

ORDINANCE # _____

ORDINANCE GRANTING AN EXCLUSIVE FRANCHISE FOR THE COLLECTION AND DISPOSAL OF RESIDENTIAL SOLID WASTE TO WASTE PRO OF NORTH CAROLINA, INC.

WHEREAS, the County's current exclusive franchise for the collection and disposal of residential solid waste and the collection of recyclable materials in unincorporated areas of Buncombe County expires at midnight on December 31, 2019;

WHEREAS, pursuant to NCGS §153A-136 and Ch. 62, Div. 2 of the Buncombe County Code of Ordinances ("Solid Waste Ordinance"), the County placed a Request for Proposals #SWF-2020 ("RFP") for a new franchise to replace the existing service under a new, exclusive five (5) year franchise with two additional two year term extensions at the option of the County;

WHEREAS, after careful review it was determined by the bid evaluation committee that Waste Pro of North Carolina, Inc. ("Waste Pro") is most qualified to provide the best and most efficient service to citizens in the franchise area; and

WHEREAS, this Board is of the opinion that the proposal from Waste Pro should be accepted.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Buncombe as follows:

1. That upon the terms and conditions of NCGS §153A-136, the Solid Waste Ordinance, the RFP and addenda thereto, the Application, the Franchise Service Contract, and this Ordinance, Waste Pro of North Carolina, Inc. is hereby granted an exclusive franchise for the collection and disposal of residential solid waste and the collection of recyclable materials in unincorporated areas of Buncombe County for a five (5) year term beginning January 1, 2020.
2. That if any section, subsection, clause or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance;
3. That all ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict; and

4. That this Ordinance shall be effective following its adoption at two regular meetings of this Board and the execution by Waste Pro of a Certificate of Acceptance in addition to the Franchise Service Contract.

Read and approved on first reading by a vote of ____ for and ____ against, this the 21st day of May, 2019.

Read and approved on second reading by a vote of ____ for and ____ against, this the 4th day of June, 2019.

ATTEST:

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Lamar Joyner, Clerk to the Board

BY: _____
Brownie Newman, Chairman

APPROVED AS TO FORM:

County Attorney