

ORDINANCE NO. 2016-26

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 90, SECTIONS 90-1 THROUGH 90-80, SOLID WASTE, OF THE CITY OF BURNET CODE OF ORDINANCES; SETTING SOLID WASTE AND RECYCLING DISPOSAL RATES; PROVIDING AN EFFECTIVE DATE; PROVIDING SEVERABILITY AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR OTHER RELATED MATTERS.

Whereas, the City provides, or causes to be provided, solid waste disposal services to all residences and businesses within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT;

Section. 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section. 2. Amendment. Sections 90-1 through 90-80 of the Code of Ordinances of the City of Burnet shall be amended in the entirety and shall read as provided in the attached Exhibit "A".

Section 3. Ordinances in Conflict. That all ordinances in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

Section 4. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 5. Effective Date. This ordinance shall be effective November 1, 2016.

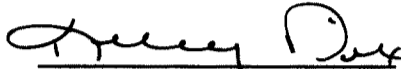
Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED on first reading this the 11th day of October, 2016.

FINALLY PASSED AND APPROVED on this the 25th day of October, 2016.


ATTEST:

CITY OF BURNET, TEXAS



Kelly Dix, City Secretary





Gary Wideman, Mayor

**CITY OF BURNET SOLID WASTE ORDINANCE
EXHIBIT "A"**

Chapter 90 - SOLID WASTE

ARTICLE I. - IN GENERAL

Sec. 90-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bulky waste. Solid waste not containerized in a cart such as, but not limited to appliances, furniture, and other solid waste. Bulky waste shall not include excluded waste.

Bulky waste services. Collection of bulky waste and disposal of bulky waste at a disposal site or recycling of bulky waste at a recycling facility.

Brush bundles. Brush and/or yard trimmings securely tied together forming an easily handled package not exceeding four (4) feet in length or forty (40) pounds in weight.

Cart. A receptacle, equipped with wheels and a bar, with a capacity of approximately sixty-five (65) or ninety-five (95) gallons, designed to be mechanically dumped into a loader packer type truck via a fully-automated truck arm or semi-automated truck tipper, purchased with a minimum ten (10) year manufacturer's warranty and approved in advance by the city manager.

City. The city of Burnet, Texas and city's officers, elected officials, employees, agents, volunteers, and representatives.

City council. The governing body of the city.

City manager. The city manager of the city of Burnet or a person authorized to act on behalf of the city manager.

City staff. Personnel employed by the city of Burnet and authorized by the city manager to act on behalf of the city in a limited capacity as provided for herein.

Collect or collection. The act of removing solid waste for transport to a disposal site, removing recyclable materials for transport to a recycling facility, and removing bulky waste for transport to a disposal site or recycling facility.

Corrugated cardboard. Any packaging material formed by gluing one or more fluted sheets of paperboard (corrugated medium) to one or more flat sheets (facings) of linerboard.

Commercial unit. An improved property located in the city, other than a residential unit.

Commercial services. Solid waste services, bulky waste services, and recycling services for commercial units.

Compactor. A compaction mechanism, whether stationary or mobile, designed to attach to a roll-off.

Construction or demolition waste. In accordance with 30 Texas Administrative Code § 330.3, defined as “Waste resulting from construction or demolition projects; includes all materials that are directly or indirectly the by-products of construction work or that result from demolition of buildings and other structures, including, but not limited to, paper, cartons, gypsum board, wood, excelsior, rubber, and plastics.”

Curbside. The location within three (3) feet of the curb of the street abutting such property that provides primary access to the residential unit or commercial unit as designated by the city staff unless such placement interferes with or endangers movement of vehicles and pedestrians.

Customer(s). An occupant of a residential unit or a commercial unit within the city limits of the city of Burnet that has a city utility account that is billed for solid waste services and/or recycling services on a monthly basis.

Dead animals. Animals, or portions thereof, including any and all household animals that have expired from any cause.

Disposal. In accordance with 30 Texas Administrative Code § 330.3, defined as “The discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste or hazardous waste (whether containerized or uncontainerized) into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwater”.

Disposal site or facility. All contiguous land, structures, other appurtenances, and improvements on the land that is licensed and permitted, as required by all governmental bodies having jurisdiction, for disposing of solid waste. A disposal site may be publicly or privately owned and may consist of several disposal operational units.

Dumpster. A watertight receptacle, with a capacity of approximately two (2) cubic yards up to approximately ten (10) cubic yards, equipped with tight-fitting lid and designed to be mechanically dumped into a loader-packer type truck.

Dwelling unit. Any group of rooms located within a dwelling and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking and eating.

Excluded waste. Hazardous waste, special waste, and construction or demolition waste.

Garbage. Any and all dead animals of less than ten (10) pounds in weight; every accumulation of waste (animal, vegetable and/or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including, but not limited to, used tin cans and other food containers, and all putrescible or easily decomposable waste animal or vegetable matter which is likely to attract flies or rodents), except (in all cases) any matter included in the definition of bulky waste, construction waste, dead animals over ten pounds in weight, hazardous waste, rubbish and stable matter.

Generator. Any person or entity that produces solid waste and/or recyclable materials.

Hazardous waste. In accordance with 30 Texas Administrative Code § 330.3, defined as “Any solid waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, 42 United States Code, §§6901 *et seq.*, as amended.”

Non-hazardous waste. The Texas Commission on Environmental Quality defines non-hazardous waste as waste that does not meet the EPA’s definition of hazardous waste. Waste is considered hazardous if it is found on the EPA’s list of hazardous waste **or** it exhibits one or more hazardous characteristics.

Processing or processed. The recycling of program recyclable material into recovered materials.

Program recyclable materials. Loose, bagged, or tied with string or twine, Kraft paper; loose, bagged, or tied with string or twine corrugated containers that have liners of Kraft, jute, or test liner including dry food boxes, beer and soda carriers, shoe boxes; Loose, bagged, or tied with string or twine old newspaper including slick paper inserts; Other recyclable paper including paperboard, chipboard, junk mail, junk mail inserts, Residential mixed paper, bagged shredded paper, high-grade paper, white and colored ledger, copier paper, office paper, laser printer paper, computer paper including continuous-formed perforated white bond or green bar paper, book paper, cotton fiber content paper, duplicator paper, form bond, manifold business forms, mimeo paper, note pad paper (no backing), loose leaf fillers, stationery, writing paper, paper envelopes

without plastic windows, carbonless (NCR) paper, tabulating cards, facsimile paper, manila folders, magazines, paperback books, small catalogs, telephone books and Yellow Pages; Any #1 through #7 rigid plastic bottle, container, jug, or jar; Beverage containers, steel "tin" food cans, bi-metal containers, lids composed primarily of whole iron or steel and other Recyclable Material of a similar nature; and/or any glass bottle, container, bottle, jug, or jar.

Recovered materials. Metal, paper, glass, plastic, textile, or rubber materials that have known recycling potential, can be feasibly recycled, and have been diverted and source separated or have been removed from the solid waste stream for sale, use, or reuse as raw materials, whether or not the materials require subsequent processing or separation from each other, but does not include materials destined for any use that constitutes disposal. Recovered materials as described above are not solid waste.

Recyclable materials. In accordance with 30 Texas Administrative Code § 330.3, defined as "A material that has been recovered or diverted from the non-hazardous waste stream for purposes of reuse, recycling, or reclamation, a substantial portion of which is consistently used in the manufacture of products that may otherwise be produced using raw or virgin materials. Recyclable material is not solid waste. However, recyclable material may become solid waste at such time, if any, as it is abandoned or disposed of rather than recycled, whereupon it will be solid waste with respect only to the party actually abandoning or disposing of the material."

Recyclable paper. Kraft paper; corrugated containers that have liners of Kraft, jute, or test liner including dry food boxes, beer and soda carriers, shoe boxes; old newspaper including slick paper inserts; magazines; catalog; telephone books and Yellow Pages; paperback books; hard back books with covers removed; chipboard; and other mixed paper including but not limited to junk mail, junk mail inserts, residential mixed paper, bagged shredded paper, high-grade paper, white and colored ledger, copier paper, office paper, laser printer paper, computer paper including continuous-formed perforated white bond or green bar paper, book paper, cotton fiber content paper, duplicator paper, form bond, manifold business forms, mimeo paper, note pad paper (no backing), loose leaf fillers, stationery, writing paper, paper envelopes without plastic windows, carbonless (NCR) paper, tabulating cards, facsimile paper, manila folders, and paperback books.

Recycling or recycle. In accordance with 30 Texas Administrative Code § 330.3, defined as "A process by which materials that have served their intended use or are scrapped, discarded, used, surplus, or obsolete are collected, separated, or processed and returned to use in the form of raw materials in the production of new products. Except for mixed municipal solid waste composting, that is, composting of the typical mixed solid waste stream generated by residential, commercial, and/or institutional sources, recycling includes the composting process if the compost material is put to beneficial use."

Recycling cart. A cart exclusively utilized for recycling services.

Recycling facility. All contiguous land, structures, other appurtenances, and improvements on the land that is licensed and permitted, as required by all governmental bodies having jurisdiction, for recycling of recyclable materials. A recycling facility may be publicly or privately owned and may consist of several disposal operational units.

Recycling services. Collection of single stream recyclable materials and disposal of recyclable materials at a recycling facility for processing.

Refuse. A non-putrescible solid waste (excluding ashes), consisting of both combustible and noncombustible waste materials, combustible rubbish, including paper, rags, cardboard, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; noncombustible rubbish, including glass, crockery, tin cans, aluminum cans, metal furniture and like materials which will not burn at ordinary incinerator temperatures (1600°F to 1800°F), but not including construction waste.

Resident. A person whom resides at a residential unit.

Residential services. Solid waste services, bulky waste services, and recycling services for residential units.

Residential unit(s). An improved property located within the city of Burnet which is used, or capable of being used, for domestic use by a single family, including a single-family dwelling, duplex, fourplex, townhouse, apartment or condominium unit. A townhouse, fourplex, duplex, or condominium dwelling, whether of single or multi-level construction, consisting of four or less contiguous or separate single family dwelling units, shall be treated as a residential unit, except that each dwelling unit within any such residential unit shall be billed separately as a residential unit. Those residential units designated by city staff to be served by a dumpster or roll-off compactor shall not be included in this definition and shall be a commercial unit.

Roll-off. A watertight receptacle, with a capacity of approximately ten (10) cubic yards up to approximately forty (40) cubic yards, intended to be loaded onto a motor vehicle.

Roll-off compactor. A roll-off with a compactor.

Rubbish. In accordance with 30 Texas Administrative Code § 330.3, defined as “Non-putrescible solid waste (excluding ashes), consisting of both combustible and noncombustible waste materials. Combustible rubbish includes paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, brush, or similar materials; noncombustible rubbish includes glass, crockery, tin cans, aluminum cans, and similar materials that will not burn at ordinary incinerator temperatures (1,600 degrees Fahrenheit to 1,800 degrees Fahrenheit).”

Service Provider. The entity with whom the city of Burnet contracts to provide solid waste and recycling services.

Single stream. System in which all program recyclable materials are commingled and that does not require the generator to separate prior to collection.

Solid waste. In accordance with 30 Texas Administrative Code § 330.3, defined as “Garbage, rubbish, refuse, sludge from a wastewater treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, municipal, commercial, mining, and agricultural operations and from community and institutional activities. The term does not include:

- (a) solid or dissolved material in domestic sewage, or solid or dissolved material in irrigation return flows, or industrial discharges subject to regulation by permit issued under Texas Water Code, Chapter 26; or
- (b) soil, dirt, rock, sand, and other natural or man-made inert solid materials used to fill land if the object of the fill is to make the land suitable for the construction of surface improvements; or
- (c) waste materials that result from activities associated with the exploration, development, or production of oil or gas or geothermal resources and other substance or material regulated by the Railroad Commission of Texas under Natural Resources Code, §91.101, unless the waste, substance, or material results from activities associated with gasoline plants, natural gas liquids processing plants, pressure maintenance plants, or re-pressurizing plants and is Hazardous Waste as defined by the administrator of the United States Environmental Protection Agency under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, as amended (42 United States Code, §§6901 *et seq.*).

Solid waste cart. A cart utilized exclusively for solid waste services.

Solid waste services. Collection of solid waste and disposal of solid waste at a disposal site.

Special collection. A service provided by the service provider for which a fee is not specifically provided for herein.

Special waste. In accordance with 30 Texas Administrative Code § 330.3, defined as “Any solid waste or combination of solid wastes that because of its quantity, concentration, physical or chemical characteristics, or biological properties requires special handling and disposal to protect the human health or the environment. If improperly handled, transported, stored, processed, or

disposed of or otherwise managed, it may pose a present or potential danger to the human health or the environment. Special wastes are:

- (a) Hazardous Waste from conditionally exempt small-quantity generators that may be exempt from full controls under Chapter 335, Subchapter N of this title (relating to household materials which could be classified as hazardous wastes);
- (b) Class 1 industrial non-hazardous waste;
- (c) untreated medical waste;
- (d) municipal wastewater treatment plant sludges, other types of domestic sewage treatment plant sludges, and water-supply treatment plant sludges;
- (e) septic tank pumping;
- (f) grease and grit trap wastes;
- (g) wastes from commercial or industrial wastewater treatment plants; air pollution control facilities; and tanks, drums, or containers used for shipping or storing any material that has been listed as a hazardous constituent in 40 Code of Federal Regulations (CFR) Part 261, Appendix VIII but has not been listed as a commercial chemical product in 40 CFR §261.33€ or (f);
- (h) slaughterhouse wastes;
- (i) dead animals over ten (10) pounds in weight;
- (j) drugs, contaminated foods, or contaminated beverages, other than those contained in normal household waste;
- (k) pesticide (insecticide, herbicide, fungicide, or rodenticide)
- (l) discarded materials containing asbestos;
- (m) incinerator ash;
- (n) soil contaminated by petroleum products, crude oils, or chemicals in concentrations of greater than 1,500 milligrams per kilogram total petroleum hydrocarbons; or contaminated by constituents of concern that exceed the concentrations listed in Table 1 of §335.521(a)(1) of the Texas Administrative Code

- (o) used oil;
- (p) waste from oil, gas, and geothermal activities subject to regulation by the Railroad Commission of Texas when those wastes are to be processed, treated, or disposed of at a solid waste management facility authorized under this chapter;
- (q) waste generated outside the boundaries of Texas that contains:
 - (1) any industrial waste; or
 - (2) any waste associated with oil, gas, and geothermal exploration, production, or development activities; or
 - (3) any item listed as a special waste in this paragraph;
- (r) lead acid storage batteries;
- (s) used oil filters from internal combustion engines;

Unit. Residential and commercial units that qualify for services requested herein

Sec. 90-2. - Depositing garbage, trash and other wastes on streets and vacant lots.

It shall be unlawful for any person to sweep, haul, throw, or deposit any garbage, commercial handbills, trash, concrete, rocks, brick, plaster, tile, stagnant water, dead animals, building waste or rubble into, upon or along any drain, gutter, alley, sidewalk, parkway, street, in the window, on the door handle, or under the windshield wiper of an automobile, or vacant lot, or upon any public or private premises within the corporate limits of the city. If commercial handbills are distributed, they must be distributed in a manner prescribed by the council and with written permission from the city manager, certifying conformity with the outlined requirements of the council.

Sec. 90-3. - Duty of health officer or his authorized representative as to inspection and enforcement of this chapter.

In addition to the usual enforcement agencies of the city, it is hereby the duty of the city health officer or his/her authorized representatives to make inspection trips at regular intervals to determine whether or not garbage and trash is being properly collected, removed, and disposed of as required by the provisions of this chapter or any other applicable ordinance. If it is found that this article or any other applicable ordinance is being violated, appropriate and timely action shall be taken to ensure full compliance with its provisions.

Enforcement of the provisions of this chapter shall be the same as for Chapter 54 (health and sanitation) of the Burnet Code of Ordinances.

Sec. 90-4. Services requiring a franchise.

Residential units shall be required to utilize the City's service provider for solid waste and recycling services. It shall be a violation of this ordinance for any provider of solid waste and/or recycling services to provide such services to a residential unit without a franchise with the City.

Commercial units shall be required to utilize the City's service provider for solid waste services. It shall be a violation of this ordinance for any provider of solid waste services to provide such services to a commercial unit without a franchise with the City.

All providers of temporary solid waste disposal services to a construction project shall be required to obtain a non-exclusive franchise with the City. It shall be a violation of this ordinance for any residential or commercial unit to utilize a provider of temporary solid waste disposal services to a construction project, unless such provider has obtained a non-exclusive franchise with the City. This provision shall not apply to the disposal of temporary solid waste from a construction project if such disposal is being performed by the generator of the construction debris.

Sec. 90-5 Solid waste and recycling billing required.

All occupied residential units shall be required to establish and maintain an active account with the City and shall be billed for solid waste and recycling services. A residential unit shall be deemed occupied when either water, wastewater or electric services are being supplied thereto.

All occupied commercial units shall be required to establish and maintain an active account with the City and shall be billed for solid waste services at a minimum service level. Recycling services may be requested as provided for herein. A commercial unit shall be deemed occupied when either water, wastewater, or electric services are being supplied thereto.

Sec. 90-6 Failure to pay.

Any person who shall fail or refuse to pay the charges fixed in this chapter within the time specified shall be deemed to be delinquent, and the city may, at its option, cause any or all utility service and solid waste removal service to be discontinued.

Sec. 90-7. – Customer Service

Customers should contact the city for all residential and commercial service requests billed by the city. The service provider should be contacted for services billed directly to the customer from the service provider.

Sec. 90-8. - Administration.

The city manager is authorized to develop administrative rules to facilitate the efficient implementation of this ordinance and to protect the best interest of the city.

ARTICLE II. – TYPE OF COLLECTION

Sec. 90-26. - Services provided.

(a) Residential Services

- (1) Curbside collection of solid waste for residential units shall be one time per week.
- (2) Except as otherwise provided for herein, residential curbside solid waste collection shall be limited to the contents of the cart.
- (3) Each residential customer shall receive one (1) 95-gallon solid waste cart for residential curbside solid waste collection and one (1) 95-gallon recycling cart for residential single stream curbside recycling collection. Customers who are physically unable to use the standard 95-gallon solid waste cart may request a 65-gallon cart.
- (4) Residents may obtain additional carts for residential curbside solid waste collection and for residential single stream curbside recycling collection, at an additional cost.
- (5) Upon reaching age sixty-five (65) citizens may request residential curbside solid waste collection and single stream curbside recycling collection services every other week at the senior citizen rate.
- (6) Each customer will receive the pickup of up to an additional three (3) cubic yards, per calendar month, of solid waste, bulky waste and brush bundles. Solid waste, bulky waste and/or brush bundles in excess of three (3) cubic yards per monthly pickup shall be billed at an additional fee as provided for herein.
- (7) Customer shall place carts, bulky waste, and brush bundles at curbside by 7:00 a.m. on the designated collection day.
- (8) Residential single stream curbside recycling collection will be picked up every other week.
- (9) Recyclable materials shall be as defined herein.

- (10) House side collections, at no extra cost, may be provided to citizens who are handicapped or disabled. Determination for citizens requesting this service shall be made between the city and the service provider.
 - (11) Post tenant clean-up resulting in bulky waste that exceeds the permitted volume for residential services shall be billed to the property owner by the city in accordance with the rates specified herein.
 - (12) Customers are responsible for payment of any additional charges for solid waste or bulky waste left at the curbside of a residential unit in excess of the contracted for number of carts and/or three (3) cubic yards of brush bundles.
- (b) Commercial Services
- (1) Commercial solid waste collection via dumpster shall be provided between one (1) and five (5) days weekly at rates as provided for herein.
 - (2) Optional single stream curbside recycling collection with every other week pick up is available to commercial customers. One (1) 95-gallon recycling cart shall be provided for each commercial unit requesting such service. Commercial customers may obtain additional 95-gallon recycling carts at an additional cost. This service is optional and provided upon the request of the customer.
 - (3) Roll-off services shall be billed by the service provider.
 - (4) As appropriate and reasonable, given the volume of solid waste, smaller commercial units may request carts.
 - (5) Commercial Customers are responsible for payment of any additional charges for bulky waste left outside of the container.

Sec. 90-27. - Special collections.

- (a) Special collections shall be as defined herein.

- (b) In those instances where the customer requires services for which a fee is not specifically provided for herein, the customer shall request such services from the service provider via an individual agreement.
- (c) Any use of a self-contained compactor roll-off by a customer shall be considered a special collection. The customer may enter into an individual agreement with the service provider for the self-contained compactor roll-off service. The rates contained herein for roll-off services will not apply to the self-contained compactor roll-off service.
- (d) A fifteen (15) percent franchise fee will be charged on special collections and roll-off services.

Sec. 90-28. - Location of carts, bulky waste and brush bundles.

- (a) For collection: Each cart, bulky waste and brush bundle shall be placed at curbside or alley for collection. Carts, bulky waste and brush bundles shall be placed as close to the roadway as practicable to an access point for the collection vehicle. Customers shall place their recycling cart at least three feet away from other carts, cars, mailboxes or other obstructions. Any cart, bulky waste or brush bundle not so placed or any refuse not in a cart or brush bundle except as provided for herein for bulky waste, may not be picked up.
- (b) For storage: No container shall be placed for storage at a point nearer the street than the front of each principal building, house, dwelling unit, or structure concerned. Dumpsters must be located off the public right-of-way and maintained for ease of access within an enclosure for the service provider's trucks. Dumpsters shall be kept in an enclosure to preclude windblown waste and prevent unsightly and/or unhealthy conditions.
- (c) Dumpster enclosures: Must be well constructed of brick, stone, chain link fencing (with privacy slats) or wood. Enclosure shall be a minimum of six feet in height but not exceed eight feet in height. The bottom of the enclosure shall not exceed three inches from ground level. Dumpster pads shall be made of an all-weather surface (asphalt or concrete). The size of the pad shall be dependent on the size of the dumpster; 2 and 3 yard dumpster (10 foot × 12 foot pad); 4—6 yard dumpster (12 foot × 14 foot pad).

Sec. 90-29. - Prohibitions and additional regulations.

- (a) Neither the city nor the service provider will collect special waste as defined herein unless agreed upon by the service provider.
- (b) No rocks, dirt, or bricks shall be placed in the curbside pickup cart.

- (c) The deposit of cinders or ashes in a cart, container, or dumpster is prohibited, unless the person depositing the same shall first insure that no parts of such cinders or ashes are lighted, smoldering or burning. No incinerator ash of any kind shall be placed in a cart.
- (d) All garbage and trash that is mixed with water or other liquid shall be thoroughly drained before being put in garbage and trash cans or receptacles for collection.
- (e) All animal matter that is subject to decomposition shall be well wrapped in paper or other material before being deposited in such container or receptacle.
- (f) The lids or covers of all garbage and trash containers shall at all times be in place to completely enclose the container. Such lids or covers shall only be removed while the containers or receptacles are being filled or emptied.
- (g) The city and service provider may adopt additional regulations applicable to refuse and waste disposal that are enforceable by the city. In addition, the city reserves all its police powers to regulate by ordinance, rule or regulation, any and all issues with respect to the public health, safety and welfare.

Sec. 90-31. - Request for sixty-five-gallon cart.

Customers who are physically unable to use the standard 95-gallon cart may request a 65-gallon cart.

ARTICLE III. - RATES

Sec. 90-51. - Residential refuse collection rates.

(1) The following rates shall apply:

STANDARD RESIDENTIAL SOLID WASTE & RECYCLING RATES:	MONTHLY RATE
One 95-gallon Solid Waste Cart and one 95-gallon Recycling Cart (Every Other Week "EOW" recycling)	21.43
Each additional 95-gallon Solid Waste Cart	4.00
Each additional 95- gallon Recycling Cart	2.63
SENIOR CITIZEN SOLID WASTE & RECYCLING RATES:	
One 95-gallon Solid Waste Cart and one 95-gallon Recycling Cart (includes EOW recycling)	17.88
Each additional 95-gallon Senior Citizen Solid Waste Cart	3.34
Each additional 95-gallon Senior Citizen Recycling Cart	2.10

COMMERCIAL CURBSIDE RECYCLING RATES:	
One 95-gallon Cart (EOW)	4.49
Additional 95-gallon Recycling Cart	3.16
COMMERCIAL SOLID WASTE COLLECTION RATES:	
CARTS:	
One Time per week - One 95 gallon Cart	21.74
Two Times per week - One 95 gallon Cart	36.16
Three Times per week - One 95 gallon Cart	51.40
Four Times per week - One 95 gallon Cart	68.54
Five Times per week - One 95 gallon Cart	85.68
One Time per week - Two 95 gallon Carts	29.53
Two Times per week - Two 95 gallon Carts	43.96
Three Times per week - Two 95 gallon Carts	64.25
Four Times per week - Two 95 gallon Carts	85.68
Five Times per week - Two 95 gallon Carts	107.10
TWO YARD DUMPSTER:	
One Time per week	61.85
Two Times per week	111.03
Three Times per week	158.60
Four Times per week	206.17
Five Times per week	276.01
THREE YARD DUMPSTER:	
One Time per week	66.62
Two Times per week	122.12
Three Times per week	174.48
Four Times per week	229.98
Five Times per week	292.71
FOUR YARD DUMPSTER:	
One Time per week	87.23
Two Times per week	157.01
Three Times per week	223.64
Four Times per week	281.61
Five Times per week	350.09
SIX YARD DUMPSTER:	
One Time per week	109.43

Two Times per week	199.78
Three Times per week	293.41
Four Times per week	377.51
Five Times per week	479.48
EIGHT YARD DUMPSTER:	
One Time per week	145.76
Two Times per week	266.08
Three Times per week	391.02
Four Times per week	502.83
Five Times per week	638.19
TEN YARD DUMPSTER:	
One Time per week	169.94
Two Times per week	261.45
Three Times per week	373.51
Four Times per week	498.00
Five Times per week	622.50
DUMPSTER EXTRA LIFTS:	
Two Yard Dumpster	49.01
Three Yard Dumpster	55.11
Four Yard Dumpster	61.25
Six Yard Dumpster	72.22
Eight Yard Dumpster	89.85
Ten Yard Dumpster	105.70
ROLL-OFF RATES:	
Delivery Fee	242.00
Daily Rental Fee	5.12
20 Yard per Haul	541.26
30 Yard per Haul	624.91
40 Yard per Haul	728.24
Double Handle Fee	96.04
Overload Fee / Per Ton	36.75
BRUSH/BULKY COLLECTION FEE OVER 3 CY (per yard):	
	5.00

(2) Residential customers requesting dumpsters shall be billed at the commercial rate above.

- (3) A franchise fee equal to fifteen (15) percent of the gross billing shall be charged for all roll-off services, self-contained compact roll-offs, and temporary dumpsters billed directly by the service provider.
- (4) Double handle fee will be charged when a haul is rescheduled, except for reasons not the city or service provider's fault, when the container is not ready to be loaded and the hauler must return for the pickup.
- (5) An overload fee will be charged to the customer in the event a dumpster or roll-off is loaded beyond the legal hauling weight.

E. Pro-Rata Billing:

The initial billing for new, or final billing for discontinued services, shall be pro-rated based on the number of days for which service was received.

Sec. 90-52. Payment of rates.

Payment of rates for residential and commercial refuse collection will be due and payable under the same terms and conditions as specified in Chapter 110, Article I of the city of Burnet Code of Ordinances.

ARTICLE IV. - SERVICE PROVIDER RATE ADJUSTMENT

Sec. 90-66. Service provider rate adjustment.

- (a) The base rate shall include the service provider rate adjustment. The service provider rate adjustment shall be defined as an allowed adjustment to the rate set by the current contract between the city and service provider.
- (b) The service provider rate adjustment, as defined above, shall be made on the next bill rendered to each customer following determination of amount of the adjustment.

Sec. 90-80. Reserved.

SOLID WASTE ORDINANCE RATE SCHEDULE
11/1/2016

	No Change
	Increased
	Decreased
	New Rate

STANDARD RESIDENTIAL SOLID WASTE & RECYCLING RATES:	CURRENT ACCOUNTS	MONTHLY RATE
One 95-gallon Solid Waste Cart and one 95-gallon Recycling Cart (Every Other Week "EOW" recycling)	1355	21.43
Each additional 95-gallon Solid Waste Cart	48	4.00
Each additional 95- gallon Recycling Cart	1	2.63
SENIOR CITIZEN SOLID WASTE & RECYCLING RATES:		
One 95-gallon Solid Waste Cart and one 95-gallon Recycling Cart (includes EOW recycling)	466/472	17.88
Each additional 95-gallon Senior Citizen Solid Waste Cart	5	3.34
Each additional 95-gallon Senior Citizen Recycling Cart	0	2.10

COMMERCIAL CURBSIDE RECYCLING RATES:		
One 95-gallon Cart (EOW)	46	4.49
Additional 95-gallon Recycling Cart	0	3.16
COMMERCIAL SOLID WASTE COLLECTION RATES:		
CARTS:		
One Time per week - One 95 gallon Cart	146	21.74
Two Times per week - One 95 gallon Cart	1	36.16
Three Times per week - One 95 gallon Cart	0	51.40
Four Times per week - One 95 gallon Cart	0	68.54
Five Times per week - One 95 gallon Cart	0	85.68
One Time per week - Two 95 gallon Carts	24	29.53
Two Times per week - Two 95 gallon Carts	1	43.96
Three Times per week - Two 95 gallon Carts	1	64.25
Four Times per week - Two 95 gallon Carts	0	85.68
Five Times per week - Two 95 gallon Carts	0	107.10
TWO YARD DUMPSTER:		
One Time per week	18	61.85
Two Times per week	3	111.03
Three Times per week	2	158.60
Four Times per week	0	206.17
Five Times per week	0	276.01
THREE YARD DUMPSTER:		
One Time per week	29	66.62
Two Times per week	17	122.12
Three Times per week	12	174.48
Four Times per week	0	229.98
Five Times per week	6	292.71
FOUR YARD DUMPSTER:		
One Time per week	32	87.23
Two Times per week	7	157.01
Three Times per week	0	223.64
Four Times per week	1	281.61
Five Times per week	0	350.09
SIX YARD DUMPSTER:		
One Time per week	16	109.43

Two Times per week	20	199.78
Three Times per week	17	293.41
Four Times per week	3	377.51
Five Times per week	6	479.48
EIGHT YARD DUMPSTER:		
One Time per week	1	145.76
Two Times per week	0	266.08
Three Times per week	0	391.02
Four Times per week	1	502.83
Five Times per week	1	638.19
TEN YARD DUMPSTER:		
One Time per week	0	169.94
Two Times per week	0	261.45
Three Times per week	0	373.51
Four Times per week	0	498.00
Five Times per week	0	622.50
DUMPSTER EXTRA LIFTS:		
Two Yard Dumpster		49.01
Three Yard Dumpster		55.11
Four Yard Dumpster		61.25
Six Yard Dumpster		72.22
Eight Yard Dumpster		89.85
Ten Yard Dumpster		105.70
ROLL-OFF RATES:		
Delivery Fee		242.00
Daily Rental Fee		5.12
20 Yard per Haul		541.26
30 Yard per Haul		624.91
40 Yard per Haul		728.24
Double Handle Fee		96.04
Overload Fee / Per Ton		36.75
BRUSH/BULKY COLLECTION FEE OVER 3 CY (per yard):		
		5.00