

ORDINANCE NO. 22-603

**AN ORDINANCE OF THE CITY OF MARLIN, TEXAS, PROVIDING FOR AN INCREASE IN RESIDENTIAL GARBAGE COLLECTION SERVICE FEES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; SEVERABILITY, EFFECTIVE DATE, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City provides, or causes to be provided, garbage and solid waste collection services to all residences and businesses within the City;

**WHEREAS**, the provision of garbage and solid waste collection services for the residents of the City of Marlin, Texas (the "City") is necessary for the public health of the citizens and the protection of the environment and natural resources of the City;

**WHEREAS**, the City recognizes a need to provide for and authorize a modest increase in the rates for residential garbage and solid waste collection services due to increases in the consumer price index and in the service provider's fuel costs; and

**WHEREAS**, it is reasonable and necessary that the City to approve and authorize an increase in the rates for residential garbage and solid waste collection services in the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARLIN, TEXAS, THAT:**

**Section 1. Authority.** This ordinance is adopted pursuant to the authority given to the City by the City Charter, by to the police powers and authority of the City under Texas law, the Constitution, and the codes and the laws of the State of Texas, including but not limited to Chapter 51, Tex. Loc. Gov't. Code.

**Section 2. Findings of Fact.** The foregoing findings and recitations set out in the preamble of this Ordinance are found to be true and correct and that they are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 3. Purpose.** The purpose of this ordinance is to provide for public health and general welfare, the efficient and effective provision of City services and the protection of the environment and natural resources of the community. Due to an increase in the consumer price index and the cost of fuel and as provided in the City's contract with its service provider, the City Council approves of a rate increase in residential garbage collection service rates.

**Section 4. Garbage and Solid Waste Collection Rates.** (a) The following base rates shall be charged and assessed for garbage and solid waste collection services in the City:

Service	Frequency of Solid Waste Disposal Service	
	One Time Per Week Per Month Fee	Two Times Per Week Per Month Fee
Residential Cart	N/A	\$18.15
Additional Cart	N/A	\$9.09
Commercial Cart		\$27.11
Additional Cart	N/A	\$8.82
2 Yard Commercial Container	\$72.97	\$125.75
3 Yard Commercial Container	\$78.98	\$120.96
4 Yard Commercial Container	\$96.95	\$162.94
6 Yard Commercial Container	\$126.95	\$204.92
8 Yard Commercial Container	\$186.93	\$312.88
Locking Chains/Bars	\$15.00	\$15.00

(b) Fuel surcharge fee billed per contract and extra dump off and roll off container charges per rate sheet As provided in the services contract between the City and the service provider.

(c) All applicable taxes required by law shall be assessed and charged in addition to the base rates.

**Section 5. Repeal of Conflicting Ordinances.** All parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City establishing water and sewer rates, the terms and provisions of this ordinance shall govern.

**Section 6. Severability.** If any provision, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance shall not be affected. No portion of this ordinance shall be inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, therefore, all 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*.

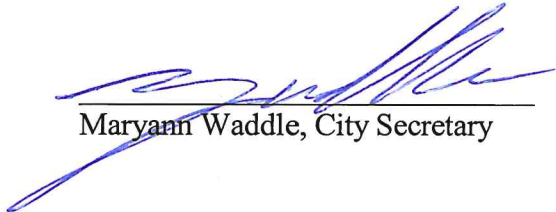
**Section 8. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

**FIRST READING** on the 8th day of February, 2022.

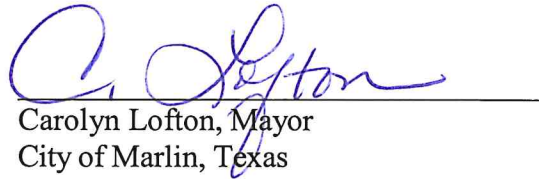
**SECOND READING** on the 8 day of March, 2022.

**PASSED AND APPROVED** on this the 8 day of March, 2022.

**ATTEST:**

  
Maryann Waddle, City Secretary

**CITY OF MARLIN, TEXAS**

  
Carolyn Lofton, Mayor  
City of Marlin, Texas