

ORDINANCE NO. 2018-O-2

AN ORDINANCE AMENDING APPENDIX "A" ARTICLE A13.04 "SOLID WASTE", DIVISION 3. "RATES AND CHARGES", OF THE CODE OF ORDINANCES OF THE CITY OF PALACIOS, TEXAS TO CHANGE THE RATES FOR SOLID WASTE GARBAGE COLLECTION; CONTAINING A SAVINGS CLAUSE; REPEALING INCONSISTENT ORDINANCES; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the contract currently in effect for garbage collection allows for an annual adjustment based on the CPI-U; and

WHEREAS, the adjustment proposed by the current contractor is 3.54% and will take effect on July 5, 2018; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALACIOS, TEXAS:

SECTION 1: That Section A13.04.071(a) "Garbage Collection fees." of Appendix "A" of the Code of Ordinances of the City of Palacios, Texas is hereby amended to read as follows:

Article A13.04 Solid Waste
Division 3. Rates and Charges

Sec. A13.04.071 General Regulations

(a) Garbage collection fees.

- (1) **Residential rate.** \$23.52 per month for a 95 gallon Poly Cart. Additional Poly Carts are available for \$7.95 each, up to five (5) total carts. The Residential rate is restricted to single family residences, duplexes, and residences with no more than two (2) total livable structures at one (1) service address.
- (2) **Senior Citizens rate.** \$14.53 per month for a 60-gallon poly carts. Service is restricted to one (1) cart.
- (3) **Commercial hand collection rate.** \$33.17 per month for a 95 gallon poly carts. Additional poly carts are available for \$7.95 each, up to two (2) total carts. The commercial hand collection rate is restricted to commercial accounts and accounts with more than two (2) total livable structures at one (1) service address.
- (4) **Commercial bins matrix rates.** The commercial bins matrix rates are established from the Exhibit B of the city's franchise agreement with its garbage collection provider.
- (5) **Penalty fee.** All customers will be assessed a \$25.00 penalty fee for any stolen or damaged poly carts due to negligence or abuse.
- (6) 2018 Commercial rate schedule:

LIFTS PER WEEK

CONTAINER SIZE	1	2	3	EXTRA LIFTS
3 CUBIC YARD	\$105.87	\$161.17		\$75.00
4 CUBIC YARD	\$119.99	\$187.06	\$276.46	\$75.00
6 CUBIC YARD	\$131.77	\$229.40		\$75.00
8 CUBIC YARD	\$149.41	\$237.65	\$331.76	\$75.00

SECTION 2: If any provisions, section, exception, subsection, paragraph, sentence, clause or phrase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of the remaining provisions of this ordinance or their application to other persons or sets of circumstances and to this end all provisions of this ordinance are declared to be severable.

SECTION 3: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

SECTION 4: This Ordinance shall become effective after its approval and adoption upon second and final reading.

PASSED AND APPROVED on first reading this 12th day of June, 2018.

PASSED, APPROVED AND ADOPTED on second and final reading this 26th day of June, 2018.

CITY OF PALACIOS, TEXAS



GLENN SMITH, Mayor

ATTEST:



CLISSA MILLS, City Secretary

APPROVED AS TO FORM:

Randall B. Strong
City Attorney

