

**ORDINANCE NO. 11126-2021**

**AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING CHAPTER 26, "UTILITIES AND SERVICES" OF THE CODE OF ORDINANCES OF THE CITY OF GRAND PRAIRIE, TEXAS BY THE AMENDMENT OF ARTICLE VI, "GARBAGE COLLECTION AND DISPOSAL," SECTION 26-101 (C) RELATING TO FRANCHISE FEE AND SECTION 26-115 (D), (F), AND (H) RELATING TO COMMERCIAL FEES, MAKING THIS AMENDMENT CUMULATIVE; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the CITY entered into a ten year franchise agreement with Republic Waste Services of Texas LTD on October 17, 2018; and

**WHEREAS**, the City desires to increase the Franchise Fee to align more with market standards; and

**WHEREAS**, the FRANCHISEE submitted a rate increase request to provide the funding for the additional 1% franchise fee to provide Solid Waste collection and disposal within the CITY; and

**WHEREAS**, the CITY has determined that the proposed rate increase submitted by the FRANCHISEE is in the best interest of the CITY; and

**WHEREAS**, it is necessary for the CITY to promote, preserve and protect the public health of its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS THAT:**

**SECTION 1.** Chapter 26, Article VI, "Garbage Collection and Disposal" Section 26-101 (c) shall be amended to read as follows:

"(c) Any person, firm or corporation who obtains a franchise from the city to collect and dispose of garbage, shall pay to the city five (5) per cent of the gross monthly receipts received from garbage collection as a condition for the use of city streets, landfill, billing and other public services, with (4) per cent of landfill fees paid to the general fund."

**SECTION 2.** Chapter 26, Article VI, "Garbage Collection and Disposal" Section 26-115 (d), (f), and (h) shall be amended to read as follows:

"(d) The fair and reasonable charges for commercial service are determined to be as follows:

All charges provided are monthly charges, unless specified otherwise.

Two (2) Cubic yards - Dumps per week:

1 \$81.49

2 \$125.64

3 \$172.95

4 \$198.59

5 \$276.88

6 \$359.85

EXTRA \$23.42

Four (4) cubic yards – Dumps per week:

1 \$125.64  
2 \$186.24  
3 \$256.08  
4 \$327.52  
5 \$400.53  
6 \$523.05  
EXTRA \$32.91

Eight (8) cubic yards – Dumps per week:

1 \$186.24  
2 \$313.63  
3 \$385.24  
4 \$500.28  
5 \$632.27  
6 \$799.95  
EXTRA \$55.01

Front Load Packers:

Four (4) cubic yards – Dumps per week:

1 \$163.42  
2 \$326.82  
3 \$488.71  
4 \$656.78  
5 \$818.67  
6 \$982.08  
EXTRA \$35.65

Six (6) cubic yards – Dumps per week:

1 \$244.34  
2 \$490.31  
3 \$737.72  
4 \$982.08  
5 \$1,228.04  
6 \$1,473.92  
EXTRA \$53.58

Eight (8) cubic yards – Dumps per week:

1 \$323.28  
2 \$649.73  
3 \$971.48  
4 \$1,296.93  
5 \$1,622.82  
6 \$1,944.60  
EXTRA \$75.16

Roll-offs:

Twenty (20) cubic yards, roll-off (open top):  
Per pick up \$141.13

Lease Charge, per month \$156.13

Thirty (30) cubic yards, roll-off (open top):

Per Pick up \$177.46

Lease Charge, per month \$156.13

Thirty (30) cubic yards, roll-off (closed top):

Per Pick up \$301.20

Lease Charge, per month \$156.13

Thirty (30) cubic yards, roll-off (compactor):

Per Pick up \$ 156.13

Lease Charge, per month \$Variable

Forty (40) cubic yards, roll-off (open top):

Per Pick up \$217.70

Lease Charge, per month \$156.13

Forty-two (42) cubic yards, roll-off (compactor)

Per Pick up \$156.13

Lease charge, per month \$Variable

Additional charges:

Containers with casters, per month \$4.66

Containers inside fence/per container pick up \$1.55

Additional yardage fee (per yard for overflowing dumpsters) \$14.77

South of I-20 charge for Front Loaders (per month) \$15.45

South of I-20 charge for Roll-offs (per trip) \$16.38

Placement or Relocation fee (front load) \$68.00

Obstruction Charge - Front Load is Equal to extra dump fee for customer's container size

Obstruction Charge - Roll Off \$72.38

Burned Container Fees

2 cubic yards \$67.75

4 cubic yards \$89.67

8 cubic yards \$114.36

20 cubic yards \$157.59

30 cubic yards \$231.80

40 cubic yards \$313.72”

“(f) Placement charge – Commercial type containers. There shall be a charge of seventy-one dollars and seventy-five cents (\$71.75) for the original placement of a container and such charges shall apply if the container must be removed and replaced as a result of nonpayment of the customer’s bill.”

“(h) Landfill fees. Landfill fees for roll-off containers shall be thirty-eight dollars and five cents (\$38.05) per ton, unless modified by a contract with the city.”

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision, and such holding shall not affect validity of the remaining portions thereof.

**SECTION 4.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 5.** All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas in the discharge of his duties, shall not thereby render himself personally liable, and he is hereby relieved from all personal liability for damage that may accrue to person or property as a result of any act required or permitted in the discharge of said duties.

**SECTION 6.** Chapter 26, “Utilities and Services,” of the Code of Ordinances of the city of Grand Prairie, Texas, as amended shall be and remain in full force and effect save and except as amended by this Ordinance.

**SECTION 7.** This ordinance shall become effective on December 1, 2021.

**SECOND READING PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 16<sup>TH</sup> OF NOVEMBER 2021.**

**APPROVED:**

  
\_\_\_\_\_  
Ron Jensen, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
City Attorney