

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE CODE OF ORDINANCES OF THE CITY, CHAPTER 66 (SOLID WASTE), ARTICLE II (COLLECTION AND DISPOSAL), DIVISION 2 (SERVICE CHARGE), SECTION 66-52 TO INCREASE THE MANDATORY MONTHLY FEE FOR GARBAGE COLLECTION, HAULING AND DISPOSAL (CURBSIDE PICKUP) FROM EACH RESIDENTIAL UNIT WITHIN THE TOWN FROM \$12.56 TO \$13.24; PROVIDING THAT SUCH INCREASED RATE SHALL BE EFFECTIVE NOVEMBER 1, 2022 AND REFLECTED IN THE DECEMBER 2022 BILLING CYCLE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison (“City”) charges a monthly fee for residential solid waste collection services as authorized in Chapter 66 of the City’s Code of Ordinances and in conformance with the City’s current agreement for third-party residential collection services (the “Service Agreement”); and

WHEREAS, the City Council has determined that it is necessary to increase the monthly fee charged for residential solid waste collection in conformance with the Service Agreement, effective November 1, 2022; and

WHEREAS, the City Council has determined that the passage of this ordinance is in the best interest of the health, safety, and welfare of the public.

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

SECTION 1. The above and foregoing recitals are true and correct and are incorporated herein and made a part of this Ordinance.

SECTION 2. The Code of Ordinances of the Town of Addison, Texas, Chapter 66 (Solid Waste), Article II (Collection and Disposal), Division 2 (Service Charge), Section 66-52 (Single dwelling units) is hereby amended to read in its entirety as follows:

“Section 66-52. – Residential Units.

- (a) All owners, occupants, tenants or lessees of residential units receiving solid waste and recycling collection services shall be charged a mandatory monthly fee for garbage collection, hauling and disposal as follows:

Curbside pickup for each residential unit, exclusive of sales tax and applicable state fees . . . \$13.24.”

- (b) As used in subsection (a), above, the term *residential unit* shall mean a residential dwelling within the corporate limits of the town having an individual water meter,

generally intended for single-family occupancy.”

SECTION 3. The change in the mandatory monthly fee for garbage collection, hauling and disposal from residences as set forth in Section 1 above shall become effective on November 1, 2022 and shall be applied to monthly customer bills beginning with the December 2022 billing cycle.

SECTION 4. This Ordinance shall be cumulative of all other ordinances of the Town and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 5. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed such remaining portion of this Ordinance despite such invalidity, which remaining portion shall remain in full force and effect.

SECTION 6. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas on this 25th day of OCTOBER 2022.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Whitt Wyatt, City Attorney