

ORDINANCE NO. 2021-23

AN ORDINANCE OF THE CITY OF OVILLA, TEXAS, AMENDING APPENDIX "A" (FEE SCHEDULE), SECTION A7.001 (GARBAGE COLLECTION FEES), OF THE CITY OF OVILLA CODE OF ORDINANCES, PROVIDING AMENDED RESIDENTIAL AND COMMERCIAL GARBAGE COLLECTION FEES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERANCE CLAUSE; PROVIDING FOR INCORPORATION INTO THE OVILLA CODE OF ORDINANCES; PROVIDING FOR IMMEDIATE EFFECT; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Ovilla provides garbage collection services by and through a contractual agreement with a private garbage collection service (herein the "Contractor"); and

WHEREAS, the City's contract with the Contractor provides for annual fee increases for garbage collection services; and

WHEREAS, the City has not raised the garbage collection fees it charges to residents since 2018, despite having incurred annual rate increases from the Contractor; and

WHEREAS, the Contractor has again increased its garbage collection fees; and

WHEREAS, the City Council finds and determines that it must raise its residential and commercial garbage collection fees as set forth herein.

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

SECTION 1. AMENDMENT OF APPENDIX A, SECTION A7.001 OF THE OVILLA CODE OF ORDINANCES

Appendix A, Section A7.001(a) and (b) of the Ovilla Code of Ordinances is hereby amended to read as follows:

**Sec. A7.001 Solid Waste Collection Fees –**

(a) Residential. Each residential property having a water meter shall be assessed a fee of \$16.85 per month; provided, however, if one of the record property owners is over the age of 65 years, such residential property having a water meter shall be assessed a fee of \$15.47 per month.

(b) Commercial. Each commercial property shall be assessed a fee for commercial hand load or will be charged a commercial dumpster rate determined by size and frequency of collections. All charges will subject to all taxes and any applicable fees.

(1) Commercial hand collection:

(A) Per 95-gallon polycart 1 x per week: \$\$26.75

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(B) 2 carts 1 x per week: \$53.50

(2) Commercial Rate Schedule:

Size Container	1 x Week	Additional Container
2 CU Yd	\$94.09	\$41.43
3 Cu Yd	\$107.62	\$42.65
4 Cu Yd	\$134.54	\$43.87
6 Cu Yd	\$161.41	\$46.35
8 Cu Yd	\$202.03	\$47.54
10 Cu Yd	Negotiable	Negotiable

(3) Commercial roll-off accounts:

(A) Roll-off containers open top (including disposal costs):

	20 cubic yard per haul-weekday	\$510.06
	30 cubic yard per haul-weekday	\$522.77
	42 cubic yard per haul -weekday	\$560.83
	Delivery and exchange	\$125.68
	Weekly container rental	\$42.02

(B) Compactors weekday rental (including disposal costs):

	30 cubic yard compactor haul charge	\$522.77
	35 cubic yard compactor haul charge	\$522.77
	42 cubic yard compactor haul charge	\$522.77

\* \* \*

**SECTION 2. SAVINGS CLAUSE**

In the event that any other Ordinance of the City of Ovilla, Texas, heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

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SECTION 3. SEVERANCE CLAUSE

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

SECTION 4. INCORPORATION INTO THE CODE OF ORDINANCES

The provisions of this ordinance shall be included and incorporated in the City of Ovilla Code of Ordinances and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect January 1, 2022, and the charges under the new rates established hereby shall be reflected in water customers' February 2022 water bills and thereafter until amended or revised by a future ordinance.

SECTION 6. PUBLICATION

The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

**PASSED, APPROVED and ADOPTED** by the City Council of Ovilla, Texas on this the 08<sup>th</sup> day of November 2021.



Richard Dormier, Mayor

ATTEST:



G Miller, Interim City Secretary



APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney

**CWD Increase as of 01-01-22**

**Rate increase on Expense paid to CWD**

	Current Monthly Rate	New Rate as of Jan. 1, 2022	Increase Per Customer	Number of Customers	Monthly Increase	New Total per Month
Residential Trash	14.93	16.5	1.57	1556	2,442.92	25,674.00
Commercial Trash	22.17	24.43	2.26	11	24.86	268.73
Other Services	47.9				50.00	600.00
Monthly Increase					2,467.78	26,542.73
					9	9
Increase from Jan. to Sept.					22,210.02	238,884.57
FY2022 Budget 285,000 Less Oct-Dec. Expenses (23,750.00 time 3 months)						213,750.00
Deficit with no new customers, no extra roll off containers or brush						(25,134.57) for 9 Months

**Current Revenue Collected from Customers for One Month**

	Current Rates	Number of Customers	Total Revenue from Residential	Total Expense from CWD for Residential & Commercial	Difference From Trash Rev. to Expense for one Month
Current Ovilla Residential Rates	15.85	1310	20,763.50		
Current Ovilla Senior Rates	14.59	243	3,545.37		
Current Commercial Trash	25.23	11	277.53		
<b>Total Amount Collected on Current Rates</b>		<b>1564</b>	<b>24,586.40</b>	<b>25,942.73</b>	<b>(1,356.33) Per Month</b>

**Option #1 to Increase Cost for Residential, Seniors & Commercial Customers- COUNCIL CHOICE 11-08-2021**

	Current Rates	Proposed New Rates	Number of Customers	Total Revenue from Residential	Total Expense from CWD for Residential & Commercial	Difference From Trash Rev. to Expense
Current Ovilla Residential Rates	15.85	16.85	1310	22,073.50		
Current Ovilla Senior Rates	14.59	15.47	243	3,759.21		
Current Commercial Trash	25.23	26.75	11	294.25		
<b>Total Amount Collected on Current Rates</b>			<b>1564</b>	<b>26,126.96</b>	<b>25,942.73</b>	<b>184.23 Per Month</b>

**Option #2 to Increase Cost for Residential & Commercial Customers and no Increase to Seniors**

	Current Rates	Proposed New Rates	Number of Customers	Total Revenue from Residential	Total Expense from CWD for Residential & Commercial	Difference From Trash Rev. to Expense
Current Ovilla Residential Rates	15.85	17.00	1310	22,270.00		
Current Ovilla Senior Rates	14.59	14.59	243	3,545.37		
Current Commercial Trash	25.23	26.75	11	294.25		
<b>Total Amount Collected on Current Rates</b>			<b>1564</b>	<b>26,109.62</b>	<b>25,942.73</b>	<b>166.89 Per Month</b>