

ORDINANCE 2011-12

AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS AMENDING CERTAIN PROVISIONS OF ARTICLE 13.05 OF THE LA FERIA CODE OF ORDINANCES; APPROVING A MODIFIED FEE SCHEDULE FOR THE COLLECTION OF SOLID WASTE AND BRUSH; PROVIDING FOR PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the purpose of this ordinance is to provide and establish a method or system for the collection and proper disposal of residential and commercial garbage originating in the city limits of La FERIA and to establish reasonable rates and regulations to protect the health and welfare of the citizens of La FERIA and the general public; and

WHEREAS, costs are incurred by the City of La FERIA for the collection of solid waste and brush and it is necessary to establish reasonable, fair and equitable charges for the services of the City in collecting and removing the garbage and brush; and

WHEREAS, costs incurred by the City associated with the collection of solid waste and brush can be offset by assessing a reasonable monthly charge added to the monthly water and wastewater bill for solid waste and brush collection.

WHEREAS, the City Commission of the City of La FERIA has determined that the fee schedule for solid waste and brush need to be modified to recover a portion of the cost of providing service.

NOW, THEREFORE BE IT ORDAINED, BY THE CITY OF LA FERIA, TEXAS:

I. Article 13.05 of the La FERIA Code of Ordinances is amended to read as follows:

Sec 13.05.005 - Charges Assessed

(a) The charges fixed for collection, removal and disposal of garbage and brush within the city limits of La FERIA shall be levied and assessed by the City against all agents, owners, occupants, lessees or tenants, owning, using or occupying any building, structure, premises or location where such service is received or available. The fee schedule and the maximum amount of brush picked up for the monthly minimum charge is attached hereto and referred to as "Exhibit A" as modified and attached hereto is adopted.

II. **Severability Clause**

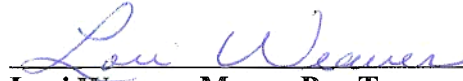
If any section, phrase or clause of this ordinance is for any reason held invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or amendments thereto.

III. Effective Date

This ordinance shall become effective ten (10) days from the date of publication of the caption in a newspaper of general circulation.

PASSED AND APPROVED THIS THE 13th DAY OF SEPTEMBER 2011.

APPROVED:



Lori Weaver, Mayor Pro Tem

ATTEST:


Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney

EXHIBIT "A"

ORDINANCE 2011 - 12

**CITY OF LA FERIA CODE OF ORDINANCES APPENDICES - ARTICLE A 13.05.005
SCHEDULE OF SOLID WASTE AND BRUSH COLLECTION FEES**

TYPE OF ACCOUNT	*TYPE OF CONTAINER:	# OF CONTAINERS:	FREQUENCY OF PICK UPS PER WEEK:	SOLID WASTE FEE:	BRUSH FEE:**
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RESIDENTIAL:

Residential	1	1	1	\$12.50	\$8.00 **
Extra container	1	1	1	\$5.00	N/A
Housing Authority	1	1	1	\$12.50	\$8.00 **
Residential - Vacation Plan	1	1	1	\$6.00	\$5.00
Residential - Duplex	1	2	1	\$25.00	\$16.00 **
Residential - Triplex	1	3	1	\$37.50	\$16.00 **
Residential - Fourplex	1	4	1	\$50.00	\$24.00 **

Residential - Outside City Limits	1	1	1	\$16.50	N/A
Residential - Duplex - Outside	1	2	1	\$33.00	N/A
Residential - Triplex - Outside	1	3	1	\$49.50	N/A
Residential - Fourplex - Outside	1	4	1	\$70.00	N/A

CHURCHES:

Very Low Volume	1	1	1	\$14.50	\$7.00 **
Extra container	1	1	1	\$5.00	N/A
Low Volume	1	2	1	\$23.50	\$7.00 **
High Volume	2	1	1	\$38.00	\$7.00 **

COMMERCIAL:

Low to Median Volume	1	1	1	\$14.50	***
	1	1	2	\$29.00	***
	1	1	3	\$43.50	***
	1	1	4	\$58.00	***
	1	1	5	\$72.50	***
Extra Container	1	1	1	\$6.00	***

TYPE OF ACCOUNT	*TYPE OF CONTAINER:	# OF CONTAINERS:	FREQUENCY OF PICK UPS PER WEEK:	SOLID WASTE FEE:	BRUSH FEE:**
DUMSTERS				\$65.00	
High Volume Commercial	2	1	1	\$38.00	***
	2	2	1	\$76.00	***
			2	\$152.00	***
			3	\$228.00	***
			4	\$304.00	***
			5	\$380.00	***
COMMERCIAL:					
High Volume Commercial	2	3	1	\$114.00	***
			2	\$228.00	***
			3	\$342.00	***
			4	\$456.00	***
			5	\$570.00	***
High Volume Commercial	2	4	1	\$152.00	N/A
			2	\$304.00	N/A
			3	\$456.00	N/A
			4	\$608.00	N/A
			5	\$760.00	N/A
	2	5	1	\$190.00	N/A
			2	\$380.00	N/A
			3	\$570.00	N/A
			4	\$760.00	N/A
			5	\$950.00	N/A
	2	6	1	\$228.00	N/A
			2	\$456.00	N/A
			3	\$684.00	N/A
			4	\$912.00	N/A
			5	\$1,140.00	N/A
	2	7	1	\$266.00	
			2	\$532.00	
			3	\$798.00	
			4	\$1,064.00	
			5	\$1,330.00	
COMMERCIAL:					
High Volume Commercial	2	8	1	\$304.00	
			2	\$608.00	
			3	\$912.00	
			4	\$1,216.00	
			5	\$1,520.00	
	2	9	1	\$342.00	
			2	\$684.00	
			3	\$1,026.00	
			4	\$1,368.00	
			5	\$1,710.00	
	2	10	1	\$380.00	
			2	\$760.00	
			3	\$1,140.00	
			4	\$1,520.00	
			5	\$1,900.00	

TYPE OF ACCOUNT	*TYPE OF CONTAINER:	# OF CONTAINERS:	FREQUENCY OF PICK UPS PER WEEK:	SOLID WASTE FEE:	BRUSH FEE:**
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*Container Classifications:

1= Sixty-four / Ninety-five Gallon Trash Receptacle Provided by City

2= 300 Gallon Container Provided by City

** Brush pick up is offered to customers inside city limits.

Fees listed are for low volume brush up to 1/16 volume of the brush per unit that can be deposited in brush truck bed.

*** Minimum Brush pick up fee ranging from \$7.00 to \$40.00 depending on the volume of brush. Customer will be billed extra fees for any brush picked up based on cost plus ten percent.

Container Value = For Police Report purposes if a container is reported as stolen the value is \$65.00