

ORDINANCE NO. 17-118

AN ORDINANCE AMENDING CHAPTER 12 GARBAGE AND TRASH*, ARTICLE III. CHARGES*, SECTION 12.72. WITHIN THE CORPORATE LIMITS., OF THE CODE OF ORDINANCES OF THE CITY OF FORT STOCKTON & REPEALING ALL OTHER ORDINANCES OR PORTIONS THEREOF IN CONFLICT, A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that the charges set forth would be in the best interest of the citizens of the City of Fort Stockton;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT STOCKTON, TEXAS:

CHAPTER 12 - GARBAGE AND TRASH *
ARTICLE III. CHARGES*
SECTION 12-72. WITHIN THE CORPORATE LIMITS.

Sanitation

Sec. 12-71. ****

Sec. 12-72. Within the Corporate Limits.

(a) The rate to be charged by the City to sanitation customers within its corporate limits shall be based on twice weekly pickup for residential customers and a maximum of once daily (Monday through Saturday) for commercial customers. If commercial customers require more pickups than the stated maximum, the business will be charged accordingly.

(b) The schedule of sanitation rates to be charged to customers inside the city limits is:

RATE TABLE NO. 1:

	Type of Service:	Monthly Charge:
(1)	All residential customers, including mobile homes, duplexes, triplexes, or quadruplexes, per unit	\$32.00
(2)	All residential customers, including mobile homes, duplexes, triplexes, or quadruplexes, per unit, qualifying for certain property tax exemptions, as outlined in Sec.12-79.	\$24.37
(3)	Churches without school	\$32.00
(4)	Churches with school	Rate #5; Table No. 2 applies
(5)	<i>Apartments:</i> Complexes with five (5) or more apartments--Rate of Twenty-Five Dollars & Sixty Cents (\$25.60) per month for each apartment. Apartments are charged Thirty-Two Dollars (\$32.00) for each apartment in the apartment complex times Eighty (80%) percent occupancy rate per year equals Twenty-Five Dollars & Sixty Cents (\$25.60).	
(6)	<i>Commercial:</i> All mercantile, professional, business, motels and schools.	See Rate Table No. 2
(7)	Ninety-six (96) gallon roll-out cart with one (1) pickup per week for residential customers outside the city limits. Additional carts may be requested at a rate of \$10.00 per cart.	\$32.00 per Month

RATE TABLE NO. 2:

Commercial & Residential:

The base rate for a Commercial container collected One (1) time per week shall be **Sixty-Three Dollars (\$63.00) per month.**

Extra pickups for Commercial and Residential accounts *inside* city limits will be assessed a **Twenty Dollar (\$20.00) Service Charge.** Extra pickups for Commercial accounts *outside* city limits will be assessed a **Thirty Dollar (\$30.00) service charge.**

Bulk trash pickups for **Commercial and Residential** customers *inside city limits* shall be assessed a service fee of **Twenty Dollars (\$20.00) per pickup** in addition to the Municipal Solid Waste Facility's current trash disposal fee. This additional fee will be included in that customer's monthly utility statement. Bulk trash will be collected at the request of the customer after contacting City Hall.

Items that shall be **excluded** from bulk trash pick-ups for **Commercial and Residential** customers *inside city limits* are:

- **Industrial Waste**
- **Radioactivity Waste**
- **PCB Contaminated Waste**
- **Medical Waste**
- **Asbestos**
- **Soil from Hazardous Spill or Underground Storage Tank Leaks**
- **Lead Acid Batteries**
- **Used Automotive Oil Filters.**
- **Refrigeration Equipment Containing CFC's from Sources Other than Resident**
- **Any Waste Requiring Written Acknowledgement as Proof of Disposal**
- **Construction and Remodeling Items Need to be Disposed of at the Owner's Expense or a Roll-Off Container Must be Rented.**

The corresponding rates for **Commercial Accounts** shall increase \$8.00 as follows:

Pick-Up Per Week	1	2	3	4	5	6
1 Container	\$71.00	\$96.00	\$136.00	\$176.00	\$216.00	\$256.00

***Minimum Rate**

1 - 5 pickups per week; Monday through Friday based on City collection route scheduling.
6 pickups per week; Monday through Saturday.

(c) Any customer not specifically enumerated in the schedule in subsection (b) will be charged a rate based upon estimated volume as estimated by the City Manager or someone under his direction. If it is determined by the City Manager or his designee that a specific-type container will better serve the customer and/or be more advantageous to the sanitation collection system, the customer will be required to use that type container. Customers assigned 96-gallon carts will be responsible for replacement cost if the cart is damaged or lost.

Sec. 12-73. – 12.79. ****

Secs. 12-80. - 12-85. Reserved.

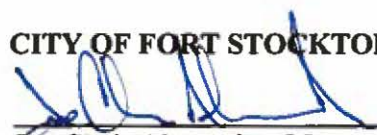
Severability. If any provision, sections, exceptions, subsections, paragraph, sentence, clause or phase of this ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void or invalid, such invalidity shall not affect the validity of 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.

Conflicts. 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.

This ordinance shall become effective October 1, 2017; with rate modifications to be indicated on the November 2017 utility billing cycle, upon first & final reading and its publication pursuant to law.

PASSED AND APPROVED THIS 12th day of September, 2017.

CITY OF FORT STOCKTON



Joe Chris Alexander, Mayor



Frank Rodriguez III, City Manager

Attest:



Delma A. Gonzalez, City Secretary

Approved As To Form & Legality:



Jesse Gonzales, Jr., City Attorney

**** Indicates that the current information in the Code of Ordinances of the City of Fort Stockton remains the same.