

ORDINANCE NO. 018-04

AN ORDINANCE OF THE CITY OF DE LEON, TEXAS, AMENDING ORDINANCE NO. # 019-03; PRESCRIBING RATES FOR SOLID WASTE COLLECTION AND DISPOSAL OF COMMERCIAL AND INDUSTRIAL UNITS; FOR RESIDENTIAL AND COMMERCIAL RATES; AMENDING AND REPEALING PROVISIONS INCONSISTENT WITH THIS ORDINANCE; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES.

WHEREAS, the costs and expenses of providing services continues to increase in the solid waste collection and disposal. Charges will be effective September 20th, 2004.

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 provided by Browning Ferris Industries.

WHEREAS, the City Council has determined in an open meeting held September 3rd and September 4th, 2004 that it be in the best interest of the City to pass these increased costs to the consumers for residential, commercial accounts.

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

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 Corporate limits of the City shall be as follows:

Residential:	\$ 14.55
Commercial Handload:	\$ 16.44
Churches:	\$ 10.30
Commercial:	
2-cubic yard container 1X week	\$ 63.65
2-cubic yard container 2X week	\$ 98.54
2-cubic yard container 3X week	\$138.96
3-cubic yard container 1X week	\$ 76.19
3-cubic yard container 2X week	\$137.15
3-cubic yard container 3X week	\$212.14
4-cubic yard container 1X week	\$106.38
4-cubic yard container 2X week	\$192.66
4-cubic yard container 3X week	\$263.63
6-cubic yard container 1X week	\$146.72
6-cubic yard container 2X week	\$285.01
6-cubic yard container 3X week	\$370.83
EXTRA Pick-ups:	
2-cubic yard container	\$ 23.26
3-cubic yard container	\$ 27.64
4-cubic yard container	\$ 33.33
6-cubic yard container	\$ 42.82

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

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SECTION 5: Amendment and Repeal. The ordinances identified in Section 1 above, are hereby amended to establish that rates specified herein above, and all ordinances, resolutions or policies, or parts of ordinances, resolutions or 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 application, and to this end the provisions of this ordinance are declared to be 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 Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 511, Tex. Gov't. Code*.

PASSED AND APPROVED ON FIRST READING THIS THE 3rd DAY OF SEPTEMBER,2004.

PASSED AND APPROVED ON SECOND READING THIS THE 4th DAY OF SEPTEMBER,2004.

CITY OF DE LEON, TEXAS

ATTEST:

B. Gail Neeley, City Secretary

Jim Adams, Mayor