

**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 ARTICLE VIII “SOLID WASTE AND RECYCLING”, DIVISION 4 “DEPOSIT, RATES AND COLLECTION”, SECTION 12.5-841.2 “COMMERCIAL GARBAGE COLLECTION FEES” TO INCREASE THE COMMERCIAL GARBAGE COLLECTION RATES; 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**, the City Code Section 12.5-841(a) provides that the City Council shall establish rates for solid waste collection services; and

**WHEREAS**, on August 7, 2003, under M&C No. G-14046, the City Council adopted ordinance No. 15632, establishing a variable rate structure for commercial garbage services based on frequency of service effective September 1, 2003; and

**WHEREAS**, on October 26, 2004, under M&C No. G-14564, the City Council adopted ordinance No. 16188, which amended section 12.5 of the City Code by adding section 12.5-841.2 Commercial Garbage Collection Fees and adopted rates; and

**WHEREAS**, since the adoption of 12.5-841.2, the commercial garbage collection rates have not increased; and

**WHEREAS**, the City wishes to increase the commercial garbage collection rates to help recover the cost of the City having to administer the Solid Waste program, and to continue to provide services that benefit the commercial businesses and community.

**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 12.5-841.2, “Commercial Garbage Collection Fees” of the Code of the City of Fort Worth (2015), as amended, is hereby amended to increase the monthly rates, to read as follows:

**12.5-841.2 COMMERCIAL GARBAGE COLLECTION FEES**

The following commercial garbage collection fees are adopted based on ninety-six-gallon carts:

<b>Frequency of Service</b>	<b>Monthly Rate (Plus Sales Tax)</b>
1 × per week	\$38
2 × per week	\$49
3 × per week	\$64
4 × per week	\$81
5 × per week	\$101
6 × per week	\$125

**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

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Jannette S. Goodall  
City Secretary

ADOPTED: \_\_\_\_\_  
EFFECTIVE: \_\_\_\_\_