

ORDINANCE NO. 2011-28

AN ORDINANCE AMENDING ORDINANCE NO. 2010-17, PREVIOUSLY CODIFIED AS ORDINANCE NO. 2002-18 IN THE CITY OF WESLACO CODE OF ORDINANCES AS SECTION 62-54; ESTABLISHING BRUSH RATES TO BE CHARGED FOR THE BRUSH PICK-UP SERVICE TO REFLECT ACCURATE COST OF SERVICE; ESTABLISHING THAT ALL BUSINESS, COMMERCIAL, INDUSTRIAL AND MOBILE HOME/RECREATIONAL INDUSTRIAL AND MOBILE HOME/RECREATIONAL VEHICLE PARKS SHALL BE RESPONSIBLE FOR DISPOSING OF THEIR OWN BRUSH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

SECTION I: BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO, TEXAS, to amend Ordinance No. 2010-17, entitled "Brush Rates," so that after Second and Final Reading of this Ordinance, Section 62-54 of the Weslaco Code of Ordinances, will reflect accurate costs of service and read as follows:

Sec. 62-54. Brush Rates.

- (a) The brush rates hereby established for funding the brush pick-up services shall be applicable for all customers within the city limits, except for those customers included in part (b) of this section, shall be based on the lot frontage of the property served by the customer's water meter, payable monthly and included in the customer's city utility bill. Such monthly rates shall be set as follows:

Lot Frontage (in feet)	Charge
0 to 30.....	\$10.51
30 to 60.....	\$10.51
60 to 90.....	\$13.50
90 and above.....	\$15.95

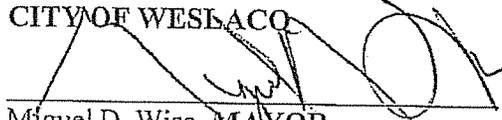
- (b) Business, commercial, industrial and mobile home/recreational vehicle park customers, serviced by a master water meter, shall haul and dump their brush at an appropriate dump site. If they do not have the equipment to haul their brush, they should contract with a responsible third party for these services.

SECTION II: In the event any part of this ordinance is declared invalid, such invalidity shall not apply to the other parts as they are hereby severally established.

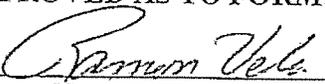
SECTION III: This ordinance shall be in full force after the second and final reading of this ordinance.

PASSED AND APPROVED on first reading at a special meeting of the City Commission this 27 day of September, 2011.

PASSED AND APPROVED on second reading at a special meeting of the City Commission this 18 day of October, 2011.

CITY OF WESLACO  
  
Miguel D. Wise, MAYOR

ATTEST:  
  
Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:  
  
Ramon Vela, CITY ATTORNEY

**ORDINANCE NO. 2011-37**

**AN ORDINANCE AMENDING SECTION 12 OF ORDINANCE NO. 397 TO FIX NEW RESIDENTIAL, COMMERCIAL AND INDUSTRIAL GARBAGE RATES; REQUIRING COMMERCIAL CONTAINERS IN SOME INSTANCES; FIXING A RATE TO BE CHARGED FOR COMMERCIAL CONTAINER ~~GARBAGE COLLECTION~~; AND ORDAINING OTHER MATTERS WITH RESPECT TO THE SUBJECT MATTER HEREOF.**

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF WESLACO:**

**Section I.** Section 12 of Ordinance No. 397, passed and approved on the 7th day of September 1965, and as subsequently amended, is amended to establish new rates for garbage collection within the City of Weslaco. So that after second and final reading of Section 12 of Ordinance No. 397 shall read as follows:

**ARTICLE II. CHARGES FOR COLLECTION\***

**Sec. 15-34. Charge for removal.**

It is the express intent and purpose of this chapter to fairly, reasonably, and equitably apportion the costs of the collection and removal of garbage and trash within the city limits. In computing the charge made to any residence, duplex, triplex, apartment house, tenement house, or trailer court as unit, all apartments, tenements or trailers therein shall be deemed to be occupied unless the water meter serving the building is disconnected. In all cases, if a water meter is in service the house and all apartments or units served by that meter shall be deemed to be occupied.

**RESIDENTIAL**

The rate for residential garbage collection shall be fifteen dollars and five cents (\$15.05) per container, per month, If a residential lot has more than one (1) family dwelling unit located thereon, other than in apartments, the above basic rate shall apply, plus a minimum of two dollars and seventy-nine cents (\$2.79) per month for each additional family dwelling unit thereon.

**APARTMENT HOUSES**

The rate for apartments, where all apartments are on one (1) water meter shall be the same as the applicable residence rate, plus a minimum of two dollars and seventy-nine cents (\$2.79) per month for each apartment unit in excess of one (1), whether or not all of such units are rented.

Where apartments have separate water meters the rate shall be a minimum of four dollars and seventy-five cents (\$4.75) per month for each apartment or unit in excess of one (1), plus the

applicable residential rate.

**TRAILERS OR MOBILE HOME UNITS**

The minimum charge for trailers or mobile home units shall be one dollar and ninety-five cents (\$1.95) for each available space provided.

**ROOMING HOUSES**

The basic residence rate shall apply to rooming houses, If kitchen facilities are made available to the individual rooms in the rooming house, an additional two dollars and seventy-nine cents (\$2.79) per month shall be charged for each room having a kitchen facility in said room.

**BUSINESS, COMMERCIAL AND INDUSTRIAL**

(a) No business, commercial or industrial account shall be permitted to utilize more than six (6) containers, as defined in Section 15-6, regardless of the number of garbage pickups per week. Should six (6) standard containers be insufficient to accommodate the volume of trash generated by such account, such account shall be required to utilize a commercial container for garbage collection, such commercial container to be supplied by the city, the size of such container being dependent upon the volume of garbage generated, and the rates for commercial container pickups to be as hereinafter provided.

(b) For those commercial, industrial and business accounts whose volume of garbage can be accommodated by not more than six (6) standard containers, the rate shall be fifteen dollars and five cents (\$15.05) per container per month with 2 pickups per week, or as follows:

<i>Number of Pickups Per Week</i>	<i>Monthly Rate</i>
2	\$15.05
3	\$45.14
4	\$75.24
5	\$105.34
6	\$150.48

(c) For those business, commercial or industrial accounts required hereby to utilize a commercial container, the following rate schedule shall apply.

	<i>Volume of Container (Cubic yards)</i>					
	<i>Number of Pickups Per Week</i>					
	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
2	68.04	133.06	195.00	254.28	314.88	375.47
3	78.63	144.13	209.68	275.20	340.70	406.24
4	90.24	173.25	255.60	336.28	418.96	501.63

6	131.87	240.57	316.20	415.01	513.81	611.31
8	155.08	284.03	357.48	492.73	610.01	727.24

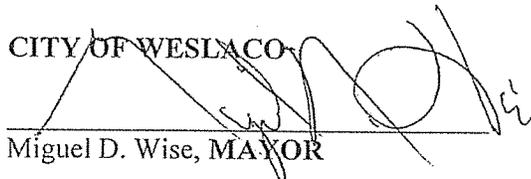
30 Cubic yard will be charged \$162.64 per haul plus \$32.29 per ton for disposal plus \$4.90 per day rental. The daily rental fee will be waived if hauled at least twice per month.

The monthly charge or rate for the collection and removal of garbage, trash and rubbish, and recyclables by the City of Weslaco from school districts shall be based on the business, commercial and industrial rates as prescribed.

**Section II.** Except as heretofore and herein amended, the remaining provisions of Section 12 of Ordinance No. 397 shall apply with full force and effect.

**PASSED AND APPROVED** on first reading at a regular meeting of the City Commission this 15<sup>th</sup> day of November, 2011.

**PASSED AND APPROVED** on second reading at a regular meeting of the City Commission this 6<sup>th</sup> day of December, 2011.

CITY OF WESLACO  
  
Miguel D. Wise, MAYOR

ATTEST:

  
Elizabeth M. Walker, CITY SECRETARY

APPROVED AS TO FORM:

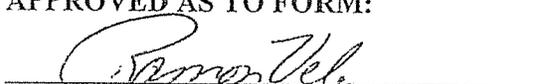
  
Ramon Vela, CITY ATTORNEY

EXHIBIT "C"

**Residential**

City of Weslaco Charge per Month

Bid Amount

\$15.05

Plus \$2.79 per month for additional Family Dwellings

**Business, Commercial and Industrial**

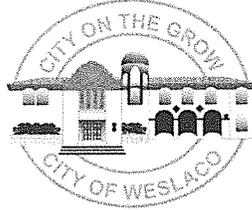
Franchise fee to City of total collected for Business, Commercial  
and Industrial Collected

\_\_\_\_\_ %

**EXHIBIT "D"**

# City of Weslaco

*"The City on the Grow"*



David Suarez, Mayor  
 Olga M. Noriega, Mayor Pro-Tem, District 3  
 David R. Fox, Commissioner, District 1  
 Greg Kerr, Commissioner, District 2  
 Gerardo "Jerry" Tafolla, Commissioner, District 4  
 Lupe V. Rivera, Commissioner, District 5  
 Fidel L. Pena, III, Commissioner, District 6

Mike R. Perez, Interim City Manager

RESIDENTIAL	9127
RESIDENTIAL W/ 2 CARTS	213
RESIDENTIAL W/3 CARTS	9
RESIDENTIAL W/4 CARTS	2

**PICK UP FOR RESIDENTIAL CUSTOMER IS TWICE A WEEK (MON AND THUR)**

**REVENUE: \$122,003.18**

COMMERCIAL CUSTOMERS	1 P/U	2 P/U	3 P/U	4 P/U	5 P/U	6 P/U
COMMERCIAL						
2 YD	28	2				
3 YD	111	46	9	1	3	
4 YD	70	42	29	3	5	5
6 YD	24	16	10	4	1	1
8 YD	28	29	26	7	10	4

**REVENUE: \$176,014.63**