

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 12.5, “ENVIRONMENTAL PROTECTION AND COMPLIANCE”, OF THE CODE OF THE CITY OF FORT WORTH (2015), AS AMENDED, BY AMENDING THE OUT-OF-CYCLE- AND CONTAMINATED BULKY WASTE PILE COLLECTION RATE IN ARTICLE VIII “SOLID WASTE AND RECYCLING”, DIVISION 4 “DEPOSITS, RATES AND COLLECTION”, SECTION 12.5-841.1 “RESIDENTIAL COLLECTIONS FEES”, TO INCREASE THE RATE; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; REPEALING ALL ORDINANCES AND PROVISIONS OF THE FORT WORTH CITY CODE IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 12.5-841(a) of the City Code provides that the City Council shall establish rates for solid waste collection services; and

WHEREAS, and the Code provides that the City shall charge customers for the solid waste services received pursuant to such rates; and

WHEREAS, on October, 26, 2004 under Ord. No. 16188, City Council adopted and approved rates regarding the collection of out-of-cycle bulky waste and brush piles, oversized bulky waste and brush piles pay bags and violation tags; and

WHEREAS, the City has not increased the out-of-cycle and contaminated bulky waste pile collection rate in 12.5-841.1 of the City Code since 2004; and

WHEREAS, the City seeks to increase the out-of-cycle and contaminated bulky waste pile collection rate in 12.5-841.1 to address the increased administrative costs related to the out-of-cycle and contaminated bulky waste piles.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH:

SECTION 1.

Chapter 12.5, “Environmental Protection and Compliance”, Article VIII, “Solid Waste and Recycling”, Division 4, “Deposits, Rates and Collection”, Section 12.5-841.1, “Residential Collection Fees”, of the Code of the City of Fort Worth (2015), as amended, is hereby amended to increase the out-of-cycle and contaminated bulky waste pile collection rate, to read as follows:

12.5-841.1 RESIDENTIAL COLLECTION FEES

Out-of-cycle and contaminated bulky waste pile collection	\$123.52 per 5 cubic yards and \$107.40 per 5 cubic yards thereafter, up to 30 cubic yards (\$123.52 shall be minimum charged to household)
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The rates for all other services in Section 12.5-841.1 shall remain the same.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of the City of Fort Worth, Texas (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

This ordinance shall take effect on April 1, 2022.

APPROVED AS TO FORM AND LEGALITY: ATTEST:

Christopher Austria
Assistant City Attorney

Jannette S. Goodall
City Secretary

ADOPTED: _____

EFFECTIVE: _____