

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of an Ordinance amending the )  
Solid Waste Ordinance, 1997, to reflect a )  
Change in a Standard Statistical Measurement ) ORDINANCE 647  
by the United States Bureau of Labor Statistics, )  
and Declaring an Emergency. )

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on May 28, 1998, commissioners Ted Lopuszynski, Robert Johnstone and Thomas E. E. Bunn being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

A. On April 30, 1997, the Board adopted Ordinance 626, the Solid Waste Ordinance, 1997. Among other things, the Solid Waste Ordinance made substantial revisions to the methodology used in determining rates and rate increases for collection franchises. A component of the methodology was the consumer price index. Section 8(1)(f)(1) of the ordinance referred to the "Consumer Price Index for All Urban Consumers for West-C, All Items (1982-84=100)." However, the United States Bureau of Labor Statistics has abandoned the "West-C" CPI and replaced it with the "West B/C" CPI.

B. It is appropriate to amend Ordinance 626, the Solid Waste Ordinance, 1997, in two respects. First, Section 8(1)(f)(1) should be modified to reflect current statistical measurements for the consumer price index. Second, Section 8(1)(f)(2) should be deleted as superfluous. Former Section 8(1)(f)(3) should be renumbered as Section 8(1)(f)(2). NOW, THEREFORE:

THE YAMHILL COUNTY BOARD OF COMMISSIONERS HEREBY ORDAINS AS FOLLOWS:

**Section 1. Modifications to Section 8(1)(f) of Solid Waste Ordinance, 1997.**

Section 8(1)(f) of Ordinance 626, the Solid Waste Ordinance, 1997, is hereby amended to read in its entirety as follows:

- f. Except as provided in subsection "g." of this section, a cost of living rate adjustment shall be made annually according to the following procedures:
  - 1. Commencing on June 1, 1998 and on June 1 of each year thereafter throughout the term of this Ordinance (the "Adjustment Date"), the rates shall be adjusted in a percentage amount equal to the percent change in the

Consumer Price Index for all Urban Consumers for West-B/C, All Items (1982-84=100) published by the Bureau of Labor Statistics ("the Index") for the year ending in April; provided however, that the adjustment shall not exceed 4 percent in any year. The adjusted rates shall become effective on each July 1, 30 days following the Adjustment Date.

- 2. On or before each Adjustment Date, Franchisee shall send to the County a revised rate schedule reflecting the proposed new rates, as adjusted by the Index as provided in this subsection. Upon adoption, the revised rate schedule shall become effective on July 1 of each year.

**Section 2. Effective Date; Emergency Clause.**

This ordinance being necessary for the health, safety and welfare of the citizens of Yamhill County and an emergency having been declared to exist, shall become effective on May 28, 1998.

**Section 3. Severability.**

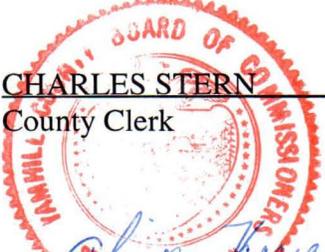
All sections, subsections and paragraphs of this ordinance are severable. If any section, subsection or paragraph is ruled invalid for any reason by a court of last resort, the other portions of this ordinance shall be unaffected.

AYES: Commissioners Lopuszynski, Johnstone and Bunn.

DONE at McMinnville, Oregon on May 28, 1998.

ATTEST

YAMHILL COUNTY BOARD OF COMMISSIONERS

  
CHARLES STERN  
County Clerk  
By:   
Deputy ALISON KOYAMA

  
Chairman TED LOPUSZYNSKI

  
Commissioner ROBERT JOHNSTONE

FORM APPROVED BY:  
  
JOHN M. GRAY, JR.  
Yamhill County Counsel

  
Commissioner THOMAS E. E. BUNN

Accepted by Yamhill County Board of Commissioners on 5-28-98 by Board Order # 8098-382