date on the warning notice, water and/or solid waste service shall be discontinued.

Restoration of service which has been discontinued for non-payment of a bill may be had by payment of all outstanding charges to date plus a fifty-dollar (\$50.00) service charge at the offices of the City during normal business hours.

**CITY OF MILPITAS  
MULTI-UNIT SERVICE LEVEL RATES**

Dated: September 2, 1986; Amended: December 20, 1988; December 18, 1990; July 21, 1992; December 15, 1992;  
January 4, 1994; December 20, 1994; November 21, 1995; December 17, 1996; May 4, 1999, February 20, 2001;  
December 17, 2002; November 16, 2004; January 15, 2008; December 15, 2009; November 15, 2011

**SOLID WASTE**

**1. SOLID WASTE FRONT LOADER SERVICE  
MONTHLY RATE CEILING  
Effective January 1, 2012**

BIN RENTAL <sup>(1)</sup>	CONTAINER SIZE (CUBIC YARDS)	FREQUENCY PER WEEK					
		1X	2X	3X	4X	5X	6X
\$15.31	1	\$73.52	\$121.81	\$166.74	\$205.40	\$249.10	\$292.79
\$15.31	1.5 <sup>(2)</sup>	\$93.88	\$166.70	\$220.31	\$283.56	\$346.75	\$409.97
\$15.31	2	\$114.21	\$205.40	\$292.79	\$380.17	\$467.52	\$554.97
\$20.37	3	\$163.77	\$299.94	\$430.96	\$562.04	\$693.15	\$824.20
\$23.03	4	\$189.11	\$345.40	\$487.72	\$630.11	\$772.46	\$914.83
\$25.50	6	\$259.24	\$479.74	\$701.74	\$904.50	\$1,126.50	\$1,348.50
\$28.11	8	\$337.03	\$621.78	\$896.44	\$1,171.18	\$1,445.86	\$1,720.60

(1) Included in rates. Deducted from monthly rate if customer owns bin.

(2) This size no longer offered to new accounts.

**2. WEEKLY SOLID WASTE CART SERVICE  
MONTHLY RATE CEILING**

NUMBER OF 96 GALLON CARTS	Effective January 1, 2012
1	\$24.61
2	\$46.49
3	\$67.00
4	\$88.87

Service more frequent than once per week may be charged up to 75% above the monthly rate for each additional service day.

**3. SOLID WASTE PUSH AND RETURN  
MONTHLY RATE CEILING  
Effective January 1, 2012**

NUMBER OF FEET DISMOUNTED	FREQUENCY PER WEEK					
	1X	2X	3X	4X	5X	6X
Up to 25'	\$8.36	\$16.69	\$24.98	\$33.33	\$41.65	\$49.96
26'-50'	\$16.69	\$33.33	\$49.96	\$66.61	\$83.29	\$99.95
51'-75'	\$24.98	\$49.96	\$74.94	\$99.95	\$124.92	\$149.89
76'-100'	\$33.33	\$66.61	\$99.95	\$133.23	\$166.58	\$199.87
101'-125'	\$41.65	\$83.29	\$124.92	\$166.58	\$208.18	\$249.81
126'-150'	\$49.96	\$99.95	\$133.23	\$208.18	\$249.81	\$299.77
151'-175'	\$58.32	\$116.59	\$174.89	\$233.18	\$291.44	\$349.77
176'-200'	\$66.61	\$133.23	\$199.87	\$266.48	\$333.12	\$399.72

**4. CENTRALIZED COLLECTION MULTI-FAMILY ROLL-OFF REFUSE SERVICE MONTHLY RATE CEILING**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2012
10	\$445.90
20	\$628.46
30	\$796.73
40	\$975.37
50	\$1,159.21

Per unit, per month Household Hazardous Waste Fee	\$0.09
Per unit, per month Bus Stop Fee	\$0.02
Per unit, per month Administrative Fee	\$0.52

**5. CENTRALIZED COLLECTION MULTI-FAMILY ROLL-OFF REFUSE COMPACTOR SERVICE MONTHLY RATE CEILING**

	Effective January 1, 2012
PER SERVICE MINUTE	\$2.95
PER CUBIC YARD	\$23.11

Plus 12% Franchise Fee.

Per unit, per month Household Hazardous Waste Fee	\$0.09
Per unit, per month Bus Stop Fee	\$0.02
Per unit, per month Administrative Fee	\$0.52

**6. SOLID WASTE MISCELLANEOUS CHARGES**

Effective January 1, 2012

Lock Installation (After Delivery)	\$99.80
Bin Repairs	\$80.66
Lock (Padlock Only)	\$15.05
Container Delivery (New Account Set-Up And Bin Size Exchange)	\$53.31
Graffiti Removal	
Second and subsequent bin exchanges per calendar year	\$53.31
Allied supplies paint to Owner	no cost
Container Exchange (Dirty Container)	\$99.80

**RECYCLING**

**7. SOLID WASTE PROGRAM  
FIXED MONTHLY RATE PER DWELLING UNIT**

	Effective January 1, 2012
RECYCLING PROGRAM	\$2.87
PUBLIC INFORMATION	\$0.48
HOUSEHOLD HAZARDOUS	\$0.09
BUS STOP SERVICE	\$0.02
ADMINISTRATIVE FEE	\$0.50
STREET SWEEPING	\$0.43
<b>TOTAL RATE</b>	<b>\$4.39</b>

**8. RECYCLING PUSH AND RETURN  
MONTHLY RATE CEILING  
Effective January 1, 2012**

NUMBER OF FEET DISMOUNTED	FREQUENCY PER WEEK					
	1X	2X	3X	4X	5X	6X
Up to 25'	\$8.36	\$16.69	\$24.98	\$33.33	\$41.65	\$49.96
26'-50'	\$16.69	\$33.33	\$49.96	\$66.61	\$83.29	\$99.95
51'-75'	\$24.98	\$49.96	\$74.94	\$99.95	\$124.92	\$149.89
76'-100'	\$33.33	\$66.61	\$99.95	\$133.23	\$166.58	\$199.87
101'-125'	\$41.65	\$83.29	\$124.92	\$166.58	\$208.18	\$249.81
126'-150'	\$49.96	\$99.95	\$133.23	\$208.18	\$249.81	\$299.77
151'-175'	\$58.32	\$116.59	\$174.89	\$233.18	\$291.44	\$349.77
176'-200'	\$66.61	\$133.23	\$199.87	\$266.48	\$333.12	\$399.72

**9. CENTRALIZED COLLECTION MULTI-FAMILY  
ROLL-OFF RECYCLE MONTHLY RATE CEILING**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2012
10	\$105.27
20	\$133.97
30	\$173.61
40	\$200.97
50	\$231.05

**10. CENTRALIZED COLLECTION MULTI-FAMILY  
ROLL-OFF RECYCLE COMPACTOR SERVICE RATE CEILING**

	Effective January 1, 2012
PER SERVICE MINUTE	\$2.75
PER CUBIC YARD	\$12.64
PER CUBIC YARD *	\$8.99

\*Rate per cubic yard when recyclable loads exceed 50% of any single commodity.  
Plus 12 % Franchise Fee.

**11. SOLID WASTE FRONT LOAD COMPACTOR MONTHLY RATE**

(Refer to Exhibit I)

**12. SUPER COMPACTORS MONTHLY RATE**

(Refer to Exhibit I)

**13. MOBILE HOME PARKS**

**SOLID WASTE AND RECYCLING MONTHLY RATE CEILING**

SERVICE LEVEL PER DWELLING UNIT	Effective January 1, 2012
One 32-gallon can	\$8.65
Two 32-gallon cans	\$13.36

Late Utility Payment Penalties

All accounts are due and payable within forty-five (45) days of the date of the bill. Accounts shall become delinquent and a late fee of five percent of the amount due shall be imposed if payment has not been received by 5:00 p.m. on the due date. Prior to discontinuing service for delinquent accounts, a final notice shall be issued to delinquent account stating that payment shall be due within fifteen (15) days of the date of the final notice and that service may be terminated after sixteen (16) days of final notice if payment is not received. If payment has not been received by 5:00 p.m. of the due date of the final notice, an additional late fee equal to five percent of the amount then due shall be imposed.

**CITY OF MILPITAS  
COMMERCIAL SERVICE LEVEL**

Dated January 4, 1994; Amended December 20, 1994; November 21, 1995; December 17, 1996; August 5, 1997; May 4, 1999; February 20, 2001; December 17, 2002; November 16, 2004; January 15, 2008; December 15, 2009; November 15, 2011

**SOLID WASTE**

**1. FRONT LOADER SOLID WASTE SERVICE  
MONTHLY RATE CEILING**

Effective January 1, 2012

BIN RENTAL <sup>(1)</sup>	CONTAINER SIZE (CUBIC YARDS)	FREQUENCY PER WEEK					
		1X	2X	3X	4X	5X	6X
\$15.31	1	\$86.59	\$154.71	\$212.41	\$262.69	\$318.89	\$375.13
\$15.31	1.5 <sup>(2)</sup>	\$111.29	\$212.27	\$282.68	\$364.32	\$445.91	\$527.49
\$15.31	2	\$135.98	\$262.69	\$375.13	\$487.48	\$599.89	\$712.35
\$20.37	3	\$195.53	\$384.11	\$552.73	\$721.36	\$889.96	\$1,058.57
\$23.03	4	\$228.73	\$447.86	\$634.79	\$821.76	\$1,008.66	\$1,195.60
\$25.50	6	\$315.74	\$625.74	\$916.05	\$1,183.89	\$1,474.19	\$1,764.49
\$28.11	8	\$410.97	\$812.70	\$1,174.77	\$1,537.00	\$1,899.14	\$2,261.32

(1) Included in rates. Deducted from monthly rate if customer owns bin.

(2) This size no longer offered to new accounts.

COLLECTOR will remit to CITY, pursuant to Subparagraph 8(d)3 of agreement, \$57,000 annually for community relations program funding.

COLLECTOR will remit to CITY, pursuant to subparagraph 8(d)3, \$98,040 for front end load and \$108,015 for roll off for the total of \$206,055 annually for city administration fee.

**2. WEEKLY SOLID WASTE CAN SERVICE  
MONTHLY RATE CEILING**

Effective January 1, 2012

NUMBER OF 96 GALLON CARTS	RATE
1	\$28.70
2	\$56.05
3	\$80.66
4	\$106.63

Service more frequent than once per week may be charged at 75% above the monthly rate for each additional service day.

NUMBER OF 32 GALLON CARTS	RATE
1-3	\$35.53
4-6	\$73.82
7-9	\$99.80
10-12	\$129.87

**3. SOLID WASTE ROLL-OFF  
MONTHLY SERVICE RATE CEILING\***

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2012
10	\$465.79
20	\$654.11
30	\$827.38
40	\$1,011.55
50	\$1,201.21

\*For 2.5 average hauls per month. If there are less than 2.5 hauls per month, there is an additional bin rental charge.

**4. ROLL-OFF BIN RENTAL  
MONTHLY RATE CEILING**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2012
10	\$107.97
20	\$138.02
30	\$179.01
40	\$206.32
50	\$237.75

**5. SOLID WASTE ROLL-OFF COMPACTOR  
SERVICE RATE CEILING**

Effective January 1, 2012

\$3.08 PER SERVICE MINUTE + \$23.96 PER YARD + 12% FRANCHISE FEE

**6A. SOLID WASTE FRONT LOAD COMPACTOR  
MONTHLY RATE CEILING**

Effective January 1, 2012

WEEKLY YARDAGE x \$26.49 PER YARD x 52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE

**6B. SUPER COMPACTORS MONTHLY RATE CEILING**

Effective January 1, 2012

(WEEKLY YARDAGE x \$24.94 PER YARD) + (WEEKLY YARDAGE x \$13.85 PER YARD) x 52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE

\* For purposes of the application of the above rate, Super Compactors are distinguished by a compaction ratio greater than or equal to 6:1 and generating an average container density greater than 550 pounds per cubic yard. The CONTRACTOR shall determine the applicability of this definition. The CONTRACTOR's determination may be appealed by the Producer in writing to CITY.

**7. SOLID WASTE EXTRA PICK-UP RATE CEILING**

Effective January 1, 2012

SIZE	CONTAINER TYPE	MONDAY-FRIDAY RATE	SATURDAY RATE
1	32 Gallon Can	\$8.21	\$12.32
1	Wheeled Cart	\$25.97	\$28.70
1.0	Yard Bin	\$54.68	\$77.92
1.5	Yard Bin	\$58.78	\$86.14
2.0	Yard Bin	\$65.62	\$92.97
3.0	Yard Bin	\$76.56	\$101.18
4.0	Yard Bin	\$90.24	\$109.38
6.0	Yard Bin	\$123.04	\$132.60
8.0	Yard Bin	\$132.60	\$149.01
<b>Any Compacted Yardage</b>	Compactor	\$39.65 per cubic yard	\$46.49 per cubic yard

**RECYCLING COLLECTION**

**8. RECYCLING ROLL-OFF  
SERVICE RATE CEILING**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2012*
10	Up to \$306.22
20	Up to \$362.26
30	Up to \$401.92
40	Up to \$452.51
50	Up to \$508.57

\* For 2.5 average hauls per month. If there are less than 2.5 hauls per month, there is an additional bin rental charge.

**9. RECYCLING ROLL-OFF BIN RENTAL  
MONTHLY RATE CEILING**

CONTAINER SIZE (CUBIC YARDS)	Effective January 1, 2012
10	\$105.27
20	\$133.97
30	\$173.61
40	\$200.97
50	\$231.05

**10. RECYCLING ROLL-OFF COMPACTOR  
SERVICE RATE CEILING**

Effective January 1, 2012

\$2.89 PER SERVICE MINUTE + \$9.48 OR \$13.32 PER YARD + 12% FRANCHISE FEE

When recyclable loads exceed 50% of any single commodity, then per yard cost will decrease from \$13.32 to \$9.48 per yard.

**11. RECYCLING FRONT LOAD COMPACTOR  
MONTHLY RATE CEILING**

Effective January 1, 2012

WEEKLY YARDAGE x \$9.48 OR \$22.11 PER YARD x 52 WEEKS DIVIDED BY 12 MONTHS + 12% FRANCHISE FEE

When recyclable loads exceed 50% of any single commodity, then per yard cost will decrease from \$22.11 to \$9.48 per yard.

**OTHER CHARGES**

**12. FRONT LOADER PUSH AND RETURN  
MONTHLY RATE CEILING PER BIN  
Effective January 1, 2012**

NUMBER OF FEET DISMOUNTED	FREQUENCY PER WEEK					
	1X	2X	3X	4X	5X	6X
Up to 25'	\$8.36	\$16.69	\$24.98	\$33.33	\$41.65	\$49.96
26'-50'	\$16.69	\$33.33	\$49.96	\$66.61	\$83.29	\$99.95
51'-75'	\$24.98	\$49.96	\$74.94	\$99.95	\$124.92	\$149.89
76'-100'	\$33.33	\$66.61	\$99.95	\$133.23	\$166.58	\$199.87
101'-125'	\$41.65	\$83.29	\$124.92	\$166.58	\$208.18	\$249.81
126'-150'	\$49.96	\$99.95	\$133.23	\$208.18	\$249.81	\$299.77
151'-175'	\$58.32	\$116.59	\$174.89	\$233.18	\$291.44	\$349.77
176'-200'	\$66.61	\$133.23	\$199.87	\$266.48	\$333.12	\$399.72

**13. SOLID WASTE MISCELLANEOUS CHARGES  
Effective January 1, 2012**

Lock Installation (After Delivery)	\$99.80
Bin Repairs	\$80.66
Lock (Padlock Only)	\$15.05
Container Delivery (New Account Set-Up and Bin Size Exchange)	\$53.31
Graffiti Removal	
Second and subsequent bin exchanges per calendar year	\$53.31
Allied supplies paint to Owner	no cost
Container Exchange (Dirty Container)	\$99.80
Leak Proof 3-yard Front Load Container	\$25.34

**14. RETURN COLLECTION OF OPEN TOP SOLID WASTE CONTAINERS  
SERVICE RATE  
Effective January 1, 2012**

The criteria and procedures outlined in Exhibit L of this Agreement shall be followed before the CONTRACTOR may charge up to \$79.10 per haul.

**15. VOLUNTARY FOOD WASTE COMPOST PILOT PROGRAM**

<i>Times/Week</i>	<b>1-cubic yard (CY)</b>	<b>1.5-CY</b>	<b>2-CY</b>	<b>3-CY</b>
<b>1 x week</b>	\$111.82	\$150.16	\$188.50	\$274.75
<b>2 x week</b>	\$206.19	\$290.58	\$368.19	\$542.92
<b>3 x week</b>	\$290.69	\$402.08	\$534.44	\$792.24
<b>4 x week</b>	\$368.19	\$524.23	\$700.59	\$1,105.22
<b>5 x week</b>	\$451.31	\$646.32	\$866.80	\$1,290.88
<b>6 x week</b>	\$534.44	\$768.40	\$1,033.07	\$1,540.18
<b>Bin Rental</b>	\$14.16	\$14.46	\$14.46	\$19.25
<b>Extra Pickup</b>	\$66.54	\$77.85	\$91.76	\$116.97

Late Utility Payment Penalties

All accounts are due and payable when the customer receives the bill and will become delinquent 45 days after the invoice date. A late fee of five (5) percent of the amount due shall be imposed if payment has not been received by 5:00 p.m. on the delinquent date (plus five (5) business days for payment processing). At sixty (60) days from the invoice date (plus five (5) business days for payment processing), an additional five (5) percent of the amount due shall be imposed on amounts not paid. Additionally at sixty (60) days from the invoice date (plus five (5) days for payment processing), a final notice shall be issued to delinquent accounts stating that payment shall be due within fifteen (15) days of the date of the final notice and that service may be terminated after twenty (20) days of the date of the final notice if payment is not received. CONTRACTOR shall notify City ten (10) business days prior to service termination.

**16. CITY OF MILPITAS  
RESIDENTIAL YARD TRIMMINGS SERVICE  
MONTHLY SERVICE RATE CEILING**

Date December 17, 1996; Amended May 4, 1999, February 20, 2001, December 17, 2002; November 16, 2004; January 15, 2008; December 15, 2009; November 15, 2011

	Effective January 1, 2012
Single-Unit Dwelling	\$6.29
Senior Citizen	\$3.16

Late Utility Payment Penalties

All accounts are due and payable within fifteen (15) days of the date of the bill. Accounts shall become delinquent and a late fee equal to five percent of the amount due shall be imposed if payment has not been received by 5:00pm on the due date.

Prior to discontinuing service for delinquent accounts, a final notice shall be issued to delinquent account and payment shall be due within fifteen (15) days of the date of the final notice. If payment has not been received by 5:00 p.m. of the due date of the final notice, an additional late fee equal to five percent of the amount then due shall be imposed. A twenty-four (24) hour warning notice shall be placed on an exterior door of the building where service is provided and for which payments are delinquent and a service charge of ten dollars (\$10) shall be imposed on the delinquent account.

Said warning notice shall state that water and/or solid waste service will be discontinued if payment of the delinquent account is not received by 5:00 p.m. of the due date indicated on the warning notice. If payment has not been received by 5:00 p.m. of the due date on the warning notice, water and/or solid waste service shall be discontinued.

Restoration of service which has been discontinued for non-payment of a bill may be had by payment of all outstanding charges to date plus a fifty-dollar (\$50.00) service charge at the offices of the City during normal business hours.