

**GWINNETT COUNTY**  
**BOARD OF COMMISSIONERS**  
**LAWRENCEVILLE, GEORGIA**

RESOLUTION ENTITLED:       **A RESOLUTION AUTHORIZING THE PROVISION OF A SENIOR DISCOUNT FOR RESIDENTIAL SOLID WASTE AND RECOVERED MATERIALS SERVICES; ESTABLISHING A REGULATORY FEE RATE FOR COMMERCIAL AND CONSTRUCTION OR DEMOLITION WASTE SERVICES; AND AUTHORIZING THE ALTERNATIVE BILLING AND COLLECTION OF SOLID WASTE ACCOUNTS IN EXCESS OF \$25,000.00 ANNUALLY.**

READING AND ADOPTION:       **JUNE 5, 2012**

At the regular meeting of the Gwinnett County Board of Commissioners held in the Gwinnett Justice and Administration Center, Auditorium, 75 Langley Drive, Lawrenceville, Georgia.

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Name	Present	Vote
Charlotte J. Nash, Chairman	YES	YES
Lynette Howard, District 2	YES	YES
Mike Beaudreau, District 3	YES	YES
John Heard, District 4	YES	YES

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On motion of Commissioner Howard, which carried 4-0, the Resolution of the Gwinnett County Commissioners set forth below is hereby adopted:

**WHEREAS**, in June 2012, the Board of Commissioners adopted revisions to the Gwinnett County Solid Waste Collection and Disposal Services Ordinance of 2010, hereinafter the "Solid Waste Ordinance," which facilitated the County's compliance with the Comprehensive Solid Waste Management Plan, and

**WHEREAS**, the billing and collection of the Residential Service Fee for solid waste and recovered materials administration is managed and overseen by the Solid Waste and Recovered Materials Division, hereinafter the "Solid Waste Division," and

**WHEREAS**, the billing and collection of the Regulatory Fee for Commercial and Construction or Demolition Waste (hereinafter "C&D Waste") Services is managed and overseen by the Solid Waste Division, and

**WHEREAS**, the Solid Waste Ordinance requires that each Residential Service Unit Owner pay a Residential Service Fee to the County, and

**WHEREAS**, the Board of Commissioners desires to provide a discount to Residential Service Unit Owners, age 65 or older with limited income, applicable to their annual Residential Service Fee, hereinafter referred to as the "Senior Discount," and

**WHEREAS**, Gwinnett County provides a property tax exemption for seniors age 65 or older whose income must not exceed \$10,000 after deductions, hereinafter referred to as the "L3A Senior Exemption," and

**WHEREAS**, Gwinnett County provides a property tax exemption for seniors age 65 or older whose income must not exceed \$25,000 after deductions, hereinafter referred to as the "L5A Senior School Exemption," and

**WHEREAS**, Gwinnett County also provides for a property tax exemption for those who are disabled, regardless of age, under the "L5A Senior School Exemption" to which the discount is also intended to apply; and

**WHEREAS**, the Gwinnett County Tax Commissioner's process provides a reliable database upon which to provide an applicable Senior Discount for Residential Service Fees; and

**WHEREAS**, the billing and collection of the Regulatory Fee for Commercial and C&D Waste Services requires revision to reflect prevalent industry practice; and

**WHEREAS**, the Board of Commissioners desires to facilitate the provision of a quarterly billing and collection process for the Annual Residential Service Fee when such fee exceeds \$25,000 for an individual parcel.

**NOW, THEREFORE, BE IT RESOLVED**, by the Gwinnett County Board of Commissioners, that effective January 1, 2013 a fifteen percent (15%) Senior Discount applicable to the Residential Service Fee to the Residential Service Unit Owner who, as of January 1<sup>st</sup> of the current tax year, has qualified and been approved to receive the L3A Senior Exemption; and

**BE IT FURTHER RESOLVED** a fifteen percent (15%) Senior Discount shall be applied to the Residential Service Fee to the Residential Service Unit Owner who, as of January 1<sup>st</sup> of the current tax year, has qualified and been approved to receive the L5A Senior School Exemption; and

**BE IT FURTHER RESOLVED** that effective January 1, 2013, the regulatory fee of three percent (3.0%) shall be levied against gross quarterly revenue, for each calendar quarter or portion thereof in which any Commercial Service Provider or C&D Waste Service Provider operates in unincorporated Gwinnett County, and that such fee is authorized to be billed and collected by Gwinnett County; and

**BE IT FURTHER RESOLVED** if the regulatory fee is not paid in full within thirty (30) days following the last day of each calendar quarter, an eighteen percent (18%) penalty will be assessed on the unpaid principle on all delinquent amounts until paid in full; and

**BE IT FURTHER RESOLVED** if the regulatory fee billed pursuant to this Resolution is not paid in full within three (3) months, the County may revoke the Commercial Service Provider or C&D Waste Service Provider's authorization to perform services in unincorporated Gwinnett County and pursue additional collection actions for recovery of any delinquent amounts, including penalties; and

**BE IT FURTHER RESOLVED** if the annual Residential Service Fee for any individual parcel exceeds \$25,000, Gwinnett County may initiate quarterly billing for the Residential Service Unit Owner; and

**BE IT FURTHER RESOLVED** if a quarterly Residential Service Fee invoice is not paid in full within thirty (30) days of the date of invoice, an eighteen percent (18%) penalty will be assessed on the unpaid principal on all delinquent amounts until paid in full; and

**BE IT FURTHER RESOLVED** if a quarterly Residential Service Fee invoice is not paid in full, including assessed penalties, within three (3) months of the original invoice, the County will pursue additional collection actions for recovery of any delinquent amounts, including penalties, to include the placement of a lien on the parcel; and

**BE IT FURTHER RESOLVED** that the authority granted within this resolution shall be applicable for the billing period beginning on January 1, 2013 and shall remain in effect until rescinded.

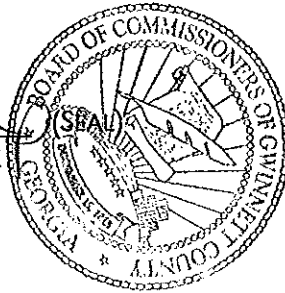
**BE IT FURTHER RESOLVED** that the authority granted within this resolution shall be applicable for the billing period beginning on January 1, 2013, and shall remain in effect until rescinded.

**GWINNETT COUNTY BOARD OF COMMISSIONERS**

BY: Charlotte J. Nash  
CHARLOTTE J. NASH, CHAIRMAN

ATTEST:

BY: Diane Kemp  
DIANE KEMP, COUNTY CLERK



APPROVED AS TO FORM:

BY: Teward R. Williams  
Sr. Assistant COUNTY ATTORNEY