

## ORDINANCE NO. 2025-\_\_

AN ORDINANCE PERTAINING TO UTILITIES, AMENDING SECTION 22-1-4-144, DIVISION 22-1-4, ARTICLE 22-1, CHAPTER 22, LAWTON CITY CODE 2015 BY ADDING EXEMPTIONS FOR RESIDENTS TO DELIVER FOUR LOADS PER CALENDAR YEAR, ONE PER QUARTER, PLACING ADDITIONAL RESTRICTIONS ON THE ELIGIBILITY OF THESE LOAD DELIVERIES, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.

***NOW THEREFORE, BE IT ORDAINED*** BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA:

**SECTION 1.** Section 22-1-4-144 is hereby amended in Chapter 22 of the Lawton City Code to read as follows:

### **22-1-4-144 - Landfill fees-Gate fee-Exceptions.**

A. Fees will be assessed for deliveries at the sanitary landfill at the rate provided in the fee schedule, including ~~a the gate fee and state fee~~ for all deliveries. However, no additional charge shall be assessed for the four (4) loads each calendar year, one (1) load each quarter per active utility account of residential solid waste hauled to the landfill in family passenger cars or family pickup trucks (no more than 3 axles), or on trailers (no more than 30 feet in length) by residents. These load deliveries are limited to residents of single-family dwellings only. Passenger vehicles hauling these loads must either be driven by or accompanied by the resident. Any vehicle with commercial markings or tags will be assessed fees regardless of whether it is accompanied by the resident. The person or persons hauling the solid waste from their own personal residence must be residents of the City of Lawton who are paying for refuse collection services in accordance with the provisions of Section 22-141 of this code and the loads must be properly covered and secured as required by Section 22-408 of this code. Residents desiring to dispose of refuse at no charge (other than the gate and state fees) will be required to present a current city utility bill, reflecting a charge for refuse service and a current driver's license or other state issued or federal identification reflecting either the resident's name or address which matches the utility bill. Residents with accounts that are defined as elderly or disabled in accordance with Section 22-102 of this code shall only be required to present a current city utility bill, reflecting a charge for refuse service. Quarters are defined as January through March, April through June, July through September, and October through December. Residential customers may elect to have assessed landfill fees billed on their utility bill and said fees shall become due and payable on the same dates and time, at the city, where water bills are rendered but shall be shown as a separate item from the water, sewer service and refuse collection charge. Non-residential customers may elect to establish a landfill charge account upon payment of a deposit as outlined in Section 22-1-1-115 of this code. Landfill charge accounts shall be billed monthly and are subject to the same rules and regulations as utility bills in accordance with [Chapter 22](#) of this code.

B.-The city landfill shall not accept hazardous waste or friable asbestos. Non-friable asbestos may be accepted. Friable asbestos is defined as any material that contains one percent (1%) or more

asbestos as determined by EPA approved testing methods that can be crumbled, pulverized or reduced to powder by hand pressure. Non-friable asbestos is defined as any material that contains one percent (1%) or more asbestos as determined by EPA approved testing methods that cannot be crumbled, pulverized or reduced to powder by hand pressure, i.e., gaskets, resilient floor covering, asphalt roofing products. Any asbestos containing materials, including friable asbestos, abated from a private residence is non-regulated and may be disposed of as any other waste material.

C. The city shall assess no charge for the disposal of grass clippings or wood chips delivered to the landfill, provided that the grass clippings and/or wood chips are not contained in plastic bags or other similar containers and are not co-mingled with other waste. Provided further that necessary precautions are taken by landfill patrons to ensure that the grass clippings and/or wood chips are covered and secured in accordance with Section 22-408 of this code.

D. The city may enter into a special written agreement with a new industrial or manufacturing plant located or to be located within the corporate limits of the city which is or will be a user of the city's landfill if such industrial or manufacturing plant generates or anticipates, at the time of the execution of an agreement, to generate a minimum of thirteen (13) tons per day of waste disposable at the city's landfill. The agreement shall establish the conditions of service, rates for the disposal of waste at the landfill, and any other special provisions not specifically addressed by the general provisions of this chapter.

E. Large-volume customers shall receive a reduced landfill fee as provided in the fee schedule. A "large-volume customer" is defined as a landfill customer with an account that delivers solid waste to the city's landfill in a quantity equal to or exceeding two thousand (2,000) tons within one month's billing cycle. Any waste originating from outside the State of Oklahoma that is part of any delivery during the billing cycle shall disqualify the landfill customer from receiving the reduced landfill fee provided for herein.

F. The gate fee authorized in paragraph A of this section and set forth in the fee schedule shall be deposited in a separate account, which shall be nonfiscal and shall be an interest-bearing account if feasible. Three-fifths ( $\frac{3}{5}$ ) of the funds accumulated in the account will be appropriated to the landfill gate fee account. One-fifth ( $\frac{1}{5}$ ) of the funds accumulated in the account will be split equally among the eight (8) wards of the city and shall be used for making improvements to infrastructure in the respective wards including, but not limited to, street and/or sidewalk improvements, drainage structural improvements, park facility improvements, security infrastructure improvements (e.g., Flock Cameras), speed tables, etc., or for the collection of bulk solid waste at properties within the city limits that do not have active utility accounts. The councilmember of each ward will determine the improvements to be made or the bulk solid waste to be collected in his or her ward, in compliance with the contracting/purchasing policies of the city. The remaining one-fifth ( $\frac{1}{5}$ ) will be accumulated in an account that will be appropriated to the public works department to provide litter abatement operations on and adjacent to the landfill and along the primary travel routes that are used to haul solid waste to the landfill.

**SECTION 2.** Severability. 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, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

**SECTION 3.** Emergency. Whereas, it being immediately necessary for the preservation of the peace, health and safety of the City of Lawton and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage, as provided by law.

**ADOPTED AND APPROVED** BY THE COUNCIL OF THE CITY OF LAWTON, OKLAHOMA THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2025.

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STANLEY BOOKER, MAYOR

ATTEST:  
(SEAL)

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DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this \_\_\_\_ day of \_\_\_\_\_ 2025.

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TIMOTHY WILSON, INTERIM CITY ATTORNEY

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**BRIEF GIST**

This ordinance updates the fee schedule to allow residents four (4) free loads to the landfill, one (1) each quarter. It also provides additional restrictions on how those loads can be delivered in an initial attempt to prevent the misuse of these loads for commercial application.

ADOPTED and APPROVED by the City Council of Lawton, Oklahoma this \_\_\_\_ day of \_\_\_\_\_ 2025.

\_\_\_\_\_  
STANLEY BOOKER, MAYOR

ATTEST:

\_\_\_\_\_  
DONALYNN BLAZEK-SCHERLER, CITY CLERK

(Published in the Lawton Constitution this \_\_\_\_ day of \_\_\_\_\_, 2025.)