

ORDINANCE # \_\_\_\_\_

ORDINANCE GRANTING AN EXCLUSIVE FRANCHISE FOR THE COLLECTION AND DISPOSAL OF  
RESIDENTIAL SOLID WASTE TO FCC ENVIRONMENTAL SERVICES, LLC

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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, 2024;

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 seven (7) year franchise with a one-year (1) option for extension at the option of the County;

WHEREAS, after careful review it was determined by the bid evaluation committee that FCC Environmental Services, LLC ("FCC") is most qualified to provide the best and most efficient service to residents in the franchise area; and

WHEREAS, this Board is of the opinion that the proposal from FCC 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, FCC Environmental Services, LLC 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 an initial seven (7) year term beginning January 1, 2025.
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 That all ordinances and clauses of ordinances in conflict herewith be and are hereby repealed to the extent of such conflict.
4. That this Ordinance shall be effective following its adoption at two regular meetings of this Board and the execution of the Franchise Service Contract.

Read and approved on first reading by a vote of \_\_\_\_ for and \_\_\_\_ against,  
this the 7<sup>th</sup> day of May, 2024.

Read and approved on second reading by a vote of \_\_\_\_ for and \_\_\_\_ against, this the 21<sup>st</sup> day of May, 2024.

ATTEST:

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

\_\_\_\_\_  
Stacey Woody, Interim Clerk

BY: \_\_\_\_\_  
Brownie Newman, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney