

ORDINANCE NO. 2018-05

AN ORDINANCE AMENDING OF SUBSECTION (b) OF SECTION 13.05.013 ENTITLED "REMOVAL OF GARBAGE; CHARGES FOR REMOVAL" OF ARTICLE 13.05 ENTITLED "SOLID WASTE", OF CHAPTER 6 ENTITLED "UTILITIES", OF THE CODE OF ORDINANCES, CITY OF TULIA, TEXAS, AS AMENDED, BY AMENDING THE CHARGES FOR GARBAGE COLLECTION SERVICE AND PER TON CHARGES FOR LOADS TO LANDFILL BY CUSTOMERS NOT OTHERWISE DESIGNATED, COMMERCIAL CONTRACTORS AND LESSORS DOING REPAIR, DEMOLITION OR CONSTRUCTION ON RENTAL PROPERTY; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

Section 1. That Subsection (b) of Section 13.05.013 entitled "Removal of garbage; charges for removal" of Article 13.05 entitled "Solid Waste", of Chapter 13 entitled "Utilities", of the Code of Ordinances, City of Tulia, Texas, as amended, is hereby amended to read as follows:

(b) Fair and reasonable charges to the owner, occupant, tenant or lessee based on the type of customer shall be as follows:

(1) SCHEDULE A-COMMERCIAL

Small commercial is herein defined as commercial customers having one container and two scheduled pickups per week. Large commercial is herein defined as commercial customers having multiple containers and four scheduled pickups per week. Small commercial shared is herein defined as a small commercial customer sharing a container with one or more other small commercial customers.

(A) Small Commercial Shared: \$25.49 per commercial entity, with a scheduled collection frequency of 2 collections per week.

(B) Small Commercial: \$38.23, with a scheduled collection frequency of 2 collections per week.

(C) Large Commercial: \$25.49 per container, with a scheduled collection frequency of 4 collections per week.

(D) Outside City Commercial: \$57.34 per container, with a scheduled collection frequency of 2 collections per week.

High volume account commercial customer fees may be established by the City Manager, at a different rate.

Additional collections for all commercial shall be charged at the rate of \$37.44 per container per collection.

(2) SCHEDULE B-RESIDENTIAL

(A) Single family dwelling: \$22.17, with a collection frequency of 1 collection per week.

(B) Multi-family dwellings, apartments and trailer parks, per unit: \$22.17, with a collection frequency of 1 collection per week.

(C) Outside City residential: \$33.21 per container, with a collection frequency of 1 collection per week.

Additional collections for all residential shall be charged at the rate of \$37.44 per container per collection.

(3) Tulia Independent School District: \$637.18 per month, with the schedule of collection to be at the discretion of the City Manager

(4) Mackenzie Municipal Water Authority: \$254.95 per collection, with the schedule of collection to be at the discretion of the City Manager.

(5) All customers will be charged, in addition to other charges herein specified, \$2.00 per month as a landfill maintenance and equipment fee.

(6) All customers not otherwise identified, which will include outside of city residents who individually, or their agents or employees, deliver loads to the landfill, commercial contractors who individually, or their agents or employees, deliver loads to the landfill and all landlords who individually, or their agents or employees, deliver loads to the landfill related to repair, demolition or construction on their rental property, shall pay a charge of \$32.42 per ton (prorated for fractions of a ton), plus \$2.00 per load as a landfill maintenance and equipment fee.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be, and the same are hereby repealed.

Section 3. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City

Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 4. Violations of this ordinance shall constitute an offense punishable in accordance with the general penalty provision found in Section 1.01.009 of this code. Each day any violation exists shall constitute a separate offense.

Section 5. This ordinance shall take effect and be in full force on passage and approval, with the rates herein set forth to be first utilized in calculation of the utility bills sent out during the October, 2018, billing cycle.

PASSED AND APPROVED this the 18th day of September, 2018.



Russell Proctor, Mayor, City of Tulia, Texas



Kristina Solomon, City Secretary