

COUNTY INITIATED FUNDING APPROACHES

The following can be initiated and managed by the County although some require local unit and/or voter approval.

Funding System/Description	Michigan County Use Examples	Best Uses and Least Preferred Uses
<p>Act 185 County Public Works Assessment: This funding mechanism is used in water, sewer, refuse/recycling and related environmental projects by counties that have organized an Act 185 Department of Public Works. Specific procedures must be followed to develop a project including an engineer's cost estimate and required public hearings and county/local approvals. This allows collection of a flat fee assessment for the project over a set time period. (Public Act 185, 1957, MCL 123.732)</p>	<p>Act 185 assessments are used in many counties across the state for a variety of projects. Washtenaw County uses the Act 185 fee process to fund the programs of the Western Washtenaw Resource Recovery Authority (WWRA) including MRF operation and recycling drop-off collections. Emmet authorized under Act 185.</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Recycling/Waste Program Expenses (MRFs¹, drop-offs, cleanups, curbside) - Special Material Programs (HHW², e-Scrap, Batteries, etc.) - Admin Expenses <p>Also Works for:</p> <ul style="list-style-type: none"> - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion Can be used for trash system costs as well
<p>Act 69 and Act 138 Surcharge Fees: With Act 69, through County and local unit resolutions, voters in each jurisdiction are asked to approve this resource recovery charge (up to \$50) per household/business per year that can then be collected (if voters approve in that local unit) by the County as part of winter taxes. This is similar to a PA 138 fee that is limited to households only with a maximum of \$25/year, but just requires approval by the elected officials of the local unit. (Act 69, 2005, Act 138, 1989, Urban Cooperation Act 7 of 1967, MCL 124.508a)</p>	<p>Leelanau County is the first to use an Act 69 fee with 10 of their 14 units approving in 2006. They previously used the Act 138 fee and have an active landfill surcharge. Act 138 is also used by Benzie County, Allegan County and Clinton County to fund local drop-off programs, HHW, etc. Alpena County funds its' drop off network and MRF via PA 138.</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Recycling Program Expenses (drop-offs, curbside) - Special Material Programs (HHW, e-Scrap, Batteries, etc.) <p>Also Works for:</p> <ul style="list-style-type: none"> - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion Cannot be used for trash system costs
<p>Hauler License Resource Recovery Fee: Licensed haulers can be charged a "Resource Recovery Charge" for each household and commercial account and be required to pass through that charge as a line item to their customers. The charge would be set as part of the annual budgeting process to cover all costs for Resource Recovery Programs. Each hauler's share is then based on their percentage of the market.</p>	<p>Used in Eaton County for over 10 years (\$9.60 hh/yr and \$40/commercial account per year). No other known users of this approach in the state.</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Recycling Program Expenses (drop-offs, curbside) - Special Material Programs (HHW, e-Scrap, Batteries, etc.) <p>Also Works for:</p> <ul style="list-style-type: none"> - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion

¹ MRF is an acronym for Material Recovery Facility – a type of recycling processing facility

² HHW is an acronym for Household Hazardous Waste – a type of collection program for residentially generated hazardous wastes

COUNTY INITIATED FUNDING APPROACHES - Continued

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<p>Landfill Surcharge: A Resource Recovery Fee can be imposed by ordinance/licensing mechanism (e.g. Grand Traverse County), by contract (e.g. Clinton County) or as part of the budget of publicly owned facilities (like Wexford and Emmet). Applies to all incoming tons (residential and commercial) and varies with incoming waste volumes. Can be implemented for use at transfer stations as well.</p>	<p>This is a very common approach used by Michigan Counties (Emmet, Wexford, Saginaw, Grand Traverse, Leelanau, Sanilac, Clinton, Genesee, Ottawa, Berrien, Macomb, Wayne, Washtenaw, Monroe, Kent, and more)</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion Can Work for: - Special Material Programs (HHW, e-Scrap, Batteries, etc.) <p>Also works for:</p> <ul style="list-style-type: none"> - Recycling Program Expenses (drop-offs, curbside)
<p>Voter Approved County-wide Millage: The majority of voters in the County can approve a millage to fund resource recovery programs, either for capital or operating costs. Majority approval of voters would implement this funding mechanism county-wide. Almost always has a sunset clause (e.g. 5 years) to require re- evaluation and re-voting by citizens.</p>	<p>Emmet County (2-y for start up capital costs). Charlevoix County (drop-offs and HHW). Chippewa County (drop- offs/MRF operated by disabled worker non-profit); Tuscola County (drop-offs, HHW and MRF operated by County w/corrections labor). Otsego – Recycle Drop site program. Cheboygan County for recycling drop site program. Iosco County passed millage proposal in 2024.</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Recycling Program Expens (drop-offs, curbside) - Special Material Programs (HHW, e-Scrap, Batteries, etc.) - One Time Capital Costs (e.g. Building) <p>Also Works for:</p> <ul style="list-style-type: none"> - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion
<p>Supplemental Fees for Service: Additional charges and supplemental fees are used by many municipalities to cover costs for value added services that some but not all citizens use and that citizens often expect to be provided by their municipality. Examples include curbside bulky waste pickup, curbside brush collection, tire drop-offs and drop-off /convenience center refuse and recycling services.</p>	<p>Washtenaw County's Drop-off Station, operated in conjunction with the City of Ann Arbor and Recycle Ann Arbor covers more than 80% of the costs of its refuse and recycling drop-off system with user fees for waste, construction debris and harder to recycle materials like tires and electronic waste. Emmet employs contract (commercial collection, residential curbside) and user fees (bulky recyclables like mattresses).</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Services where Convenience Justifies a Premium (e.g. curbside bulky waste) - Special Materials Programs (e.g. tires, appliances, etc.) <p>Least Suited for:</p> <ul style="list-style-type: none"> - Recycling Programs - Routine Program costs - Admin Expenses (e.g. staff, planning)

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LOCAL UNIT INITIATED FUNDING APPROACHES

The following can be initiated and managed by local units independent of the County.

Funding System/Description	Michigan Local Unit Use Examples	Best Uses and Least Preferred Uses
<p>Legislatively Authorized Millages: Cities and villages are authorized by Act 298 of 1917 (MCL 123.261) to collect up to 3 mils for refuse and recycling programs. The elected body approves the "annual garbage tax" as part of their annual budgeting process, with the funds being collected as part of the next tax cycle. Charter Townships are authorized to collect up to 2 mils.</p>	<p>This is the most common method of funding refuse and recycling programs in Michigan's cities and charter townships and is in use throughout the state. Good examples are the City of Royal Oak and the Charter Township of Ypsilanti</p>	<p>Works Well for:</p> <ul style="list-style-type: none"> - Recycling/Waste Program Expenses (MRFs, drop-offs, cleanups, curbside) - Special Material Programs (HHW, e-Scrap, Batteries, etc.) - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion
<p>Municipal Utility/Service Fees: A local unit can establish an exclusive service provision (e.g. waste collection) and charge for that service through a utility billing system or other user fee system. This is a common method when a local unit already has other utility billing systems in place (water, sewer, electricity). The fee system can include pay per volume features (aka "pay-as-you-throw" or PAYT) - an incentive for waste reduction and recycling.</p>	<p>This is the second most common method of funding refuse and recycling programs in Michigan's cities, villages and townships and is in use throughout the state. Grand Rapids and Lansing are two larger cities that use a fee based approach. Coldwater is an example of a smaller community using this approach.</p>	<p>Works Well for:</p> <ul style="list-style-type: none"> - Recycling/Waste Program Expenses (curbside, MRFs, drop-offs, cleanups) - Special Material Programs (HHW, e-Scrap, Batteries, etc.) - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion
<p>Special Assessment Districts: Michigan Townships (Public Act 188, 1954 MCL, 41.721) and Villages (Public Act 116, 1923, MCL 41.411) can create special assessment districts for improvements that provide for waste and recycling services. Many of Michigan's townships and villages use this approach in contracting and paying for solid waste and recycling services.</p>	<p>This is the third most common method of funding waste and recycling programs in Michigan's local units, used by many of the townships that participate in the Mid-Michigan Solid Waste and Recycling Authority.</p>	<p>Works Well for:</p> <ul style="list-style-type: none"> - Recycling/Waste Program Expenses (curbside, MRFs, drop-offs, cleanups) - Special Material Programs (HHW, e-Scrap, Batteries, etc.) - Admin Expenses (e.g. staff, planning) - Outreach/Education/Promotion
<p>Hauler Franchise and Hauler Collected Fees: A local unit can award an exclusive hauler contract/franchise for the collection of waste from residential and/or commercial sources and bundle recycling services in with contract. The hauler is responsible for providing all services and collecting the fees from system users following a pricing schedule contained in their franchise/contract with the local unit.</p>	<p>Shelby Township in Macomb County is the best example to cite, with court decisions confirming the local units right to use this method. Superior Township in Washtenaw County is another good example</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Bundled Refuse/Recycling/Yard Waste Collection Program - Limited Education and Outreach <p>Least Suited for:</p> <ul style="list-style-type: none"> - Admin Expenses (e.g. staff, planning) - Special Material Programs (HHW, e-Scrap, Batteries, etc.)

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LOCAL UNIT INITIATED FUNDING APPROACHES - Continued

The following can be initiated and managed by local units independent of the County.

Funding System/Description	Michigan Local Unit Use Examples	Best Uses and Least Preferred Uses
<p>Voter Approved Program Millage: The majority of voters in the City can approve a millage to fund resource recovery programs, either for capital or operating costs. Majority approval of voters would implement this funding mechanism. These almost always have a sunset clause (e.g. 5 years) to require re-evaluation and re-voting by citizens. Some are temporary millages limited in scope to specific capital projects.</p>	<p>The City of Royal Oak uses a voter approved millage to supplement its legislatively authorized millage for solid waste and recycling programs - first used to secure voter approval of the City's original curbside recycling program. City of Ann Arbor voters approved a temporary millage to close its landfill, build a MRF and expand multi-family recycling</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - New Program Initiatives - One Time Program Expansions - Special Material Programs (HHW, e-Scrap, Batteries, etc.) <p>Least Suited for:</p> <ul style="list-style-type: none"> - Routine Program costs - Admin Expenses (e.g. staff, planning)
<p>General Fund: Some local units have managed to cover resource recovery program costs out of their general fund, most often when the program offerings are limited in scope (e.g. spring/fall cleanups) or are provided jointly through a larger inter-governmental project (e.g. regional household hazardous waste services).</p>	<p>A number of townships participating in the Northern Oakland County NO-HAZ consortium household hazardous waste collection program cover their costs through general fund contributions. Townships in Emmet fund curbside recycling via general fund.</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Limited Program Initiatives - Special Material Programs (HHW, e-Scrap, Batteries, etc.) <p>Less Likely Suited for:</p> <ul style="list-style-type: none"> - Routine Program costs - Admin Expenses (e.g. staff, planning)
<p>Supplemental Fees for Service: Additional charges and supplemental fees are used by many municipalities to cover costs for value added services that some but not all citizens use and that citizens often expect to be provided by their municipality. Examples include curbside bulky waste pickup, curbside brush collection, tire drop-offs and drop-off /convenience center refuse and recycling services.</p>	<p>The City of Ann Arbor Drop-off Station, operated in conjunction with the Washtenaw County and Recycle Ann Arbor covers more than 80% of the costs of its refuse and recycling drop-off system with user fees for waste, construction debris and harder to recycle materials like tires and electronic waste.</p>	<p>Best Used for:</p> <ul style="list-style-type: none"> - Services where Convenience Justifies a Premium (e.g. curbside bulky waste) - Special Materials Programs (e.g. tires, appliances, etc.) <p>Least Suited for:</p> <ul style="list-style-type: none"> - Recycling Programs - Routine Program costs - Admin Expenses (e.g. staff, planning)

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Act 185 Overview Notes

“Act 185 Public Works Assessment. The Public Works Board and Department of Public Works work with some or all of the local units to establish a solid waste and recycling project with the cost included on the assessment roll for parcels within the project area.” (Michigan State University Extension, 2019, pp. 12–33)

“Act 185 Public Works Assessment: Michigan counties can create a board and Department of Public Works (DPW) and then work with some or all of the local units to establish a solid waste and recycling project. The engineers estimate for the project is then used to establish an assessment roll for parcels within the jurisdiction of the local units that have approved an agreement with the county. The county then collects the assessment as a program availability user fee and manages the solid waste and recycling program. Action is needed by the county and the local unit but no action is needed by voters. Property owners can appeal the assessment. Washtenaw County and Western Washtenaw County Authority have create such a board.” (Michigan Department of Environment Great Lakes and Energy, 2010)

[Note from Tyler: These overviews speak to special assessments because of the Department of Public Works being used for sewer, water, lake improvements, etc. See Table below for more funding options including contracted services and general fund appropriations.]

Summary Act 185 of 1957 MCL 123.731 *et seq.*

Tyler’s notes on each section of the act. Key funding mechanisms outlined in the table below. Full text can be found here: <https://www.legislature.mi.gov/Laws/MCL?ObjectName=mcl-Act-185-of-1957>

- Section 1 – “Definitions”
- Section 2 – “Establishment and control of department of public works; exception; board of public works; appointment, qualifications, terms, and removal of members; designation or removal as board; authority, powers, and duties of designee; board as agency of county; rules; compensation; status of department of public works in county organized under MCL 45.501 to 45.521; authority, powers, and duties of county executive or chief county administrative officer; authority and powers of county board of commissioners.”
 - Counties can establish a department of public works (under immediate control of a board of public works) to administer the powers under the act
 - Membership requirements
- Section 3 – “Board of public works; officers.”
- Section 4 – “Board of public works; action by motion or resolution; record of proceedings; signature; availability of record or other writings to public; quorum; regular meetings; notice of special meeting; waiver of notice; conducting business at public meeting; public notice of meeting or hearing.”
 - Actions by motions/ resolutions. Sets quorum, majority, record requirements, must comply with OMA
- Section 5 – “Expenses and expenditures of board of public works.”
 - County BoC sets annual budget for expenses
- Section 6 – “Board of public works; director; project costs; civil service.”

- Can hire a director and personnel as laid out
- Section 7 – “Powers of county; administration by board of public works.”
 - Sets what the board of public works can do, all of these “within 1 or more areas in the county and to improve, enlarge, extend, operate, and maintain”
 - Water supply system
 - Sewage disposal system
 - Refuse system
 - Lake improvements
 - Erosion control system
- Section 8 – “Acquiring systems or making lake improvements outside corporate limits.”
- Section 9 – “Water supply and sewage disposal or refuse systems; service to municipalities and individual users.”
 - County needs consent of a municipality before it can start serving individuals users there
- Section 10 - “County water supply, sewage disposal or refuse system, lake improvements, or erosion control system; approval; plans and specifications; merger or combination of systems; resolution; contract.”
 - “A resolution adopted by the governing
 - body of any city, village, township, or charter township authorizing and approving a contract with a county acting through its board of public works with respect to the financing or location of or service from any sewage disposal or refuse system constitutes, notwithstanding any statutory or charter limitation to the contrary, a permit to acquire, improve, enlarge, extend, operate, and maintain the sewage disposal or refuse system within the corporate limits of the city, village, township, or charter township, but no treatment or disposal plants, incinerators, works, grounds, filter beds, or other similar sewage or refuse disposal facilities, sanitary landfills, or dumps shall actually be located in any municipality without a resolution and contract.
- Section 11 – “Methods of financing systems or improvements.”
 - List of funding sources (below)
 - Details on how bonds are issued and handled under this act

MCL 123.741(11)...	Financing Mechanism
(a)	Issuing revenue bonds under revenue bond act (Under MCL 141.101 to 141.140)
(b)	Issuing bonds to be repaid by contracts with municipalities
(c)	Issuing bonds to be repaid by special assessments made by the board of public works
(d)	“By money advanced by a county operating under this act under agreements with a municipality or municipalities for the repayment of the money.”
(e)	Money advanced by a public corporation that is then reimbursed to the corporation (includes the language “from time to time”)

- Section 12 – “Contracts authorized; methods of paying contractual obligations; special assessments; exercise of powers; validation of contracts.”
 - County and municipalities can enter into contracts to improve, enlarge, or extend systems
 - Municipalities can levy taxes to pay for those contracts. The amount need from taxes can be reduced by having cash to pay towards obligations from:
 - Service charges to users (MCL 123.742(2)(a))

3/3/2026

- Special assessment on lands that benefits (MCL 123.742(2)(b))
- Connection charges (MCL 123.742(2)(c))
- Setting aside funds from the state that can be used for costs (MCL 123.742(2)(d))
- Setting aside “other available money” (MCL 123.742(2)(e))
- Additional details for erosion control systems
- Section 13 – “Project special assessment district; municipal special assessments.”
 - Outlines the process for municipalities (not counties) to establish special assessment districts
- Section 14 – “Methods of acquiring property; disposition of real property; condemnation procedure; use continued without resolution or contract.”
 - Authorizes Board of Public Works to acquire land for systems.
- Section 14a – “Validation of certain bonds or notes; contest prohibited.”
 - Municipalities and counties can contest bonds that have been “sold and delivered”
- Section 15 – “Water supply or sewage disposal or refuse systems; municipality service contract with county; county contracts.”
 - Authority to contract the purchase of services of a system with public and private corporations
- Sections 16 – “Water supply or sewage disposal or refuse systems; project costs.”
 - Allows project costs to include engineering, legal fees, financing costs, etc. as part of the costs
- Section 17 – “Failure to pay amounts required under contract or assessment; notice; deduction; other remedies for reimbursement; tax levy.”
 - Outlines how a county can seek payment if a municipality fails to pay

Chapter 2: Special Assessment Procedure

- Very generally – The process and details about how the Board of Public Works creates a special assessment district, collects funds from one once created

Chapter 3: Condemnation Procedure

- “A county operating under this act is hereby authorized to take private property necessary for any purpose within the scope of its powers under this act, for the use or benefit of the public and to institute and prosecute proceedings for that purpose.” (MCL 123.771)
- The rest of this chapter is the process for using that authority.

Emmet County Example

Contact: Andi Tolzdorf, recycle@emmetcounty.org (231) 348-0640

EmmetRecycling.org

- Emmet County Department of Public Works
- Self-funded facilities
 - 60 materials recovered, 12 drop off sites
- Step for establishment (starting 1990 with new Executive Director)

T. Augst
augsttyl@msu.edu

- 1) Established a funding committee
- 2) Solid waste ordinance drafted
- 3) Intergovernmental agreements with all the participating local governments
- Ordinance ([Ordinance No. 11-4](#))
 - Ordinance requires licensing with the county for waste haulers (and to get a license they need to comply with ordinance)
 - Key provision: Requiring the use of the county transfer station
 - Includes Pay-As-You-Throw” (PAYT) Provisions – which means disposal fees are paid by volume, not a flat rate. (Incentivizes producing g less waste)
 - Also includes “Anti-scavenging” policies
- Funding
 - Initial equipment bought with a millage (.25 for two years)
 - Truck, drop off containers, processing equipment
 - Supplemented by state grants
 - Most income is from sale of recyclables and sales of service
 - Largely not using tax dollars
 - Except where other governments are purchasing a service and paying for that with a millage or general fund (Like local curbside pickup)
- Personnel and Contractors
 - County employees for transfer station, administrative offices, recycling drop sites, driving curbside recycling routes, and at MRF
- Flow Control Provisions (Emmet County, n.d.)
 - Flow control provisions is the requirement that all waste haulers use public owned landfills or transfer stations
 - 2007 Supreme Court “ruled that local control of the flow of waste is not only constitutional, but to be encouraged.”
 - [United Haulers Association, Inc. Et Al v. Oneida-Herkimer Solid Waste Authority](#)
 - From the ruling: Chief Justice Roberts, representing the majority opinion, also stated: Solid waste flow control, "...ordinances are more than financing tools. They increase recycling in at least two ways, conferring significant health and environmental benefits upon the citizens of the Counties. First, they create enhanced incentives for recycling and proper disposal of other kinds of waste. ...the Counties accept recyclables and many forms of hazardous waste for free, effectively encouraging their citizens to sort their own trash. Second, by requiring all waste to be deposited at Authority facilities, the Counties have markedly increased their ability to enforce recycling laws. If the haulers could take waste to any disposal site, achieving an equal level of enforcement would be much more costly, if not impossible."

Additional Resources

Name	Source	Notes
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Resident Recycling Initiative Guide: Use of Special Assessments to Fund Recycling Services and Facilities	MI EGLE	General overview of special assessments for recycling and the several statutes available to locals authorizing them

References

Emmet County. (n.d.). *Our Model | Emmet County Recycling*. Retrieved January 20, 2026, from <https://www.emmetrecycling.org/about-us/our-model#ordinance>

Michigan Department of Environment Great Lakes and Energy. (2010). *Funding Options for Michigan Recycling Programs*.

Michigan State University Extension. (2019). *Guide to Michigan County Government* (Fifth). Michigan State University Extension.

Funding Approach: Hauler License Resource Recovery Fee

Description of this Approach:

- Licensed haulers are charged a “Resource Recovery Charge” by the County, for each household and commercial account.
- The haulers are required to pass through that charge as a line item to their customers.
- The charge gets set as part of the annual budget process to cover all costs for Resource Recovery Programs, and each hauler’s share is based on their percentage of the market.

Example:

- This approach is unique to Eaton County, MI.
- It has been used there successfully for over 10 years.
- Current fees are \$9.60 per household/year, and \$40 per commercial account/year.
- The RRF pays for the programs of the County’s Department of Resource Recovery, which include the recycling and safe disposal of everyday household goods deemed hazardous to the environment if improperly handled, including:
 - Compact Fluorescent Light Bulbs & Fluorescent Light Tubes
 - Batteries
 - Cooking Oil
 - Electronics
 - Household Hazardous Waste
 - Scrap Tires
- The Department of Resource Recovery also provides educational and information programs.

Pros:

- Predictable income for budgeting purposes.
- Keeps funding without the trash/recycling industry, instead of reaching into property taxes or other general tax dollars.
- The requirement for transparent billing hopefully makes it clear to residents what they are paying for.

Cons:

- Creates a significant administrative burden on the county to administer hauler licensing, manage enforcement, and reconcile pass-through billing.
- Creates a significant administrative burden on the haulers to charge the fee, educate customers on the fee, collect the fee, and report/remit it to the county.
- Possible equity concerns with passing the fee through to the customers, as all income levels of residents and all sizes of businesses will pay the same fee.
- Because this model is unique to Eaton County, there is no comparative data to enlighten us on effectiveness or best practices.

PUBLIC ACT 69 of 2005

Allows **counties** to establish recycling, composting, and households in local units that have approved an agreement, and with voter approval, they may collect up to \$4 per month or \$50 per year. This is used to fund waste reduction programs and collection of consumer source-separated materials.

PA 138

Fee is limited to households only with a maximum of \$25/year, but just requires approval by the elected officials of the local unit. (I could not find an act or law stating municipalities can charge a yearly surcharge fee without the County initiating it.

URBAN COOPERATION ACT 7 OF 1967

Allows governmental units in Michigan to collaborate on public services and share resources effectively.

124.508a

Allows surcharges on households for waste reduction programs and collection of materials for recycling or composting; by resolution of County Board of Commissioners with a population over \$690,000. Van Buren 2020 Census was 75, 587.