

ORDINANCE NO. 23-12

AN ORDINANCE OF THE CITY OF LYTLE, TEXAS AMENDING CHAPTER 32, ARTICLE 2, SECTION 32-27 OF THE CITY OF LYTLE CODE OF ORDINANCES TO ESTABLISH FEES AND CHARGES FOR COLLECTION AND DISPOSAL OF MUNICIPAL SOLID WASTE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lytle is authorized to execute contracts in the best interest of the citizens which would promote the health, safety and general welfare of the inhabitants of the City; and

WHEREAS, the City Council on October 27, 2022, approved the award and execution a franchise contract with Waste Management of Texas, Inc. ("WMI") for municipal waste collection services; and

WHEREAS, the City now wishes to establish fees and charges for the collection and disposal of municipal solid waste, construction and demolition waste, and recyclable materials; and

WHEREAS, the City now desires to amend the Code of Ordinances to reflect the city's existing contract for solid waste collection services.

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

SECTION 1. AMENDMENT. Chapter 32, Article 2, Section 32-27 of the Code of Ordinances is deleted in its entirety and replaced with the following:

Sec. 32-27. - Charges.

- (a) The rates, fees, and charges for solid waste collection are on file in the city secretary's office.
- (b) City Council will establish the rates, fees, and charges for solid waste collection by ordinance or resolution. In the event the City awards a contract or franchise agreement for solid waste collection services, then the city's rates, fees, and charges for solid waste collection will automatically reflect such rates as provided under the city's contract or franchise agreement with the vendor, including any annual or periodic adjustments as allowed such an agreement, plus any administrative fee or charges approved by City Council.

SECTION 2. FEE REVISIONS. City hereby adopts the solid waste collection rates, fees, and charges for city's Fiscal Year 2023-24 and included in **EXHIBIT "A"**. The approved rates reflect the City's franchise agreement with WMI. The exhibit also includes the city's administrative fee for solid waste collection service which are also adopted.

SECTION 3. REPEALER. All ordinances, resolutions, and municipal orders in conflict herewith are repealed to the extent of such conflict. Any previous waste collect fee is hereby expressly repealed if it is in conflict with the newly established fee set forth by this ordinance. In the case of a fee listed in another ordinance, but not included in this Fee Schedule, the previous listed fee amount shall apply until amended. All other provisions of the ordinances of the City of Lytle, whether codified or uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council 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.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage.

**PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LYTLE,
TEXAS ON THIS 23rd DAY OF OCTOBER 2023.**



**Ruben Gonzalez
Mayor**

ATTEST:



**Paola Rios
City Secretary**



**EXHIBIT A
FEE SCHEDULE FOR
COLLECTION AND DISPOSAL OF SOLID WASTE**

Waste Management Fees

WM Provided 96 Gallon Waste Polycart – Curbside Collection: \$21.49
Hazardous Waste Collection – At Your Door: \$1.33
Residential Unit Total Monthly Base Rate: \$22.82
Each Additional WM Provided 96 Gallon Waste Polycart – Curbside Collection: \$9.10

City Fees

Brush Collection – Monthly: \$5.50
Administrative: \$1.07

Effective Date: December 2023 Billing Cycle

PASSED AND ADOPTED this 23rd day of October 2023.



Ruben Gonzalez
Mayor

ATTEST:



Paola Rios
City Secretary