ORDINANCE NO. 17-M

AN ORDINANCE AMENDING CHAPTER 28, COMPREHENSIVE FEE ORDINANCE, OF THE CODE OF ORDINANCES, CITY OF ALVIN, TEXAS FOR THE PURPOSE OF REVISING CERTAIN SOLID WASTE COLLECTION AND DISPOSAL FEES FOR RESIDENTIAL, COMMERCIAL AND ROLL-OFF CONTAINERS; PROVIDING FOR A TEN PERCENT (10%) PENALTY FOR LATE PAYMENT; PROVIDING FOR AN EFFECTIVE DATE OF OCTOBER 2017 BILLING CYCLES; AND SETTING FORTH OTHER PROVISIONS RELATED THERETO.

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

Section 1. That Section 28-2 of the Code of Ordinances, City of Alvin, Texas is hereby amended by revising the Solid Waste Collection and Disposal fees as follows:

Sec. 28-2. In General.

. . .

SOLID WASTE COLLECTION AND DISPOSAL

(1) Residential rates. The monthly charge for the collection, removal and disposal of garbage and trash on a once per week basis, bulky trash and brush (cut, bundled and tied) on a once per week basis and curbside recycling services shall be as follows:

Each single dwelling unit $11.10
Two-family residences, each unit $11.10
Apartment house with more than two (2) apartments, each unit $11.10
Manufactured home park, each unit $11.10

The charge for monthly curbside residential collection, removal and disposal of bulky trash and brush in bundles four (4) feet in length and weighing no more than fifty (50) pounds shall be one dollar and sixty-four cents ($1.40) per residence.

The charge for collection, removal and disposal of brush in piles (not cut, bundled or tied) from residential customers shall be the unit price of twelve dollars and fifty cents ($12.50) per cubic yard. Collection services for such brush shall be provided only upon request.

(2) Business or commercial rates. The monthly charge for the collection, removal and disposal of all garbage and trash from each business or commercial establishment located within the corporate limits of the city shall be based on the frequency of collection from

commercial containers furnished by the city or its designated contractor, except in those instances where commercial establishments are allowed to use plastic carts.

In cases where the city has determined that the use of plastic carts by a business or commercial establishment shall be practicable, sanitary and not detrimental to the collection of garbage and trash, then the user of such plastic carts shall pay a monthly rate for once or twice per week curbside collection, limited to two (2) carts per collection day.

The following schedule of monthly charges for business or commercial establishments shall apply:

90--95 gallon cart minimum per cart:

One collection per week	$ 32.21
Two collections per week	$ 47.74

Two-cubic-yard containers per month:

One collection per week	$ 69.82
Two collections per week	$103.64
Three collections per week	$124.58
Four collections per week	$155.42

Three-cubic-yard containers per month:

One collection per week	$ 85.66
Two collections per week	$133.15
Three collections per week	$183.20
Four collections per week	$230.19

Four-cubic-yard containers per month:

One collection per week	$100.09
Two collections per week	$155.79
Three collections per week	$211.53
Four collections per week	$268.72

Six-cubic-yard containers per month:

One collection per week	$125.40
Two collections per week	$209.94
Three collections per week	$269.22
Four collections per week	$359.05
Five collections per week	$448.74
Six collections per week	$538.55

Eight-cubic-yard containers per month:

One collection per week	$151.54
Two collections per week	$266.06
Three collections per week	$364.61
Four collections per week	$492.26
Five collections per week	$610.69
Six collections per week	$735.26

Six-cubic yard compactor container per month:

One collection per week .....$ 233.57
Two collections per week .....$ 467.16
Three collections per week .....$ 700.72
Four collections per week .....$ 934.31
Five collections per week $1167.88
Six collections per week $1401.47

The charge for collection and disposal of heavy trash and brush in piles (not cut, bundled and tied) from commercial customers shall be the following unit price:

Brush piles, per cubic yard..... $ 12.50
Heavy trash, per cubic yard ..... $ 12.50

Variations on the type and number of collection services referenced herein shall have the prior written approval of the city manager or designee. Additionally, special collection services not specified or provided for in this section shall have the prior written approval of the city manager or designee. In all such cases appropriate documentation shall be provided to the city manager or designee prior to obtaining the service(s). Charges for such service(s) shall be calculated with reference to the rates set forth herein or if none of the service categories is equivalent to the requested service, the charge shall be calculated with reference to the industry standard.

(3) Rates for the collection, hauling and/or disposal of construction debris. Lumber, shingles, concrete and other materials generated by or resulting from building or remodeling operations or resulting from a general cleanup of vacant or improved property, just prior to its occupancy, will not be removed by the city or its designated contractor as part of the garbage collection services established in this chapter. The building contractor, owner, or occupant of the premises may utilize his/her own forces and equipment to dispose of such debris. However, to the extent that it is necessary to obtain the services of a third party to assist in the hauling and/or disposal of the debris, the building contractor, owner or occupant shall obtain roll-off containers from the city's designated contractor for the following rates:

City's designated contractor will handle all aspect of customer service with roll off and compactor containers for customers within the city. Customer charges will be based on haul rate, rental fees and tonnage rate, with a three-ton minimum. The contractor will submit ten percent (10%) of total charges as monthly rebate to city.

Roll-off containers:

Haul rates $192.51

Delivery rates ..... $ 92.66
Daily rental ..... $ 3.09
Disposal/ton** ..... $ 24.01

Compactors:

Haul rates $246.05
Disposal/ton** ..... $ 24.01

**Disposal--Three-ton minimum.

(4) Beginning with the October, 2015 billing cycles, and each year thereafter, the solid waste rates shall be increased, at a minimum, based on the annual CPI-U rate using the preceding April data of that year. The Council may also use other factors to determine any additional increase. The rates, set in subsections (1), (2) and (3) above, shall be automatically adjusted with the October billing cycles of each year.
*As used herein, "CPI-U" shall mean the revised consumer price index rate for all urban consumers (all items included) for the Houston-Galveston-Brazoria, TX area, based on the latest available figures from the Department of Labor's Bureau of Labor Statistics (the "bureau").

. . . .

Section 2. That except as amended herein all other provisions of Chapter 28 of the Code of Ordinances, City of Alvin, Texas shall remain in full force and effect. To the extent of any conflict or inconsistency between the provisions of this ordinance and any other ordinance, the provisions of this ordinance shall control.

Section 3. Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. Publication. The City Secretary of the City of Alvin is hereby directed to publish this ordinance, or its caption and penalty clause, in one issue of the official City newspaper as required by *Chapter 52 of the Texas Local Government Code* and the *City of Alvin Charter.*

Section 5. Effective Date. This ordinance shall take effect beginning with the October 2017 billing cycles, that being after its passage in accordance with the provisions of *Chapter 52 of the Texas Local Government Code* and the *City of Alvin Charter.*

Section 6. **Open Meetings Act.** It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't Code.* Notice was also provided as required by *Chapter 52 of the Texas Local Government Code* and the *City of Alvin Charter.*

PASSED on the first and final reading on the 6th day of July, 2017.

ATTEST:

By: _____
Dixie Roberts, City Secretary

CITY OF ALVIN, TEXAS

By: _____
Paul A. Horn, Mayor