

ORDINANCE NO. 2021-10486

AN ORDINANCE AMENDING CHAPTER 33 ENTITLED “REFUSE, GARBAGE, AND WEED” SECTIONS 33-30, 33-33, 33-34, and 33-35 OF THE CODE OF CIVIL AND CRIMINAL ORDINANCES OF THE City OF IRVING, TEXAS, PROVIDING FOR NEW SOLID WASTE SERVICES RATES AND FEES; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS:

SECTION 1. That Chapter 33 of The Code of Civil and Criminal Ordinances of the City of Irving, Texas, Sections 33-30, 33-33, 33-42, and 33-35 shall be amended in their entirety to read as follows:

Sec. 33-30. Monthly charges for residences, apartments, and churches.

Each residential owner, apartment unit owner, or church shall pay a regular charge for each month or part thereof for such refuse pickup service, which monthly charge shall be as follows, plus the applicable sales tax:

- (1) One-family residence \$29.50
 - a. One family residence - senior citizen discount rate \$23.60
 - b. One family residence - disabled citizen discount rate\$ 23.60
- (2) Each living unit of a duplex \$29.50
- (3) Each mobile home \$29.50
- (4) Each church \$24.42
- (5) Apartment house rates shall be the same rates set for commercial businesses where refuse bags or mechanical garbage containers are used and placed in a central location, but if such apartment houses require individual and separate pickups for each apartment then the rate shall be \$29.50 for each living unit in each apartment house.

Sec. 33-33. - Roll-off container service.

(a) *Relocation.* A customer may request that a roll-off container be relocated, provided the new location is suitable and approved by the City of Irving Solid Waste Services Department, and upon payment of a fifty-dollar (\$50.00) relocation fee.

(b) *Accessibility.* A customer is required to maintain minimum clearances to provide access to the roll-off container for servicing at all times, as provided in the service agreement, and a fifty dollar (\$50.00) inaccessible fee will be charged, if the staff attempts to collect a container at the customer's location and determines that the container is inaccessible due to the customer's failure to maintain minimum clearances.

(c) *Fees for roll-off containers.* The following charges will apply for the services as designated, based on a standard (less than three months) rental agreement:

Container Size (in yards)	Roll Off Service Fee (14 Days)	Rental Fee (Additional Days)	Additional Disposal Fee
12	\$200.00	10.00/day	\$136.50
20	\$325.00	\$10.00/day	\$266.50
30	\$375.00	\$10.00/day	\$383.50

Sec. 33-34. - City sanitary landfill site.

(a) *Schedule of disposal service charges; disposal of refuse collected outside city limits prohibited.* City of Irving landfill sites shall only be utilized for the disposal of refuse originating within the City of Irving city limits. The following disposal service charges are established for disposing of refuse at the City of Irving sanitary landfill site when said refuse is generated within the city limits of the City of Irving:

(1) The city charges by the ton, when scale is operating, the rate will be, per ton \$48.00

Charge(s) by the ton will be calculated to the nearest one-fourth ($\frac{1}{4}$) ton.

(2) Earth, rocks and inert materials suitable for cover of refuseNo charge

(3) If the scale is not operating a flat fee schedule will be in effect and assessed as follows:

a. Passenger vehicles will be charged the minimum fee of \$12.00.

b. All other vehicles will be charged a cubic yard (CY) fee based on the volume of material being disposed of and by using the current TCEQ established conversion from tons to cubic yards.

(4) Passenger vehicle tires in excess of five (5) per load will be assessed a tire recycling fee of five dollars (\$5.00) per tire.

(b)Schedule of charges for materials sold at the landfill. The city landfill site will sell mulch to residents or businesses. The mulch will be sold at a rate of three dollars (\$3.00) per two (2) cubic foot (CF) bag or twelve dollars (\$12.00) per cubic yard (CY) in bulk form.

(c) *Loads to be secured.* A vehicle and/or trailer accepted into the city landfill site and not constructed with an enclosed transport body shall use another device, such as a net, canvass, covering or tarp to prevent the blowing or spillage of loads. A vehicle not using such a device shall be assessed an anti-litter charge, in addition to the fees above, of twenty dollars (\$20.00) per load.

(d) *Fee free weekends for residents.* The Director may authorize up to two (2) weekends each year where residents can utilize the City of Irving landfill in accordance with applicable law at no cost.

Sec. 33-35. - Applicable taxes.

All rates and fees as provided in this article shall be subject to applicable sales tax.

SECTION 2. That the new rates and fees established by this ordinance shall take effect on October 1, 2021 however, the prior rates and fees shall be in effect for service to said date.

SECTION 3. That nothing in this ordinance shall be constructed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 4. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS, on first reading on September 2, 2021.

RICHARD H. STOPFER
MAYOR

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS, on second and final reading on September 16, 2021.

RICHARD H. STOPFER
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Kuruvilla Oommen
City Attorney