**ORDINANCE NO. 2021-40**

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING CHAPTER 90, SECTIONS 90-51 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 90-51 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in Conflict.**  That all ordinances in conflict with the provisions of this ordinance are, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.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, 2021.

 **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 28th day of September, 2021.

**FINALLY PASSED AND APPROVED** on this the 26th day of October, 2021.

**ATTEST:**  **CITY OF BURNET, TEXAS**

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Kelly Dix, City Secretary Crista Goble Bromley, Mayor

**Attachment “A”**

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**ARTICLE III. - RATES**

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**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) | 23.42 |
| Each additional 95-gallon Solid Waste Cart | 4.37 |
| Each additional 95- gallon Recycling Cart | 2.87 |
|  |  |
| **SENIOR CITIZEN SOLID WASTE & RECYCLING RATES:** |  |
| One 95-gallon Solid Waste Cart and one 95-gallon Recycling Cart (includes EOW recycling) | 19.54 |
| Each additional 95-gallon Senior Citizen Solid Waste Cart | 3.65 |
| Each additional 95-gallon Senior Citizen Recycling Cart | 2.30 |
|   |  |
| **COMMERCIAL CURBSIDE RECYCLING RATES:** |  |
| One 95-gallon Cart (EOW) | 4.90 |
| Additional 95-gallon Recycling Cart | 3.45 |
|  |  |
| **COMMERCIAL SOLID WASTE COLLECTION RATES:** |  |
| **CARTS:** |  |
|  One Time per week - One 95 gallon Cart | 23.75 |
| Two Times per week - One 95 gallon Cart | 39.51 |
| Three Times per week - One 95 gallon Cart | 56.17 |
|  Four Times per week - One 95 gallon Cart | 74.89 |
| Five Times per week - One 95 gallon Cart | 93.63 |
| One Time per week - Two 95 gallon Carts | 32.27 |
| Two Times per week - Two 95 gallon Carts | 48.04 |
|  Three Times per week - Two 95 gallon Carts | 70.20 |
| Four Times per week - Two 95 gallon Carts | 93.63 |
| Five Times per week - Two 95 gallon Carts | 117.03 |
|  |  |
| **TWO YARD DUMPSTER:** |  |
| One Time per week | 67.59 |
| Two Times per week | 121.32 |
| Three Times per week | 173.31 |
| Four Times per week | 225.29 |
| Five Times per week | 301.60 |
|  |  |
| **THREE YARD DUMPSTER:** |  |
| One Time per week | 72.80 |
| Two Times per week | 133.45 |
| Three Times per week | 190.66 |
| Four Times per week | 251.31 |
| Five Times per week | 319.86 |
|  |  |
| **FOUR YARD DUMPSTER:** |  |
| One Time per week | 95.32 |
| Two Times per week | 171.57 |
| Three Times per week | 244.38 |
| Four Times per week | 307.72 |
| Five Times per week | 382.55 |
|  |  |
| **SIX YARD DUMPSTER:** |  |
| One Time per week | 119.57 |
| Two Times per week | 218.31 |
| Three Times per week | 320.62 |
| Four Times per week | 412.52 |
| Five Times per week | 523.94 |
|  |  |
| **EIGHT YARD DUMPSTER:** |  |
| One Time per week | 159.28 |
| Two Times per week | 290.75 |
| Three Times per week | 427.27 |
| Four Times per week | 549.45 |
| Five Times per week | 697.37 |
|  |  |
| **TEN YARD DUMPSTER:** |  |
| One Time per week | 185.70 |
| Two Times per week | 285.69 |
| Three Times per week | 408.15 |
| Four Times per week | 544.18 |
| Five Times per week | 680.22 |
|  |  |
| **DUMPSTER EXTRA LIFTS:** |  |
| Two Yard Dumpster | 53.55 |
| Three Yard Dumpster | 60.22 |
| Four Yard Dumpster | 66.93 |
| Six Yard Dumpster | 78.92 |
| Eight Yard Dumpster | 98.18 |
| Ten Yard Dumpster | 115.50 |
|  |  |
| **ROLL-OFF RATES:** |  |
| Delivery Fee | 264.44 |
| Daily Rental Fee | 5.59 |
| 20 Yard per Haul | 591.45 |
| 30 Yard per Haul | 682.86 |
| 40 Yard per Haul | 795.77 |
| Double Handle Fee | 104.95 |
| Overload Fee / Per Ton | 40.16 |
|  |  |
| **BRUSH/BULKY COLLECTION FEE OVER 3 CY (per yard):** | 5.46 |
| **BRUSH/BULKY COLLECTION FEE OUTSIDE DESIGNATED COLLECTION PERIOD (per yard):** | 5.46 |

1. Residential customers requesting dumpsters shall be billed at the commercial rate above.
2. 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.
3. 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.
4. An overload fee will be charged to the customer in the event a dumpster or roll-off is loaded beyond the legal hauling weight.
5. 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.
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