

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," SECTIONS 26-113 RESIDENTIAL FEES, 26-115 COMMERCIAL FEES, AND 26-119 RATES FOR DISPOSAL; MAKING THIS AMENDMENT CUMULATIVE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE, PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE, AFTER PUBLICATION, ON OCTOBER 1, 2022

WHEREAS, the City has an interest in protecting public health through proper collection and disposal of solid waste; and

WHEREAS, the City has the authority to regulate residential and commercial solid waste collection rates; and

WHEREAS, Republic Waste Services of Texas, Ltd. d/b/a Republic Services of Arlington has requested an increase in certain fees; and

WHEREAS, increases to residential, commercial and industrial garbage collection services are reasonable and within the market range.

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" Sections 26-113, 26-115, and 26-119, are hereby amended to read as follows:

Sec. 26-113. Residential Fees.

- (a) The collection and removal of garbage and trash in disposable containers from premises used for residential purposes shall be made two (2) times per week (and collection of recyclables shall be made one (1) time each week). The fair and reasonable charge for such service is hereby determined to be seventeen dollars and eighty-two (\$17.82) per residential unit for each calendar month, and the charges shall accrue for each month or portion thereof during which the service is available and provided to the customer. Eligible for a one-dollar (\$1.00) discount are water account customers aged sixty-five (65) and older with the account in the senior citizen's name and certified by ad valorem tax exemption, and permanently disabled customers eligible for transportation with city services for the disabled with the account in the disabled citizen's name. When a customer has an active water bill account with the city, the charges shall be due and payable simultaneously with charges for water service.

Residential curbside services franchise collection rate.....\$8.44

- (b) Non-senior citizen residents and certified senior and disabled citizens with an active account, who opted out of the recycling program prior to July 31, 2000, shall be charged a fee of fifteen dollars and eighty-two cents (\$15.82) per residential unit for each calendar month, and the charges shall accrue for each month or portion thereof during which the service is available and provided to the customer. When a customer has an active water bill account with the city, the charges shall be due and payable simultaneously with charges for water service.
- (c) A person who fails to pay residential solid waste fees shall be subject to the termination of collection service. Additionally, the failure to pay fees shall be an offense subject to the enforcement of provisions contained in section 26-123.

Sec. 26-115. - Commercial fees.

- (a) Charges-Commercial Cart Service. Commercial cart service is available to small commercial customers whose service address is located on Main Street or Jefferson Street. The fair and reasonable monthly charges for small commercial rolling carts are determined to be as follows:

Number of rolling carts emptied twice per week (maximum 2):

One cart \$32.11

Two carts \$43.35

- (b) Charges Commercial Bag Service. Commercial bag service is available to small commercial customers who do not qualify for commercial cart service. Fair and reasonable charges for commercial bag service are hereby determined to be twenty-six dollars and sixty-one (\$26.61) for the first cubic yard or portion thereof and twelve dollars and forty-five cents (\$12.45) for each additional cubic yard per month.

- (c) Charges-Commercial-type containers. As an alternative to the collection methods and charges provided in subsection (a) above, commercial, institutional, and industrial customers may dispose of garbage and trash by means of approved commercial-type containers. Additionally, multifamily residential complexes may employ commercial-type containers for garbage and trash collection in the same manner as commercial, institutional, and industrial customers. For the purposes of this section only, town homes organized as nonprofit homeowner associations and consisting of a minimum of four hundred (400) dwelling units may be considered multifamily residential complexes when such nonprofit status has been verified by the city attorney and the finance director upon submittal by the nonprofit homeowners association of a full financial disclosure statement showing detailed revenues and expenses to demonstrate the nonprofit status of the association. "Town homes" means two (2) or more adjoining single-family attached dwellings in which there is a separate, real property interest in each dwelling unit and the common areas are owned by the nonprofit homeowners association or by each dwelling unit owner through an undivided interest in common with all other dwelling unit owners.

- (d) All charges for commercial services are monthly unless specified otherwise. The fair and reasonable charges for commercial service are determined to be as follows:

Two (2) cubic yards:

Emptied 1 time per week: \$92.96
Emptied 2 times per week: \$144.84
Emptied 3 times per week: \$200.21
Emptied 4 times per week: \$231.73
Emptied 5 times per week: \$321.17
Emptied 6 times per week: \$415.76
Extra \$ 26.53

Four (4) cubic yards:

Emptied 1 time per week: \$144.84
Emptied 2 times per week: \$218.15
Emptied 3 times per week: \$301.61
Emptied 4 times per week: \$386.84
Emptied 5 times per week: \$473.79
Emptied 6 times per week: \$615.20
Extra \$37.73

Eight (8) cubic yards:

Emptied 1 time per week: \$218.15
Emptied 2 times per week: \$371.56
Emptied 3 times per week: \$463.61
Emptied 4 times per week \$603.43
Emptied 5 times per week \$761.91
Emptied 6 times per week \$959.64
Extra \$63.58

Front load packers:

Four (4) cubic yards:

Emptied 1 time per week: \$199.68
Emptied 2 times per week: \$399.35
Emptied 3 times per week: \$597.35
Emptied 4 times per week \$802.15
Emptied 5 times per week \$1,000.15
Emptied 6 times per week \$1,199.82
Extra \$43.82

Six (6) cubic yards:

Emptied 1 time per week: \$298.66
Emptied 2 times per week: \$599.11
Emptied 3 times per week: \$901.14
Emptied 4 times per week \$1,199.82
Emptied 5 times per week \$1,500.26
Emptied 6 times per week \$1,800.62
Extra \$65.84

Eight (8) cubic yards:

Emptied 1 time per week: \$395.45
Emptied 2 times per week: \$794.39
Emptied 3 times per week: \$1,188.16
Emptied 4 times per week \$1,588.20
Emptied 5 times per week \$1,984.33
Emptied 6 times per week \$2,378.13
Extra \$91.88

Roll-offs:

Twenty (20) cubic yards, roll-off:

Per Pickup \$171.74

Lease charge, per month: \$155.24

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

Per pickup \$ 171.74

Lease charge, per month \$ 195.21

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

Per pickup \$ 171.74

Lease charge, per month \$331.32

Thirty (30) cubic yards-Compactor:

Per pickup \$ 171.74

Lease charge, per month: Variable

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

Per pickup \$ 171.74

Lease charge, per month \$239.47

Forty-two (42) cubic yards-Compactor:

Per pickup \$171.74

Lease charge, per month: Variable

Additional charges:

Container with casters, per month \$5.13

Container inside fence/container-pickup \$1.71

Additional Yardage Fee \$16.25 per yard for overflowing dumpster

South of I-20 Charge - Front loaders \$17.00 per month

South of I-20 Roll-off \$18.02 per trip

Placement or Relocation Fee (front loaders): \$74.80

Obstruction Charge – Front load- Equal to extra dump fee for customer's container size.

Obstruction Charge - Roll Off \$79.62

Burned Container Fees:

2 cubic yards: \$74.53

4 cubic yards: \$98.64

8 cubic yards: \$125.80

20 cubic yards: \$173.35

30 cubic yards: \$254.98

40 cubic yards: \$345.09

- (e) Obstruction charge. The charge for an extra pickup will be assessed to all commercial accounts that have obstructions in front of containers on the day of pickup that result in return-trips, and also the same charge shall apply for containers being picked up for past due billings.
- (f) Placement charge- Industrial-type containers. There shall be a charge of seventy-eight dollars and ninety-three cents (\$78.93) for the original placement of a container and such charges shall apply if the container must be removed and replaced as result of nonpayment of the customer's bill.
- (g) Deposit. There shall be a customer deposit for service in the amount of one (1) month's bill for service as determined by the agreement between customer and collector to provide service pursuant to this chapter.
- (h) Landfill fees. Landfill fees for roll-off containers shall be forty-eight dollars and fifty-eight cents (\$48.58) per ton, unless modified by a contract with the city.
- (i) Refund policy. Household and commercial customers who have been charged by the City of Grand Prairie for the incorrect collection services rate may be credited for up to six (6) months of overcharges. The credit given will be the difference between the correct month rate and monthly rate actually charged and paid, multiplied by the number of months involved to a maximum of six (6) months. No credit will be given for overcharges that are more than twelve (12) months old.

Sec. 26-119 Same-Rates for disposal.

- (a) The following rates will be charged for disposal at the city landfill:

- (1) Residential rates:
 - a. Residential loads (containing household generated wastes and delivered by household member) one (1) load free per month with current water bill and a picture identification.
 - b. Three dollar (\$3.00) per load without current water bill or after one (1) load free that month.
 - c. The maximum amount that a resident may dispose of per calendar year, at the residential rate, is 5 tons. All weight in excess of 5 tons, shall be billed at the commercial rate.
 - (2) Commercial rates: Commercial loads: contains any waste generated or hauled by a Grand Prairie business, transported by vehicles larger than a one (1) ton truck, or hauled by a resident, who has already disposed of 5 tons in the calendar year.
 - a. Per ton \$40
 - b. Remediated soils per ton \$40.00
 - c. Per cubic yard \$10
 - d. Clean brush or wood, per ton \$22.50
- (b) Additional fees:
- (1) Auto tires (for recycling) – Per tire/no more than 4 tires per trip \$1.00
 - (2) Truck tires (for recycling) – Per tire/no more than 3 tires per trip \$3.00
 - (3) Tractor tires (for recycling) – Per tire/no more than 2 tires per trip \$10.00
 - (4) Livestock, per animal \$15.00
 - (5) Domestic animals, per animal \$5.00

Notes for rates:

- (a) Current water bill means issued within thirty (30) days. Water bill must indicate that resident pays for (subscribes to) residential garbage service in order to gain free access. If City of Grand Prairie water service is not provided to residence, a current bill indicating payment for garbage collection service must be presented to gain free access.
- (b) Loads from apartments or other residences that do not receive curbside or alley collection of residential wastes will not be eligible for any free loads at the landfill. Any and all residential loads from these residences will be subject to the fee of forty dollars (\$40.00) per ton.
- (c) Fees are charged on a per load basis, for example: a pickup (one (1) load) with wastes that is hauling a trailer (one (1) load) with wastes is subject to a fee for two (2) loads on each visit to the landfill.
- (d) Contractors hauling waste from Grand Prairie residences must provide documentation stating where the waste was generated. All contractors will be assessed a bill based on forty (\$40.00) per ton. At no time will a contractor's bill be assessed against the residence where the work is being accomplished. All contractors must have a billable address, or they must use a deposit system established by the operations supervisor or solid waste manager.
- (e) Rented moving trucks (such as U-Haul and Ryder) are considered residential vehicles when driven by a resident.
- (f) Any person bringing garbage from rental property shall be assessed a commercial charge.

SECTION 2. 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 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 4. 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 allpersonal 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 5. 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 6. A violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 7. This ordinance shall be effective, after publication, on October 1, 2022.

FIRST READING OF THE ORDINANCE IS PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THE 6TH DAY OF SEPTEMBER 2022.

SECOND READING PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THE 20th DAY OF SEPTEMBER 2022.

APPROVED:

A handwritten signature in black ink, appearing to read 'Ron Jensen', is written over a horizontal line.

Ron Jensen, Mayor

ATTEST:

APPROVED AS TO FORM:

City Secretary

City Attorney