

ORDINANCE NO. 2022.09.27.____

AN ORDINANCE OF THE CITY OF GLEN ROSE, TEXAS, AMENDING SECTION A5.031 "RATES" OF THE CITY OF GLEN ROSE CODE OF ORDINANCES CONCERNING SANITATION SERVICE; PROVIDING FOR REPEALING, SEVERABILITY AND PROPER NOTICE, MEETING, AND QUORUM CLAUSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 364 of the Texas Health and Safety Code authorizes municipalities to contract for solid waste collection, transportation, handling, storage, and disposal services and to charge fees for said services; and

WHEREAS, the City Council sets the sanitation service fees billed to City customers through a list of rates found in Section A5.031 in the City's Code of Ordinances; and

WHEREAS, recently the City Council adopted new municipal solid waste collection rates based on the rates included in the Municipal Solid Waste Franchise Agreement with Frontier Waste which goes into effect on January 1, 2023, plus a 10% mark up on residential rates and a 5% mark up on commercial rates; and

WHEREAS, under the new rate schedule, some of the City's commercial rates will increase by as much as 109%, while other will increase only by single digits; and

WHEREAS, it has been determined that a 15% across-the-board increase of the current rates would be more equitable than the previously adopted marked up Frontier Waste rates, while yielding approximately the same revenue as the previously adopted "new" rates;

WHEREAS, to more equitably cover both the direct and indirect costs of providing sanitation services within its jurisdiction under the new Frontier Waste Franchise Agreement, and for the good government, peace, and order of the municipality, the City Council has decided to replace the rates found at Section A5.031 "Rates" of the City's Code of Ordinances with new rates.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLEN ROSE, TEXAS:

SECTION 1

INCORPORATION OF RECITALS

All of the above recitals are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

AMENDING SECTION A5.031 "RATES"

Section A5.031 "Rates" of Division A5.000-2 "Sanitation Services" of the City's Code of Ordinances shall be amended as follows:

(a) Monthly rates, residential:

(1) 95-gallon polycart, once a week service: \$11.96

(2) Additional polycart, once a week service: \$8.45

(b) Monthly fees, commercial:

NUMBER OF COLLECTIONS PER WEEK

Container Type	One	Two	Three	Four	Five	Extra Dump
Cart*	\$14.49	\$ 21.68	\$34.77	\$45.36	N/A	N/A
2-yd Dumpster	\$57.05	\$ 85.58	\$114.11	\$142.50	\$171.00	\$ 26.46 (Dump)
3-yd Dumpster	\$76.07	\$ 114.11	\$ 152.15	\$190.00	\$ 228.00	\$ 33.08 (Dump)
4-yd Dumpster	\$ 88.76	\$ 141.08	\$ 192.72	\$ 244.70	\$ 296.69	\$ 39.69 (Dump)
6-yd Dumpster	\$152.15	\$ 228.23	\$ 300.75	\$ 401.01	\$ 501.25	\$ 52.92 (Dump)
8-yd Dumpster	\$177.51	\$ 281.47	\$ 385.43	\$ 489.30	\$ 593.38	\$ 70.56 (Dump)

Additional charge per extra polycart: \$14.49

(c) Accessory fees

(1) Monthly surcharge to equip a container with a locking device: \$13.23

(2) Monthly surcharge to equip a container with casters: \$13.23

(d) Roll-off rates and fees are to be collected directly from customers by the service provider.

SECTION 3

SAVINGS/REPEALING CLAUSE

Division A5.000-2 "Sanitation Services" in the City of Glen Rose Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other ordinance. Ordinance 2022.08.23B and all provisions of any other ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4

SEVERABILITY CLAUSE

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Glen Rose hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5

PROPER NOTICE, MEETING, AND QUORUM CLAUSE

It is hereby officially found and determined that the meeting at which this Ordinance was adopted by majority vote of the City Council of the City of Glen Rose, Texas was open to the public; that public notice of the time, place, and purpose of the meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code; and, that a quorum was present pursuant to Section 22.039 of the Texas Local Government Code.

SECTION 6
EFFECTIVE DATE

This Ordinance shall take effect on January 1, 2023.

PASSED AND APPROVED this the 27th day of September, 2022.

Julia Douglas, Mayor

ATTEST:

Staci L. King, City Secretary