

ORDINANCE #004-11

AN ORDINANCE OF THE CITY OF DE LEON, TEXAS, AMENDING ORDINANCE #011-07; PRESCRIBING RATES FOR SOLID WASTE COLLECTION AND DISPOSAL OF COMMERCIAL RATES; AMENDING AND REPEALING PROVISIONS INCONSISTENT WITH THIS ORDINANCE; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES.

WHEREAS, it is necessary and in the best long term interest of the citizens and the City of De Leon, Texas to increase the rates for solid waste collection and disposal.

WHEREAS, the City Council has determined in an open meeting held on August 13, 2007 that the City of De Leon would increase the rates for solid waste collection and disposal by twenty percent (20%) to the consumers for residential and commercial accounts.

WHEREAS, the City Council has determined in an open meeting held on February 10, 2011 that the City of De Leon would increase the rates for an extra poly cart for solid waste collection and disposal by thirty-four point five percent (34.5%) to the consumer for residential and by fifty-three point five percent (53.5%) to the consumer for commercial accounts.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS:

Section 1. Rates To Be Charged For The Collection Of And Removal Of Refuse

The monthly charge for the collection and removal of Refuse from Residential, Church, and Commercial units located within the City limits and outside the City limits shall be as follows:

Residential:	\$ 17.46
Residential Extra Poly cart:	\$ 7.05
Commercial:	\$ 19.73
Commercial Extra Poly cart:	\$ 9.14
Churches:	\$ 12.36
Churches Extra Poly cart:	\$ 9.14
 <u>Dumpsters:</u>	
2-cubic yard container 1x week	\$ 76.38
2-cubic yard container 2x week	\$118.25
2-cubic yard container 3x week	\$166.76
2-cubic yard extra pick-ups	\$ 27.92
3-cubic yard container 1x week	\$ 91.43
3-cubic yard container 2x week	\$164.58
3-cubic yard container 3x week	\$254.57
3-cubic yard extra pick-ups	\$ 33.17
4-cubic yard container 1x week	\$127.66
4-cubic yard container 2x week	\$231.20
4-cubic yard container 3x week	\$316.36
4-cubic yard extra pick-ups	\$ 40.00
6-cubic yard container 1x week	\$176.07
6-cubic yard container 2x week	\$342.02
6-cubic yard container 3x week	\$445.00
6-cubic yard extra pick-ups	\$ 51.39

THE ABOVE RATES DO NOT INCLUDE SALES TAX

Section 2. Late Charges and Final Due Date

All monthly charges are to be paid at the Water Department by the 10th of the month after the charges are incurred. If the 10th falls on a Saturday, Sunday or Holiday, the charges are due on the first business day after the 10th. All charges not paid by the due date shall be considered delinquent and a penalty of ten percent (10%) of the total amount of the bill shall be added as a late charge. The final due date shall be the 20th day of the month in which the charges are due. If the 20th falls on a Saturday, Sunday or Holiday, the final due date shall be the first business day after the 20th.

Section 3. Dishonored Check Fee

A service charge of \$30.00 shall be assessed against any person who pays the city with a check, draft or money order, which is returned unpaid for lack of sufficient funds or closed or non-existent account.

Section 4. Customer Charge

The Customer Charge for Solid Waste removal service shall be payable monthly by each customer for the removal of refuse.

Section 5. Amendment and Repeal

The ordinances identified in Section 1 above, are hereby amended to establish that rates specific herein above, and all ordinances, resolutions or policies, or parts of ordinances, resolution of policies, inconsistent with or in conflict with this ordinance are hereby amended and repealed to the extent of such inconsistency or conflict only.

Section 6. Severability

If any provision of this ordinance or the application of any provision to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the ordinance, which can be given effect without the invalid provision, or applications, and to this end, the provisions of this ordinance are declared severable.

Section 7. Effective Date

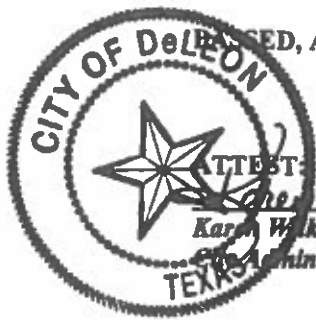
This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

Section 8. Open Meeting

It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public and that the public notice of the time, place, and purpose of said meeting was given as required by the *Open Meeting Act, Chapt. 511, Tx. Gov't Code*.

PASSED AND APPROVED on this 10th day of February, 2011.

PASSED, APPROVED AND ADOPTED on this 24th day of February, 2011.



ATTEST:
Karen Walkerson
Karen Walkerson
City Administrator/Secretary

CITY OF DE LEON, TEXAS
Darryl Owen
Darryl Owen
Mayor