

ORDINANCE NO. O-23-12

AN ORDINANCE AMENDING CHAPTER 14, GARBAGE, TRASH, AND WEEDS OF THE CODE OF ORDINANCES OF THE CITY OF MARSHALL, TEXAS, REPEALING AND AMENDING CERTAIN SECTIONS REGARDING GARBAGE AND INCREASING THE SOLID WASTE COLLECTION AND DISPOSAL FEES BY 3%; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND ESTABLISHING AN EFFECTIVE DATE OF JANUARY 1, 2024.

WHEREAS, Chapter 363 of the Texas Health and Safety Code and Section 80 (15) of the City Charter of the City of Marshall, Texas, authorizes the City Council to regulate the collection, transportation and disposal of solid waste within the corporate City limits of Marshall, Texas; and,

WHEREAS, the City's solid waste contractor, Republic Services, has increased its fees and rates of service to the City by the March 2023 CPI Index, in accordance with the current Solid Waste Contract; and,

WHEREAS, the City Commission finds and determines that an increase of the current rates for solid waste collection is necessary in order to accurately compensate the City for its costs of providing this service; **NOW, THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS:

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2 That Article I of Chapter 14, Section 14-9, of the Code of Ordinances of the City of Marshall is hereby repealed in its entirety and that there is hereby adopted in place of said ordinances a new Section 14-9, Chapter 14 of the Code of Ordinances of the City of Marshall, Texas, said section to read as follows:

"Sec. 14-9. Rates for city collection - all rates will be assessed sales tax:

(a) The following rates shall be charged for each monthly period to all customers of the garbage collection of the system of Marshall based on the attached rate sheet.

MARSHALL RATE SHEET

(Effective January 1, 2024)

I. RESIDENTIAL RATE SCHEDULE – Initial seven (7) year period (Residential Carts:

A. Automated Solid Waste & Recycling Collection - Residential

96 gallon rolling cart — City Resident \$ 16.29/Monthly Per Unit
Once per week Residential Collection
Once per week Brush/Bulky Collection
Extra Carts — Limit of 4 per \$ 3.09 /Extra Monthly Fee Ea..
Residential Unit. Weekly Bulk/Brush
Limited to 3 Cu. Yds.

***No Side Trash Allowed - Cart Contents Only**

IIB. COMMERCIAL CART RATE SCHEDULE

Rolling cart service — Automated (For business with less than two (2) yards of trash per week):

A. One Cart \$26.19 Monthly Per Unit
B. Two Carts \$34.06 Monthly Per Unit
C. Cart Service Downtown - Four (4) times \$37.45 Monthly Per Unit
per week (Four Days Trash Service & One
Day Recycling) - South of Grand Avenue;
East of Franklin Street North of Bowie
Street; West of Lafayette Street)

III.FRONT LOAD CONTAINERS RATE SCHEDULE

Size/ Freq.	1X\WK	2X\WK	3X\WK	4X\WK	5X\WK	6X\WK	Extra pickup
2 yd	\$71.09	\$123.70	\$195.83	\$249.58	\$294.92	\$346.87	\$32.57
3 yd	\$102.11	\$177.48	\$253.03	\$338.26	\$414.51	\$476.08	\$45.61
4 yd	\$131.40	\$228.45	\$323.78	\$431.35	\$525.91	\$612.74	\$58.65
6 yd	\$182.17	\$314.42	\$443.32	\$575.44	\$721.45	\$820.46	\$71.68
8 yd	\$225.28	\$381.71	\$469.89	\$693.96	\$859.54	\$927.54	\$84.71

Monthly - 4yd Compactor 1X\Week = \$ 458.02

Monthly - 6yd Compactor 2X\Week = \$ 681.54; 4X\Week \$ 1088.28; 6X\Week =
\$1,910.55

IV. ROLL OFF CONTAINERS AND 42 YD COMPACTOR RATE SCHEDULE:

Delivery Fee: \$100.00

SIZE	RENTAL/MONTH	PER HAUL
20 YD OPEN TOP	\$130.30	\$629.52
30 YD OPEN TOP	\$130.30	\$690.81
40 YD OPEN TOP	\$130.30	\$771.67
42 YD COMPACTOR	Negotiable	\$945.53

With respect to apartments and duplexes, where the owner provides reasonable space for and access to a bulk container, commercial-type service shall be provided by the city; otherwise, residential-type service shall be provided.”

Section 3. That the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 4. That all other prior ordinances or portions of ordinances of the City of Marshall in conflict with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict only.

Section 5. That the repeal of any ordinance or portion of an ordinance by this ordinance shall not affect the validity of any pending enforcement action or fines outstanding and due and payable on or before the effective date of this ordinance.

Section 6. That if any section, paragraph, subdivision, clause, phrase or provision of this ordinance is hereafter determined to be invalid or in violation of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision so determined to be invalid, it being the intent of the City Council of the City of Marshall that all other terms and provisions of this ordinance not affected thereby shall remain in full force and effect.

Section 7. That this ordinance shall be effective on January 1, 2024 and after its passage and publication as required by law.

PASSED AND APPROVED this 10th day of August 2023.

AYES:


NOES:

ABSTAINED:



MAYOR
OF THE CITY OF MARSHALL, TEXAS

ATTEST:



City Secretary