

An Ordinance of the City of Plano, Texas, amending Section 18-32, Collection within city limits, of Article II, Collection Charges, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, Texas, to increase certain collection and disposal rates; amending Section 18-36, Downtown collection accommodation and rates, of Article II, Collection Charges, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, Texas, to increase the downtown collection rates and the number of power washes for solid waste enclosures; and providing a repealer clause, a severability clause, a savings clause, and an effective date.

WHEREAS, on September 23, 2024, the City Council of the City of Plano enacted Ordinance No. 2024-9-13, codified as Section 18-32, Collection within city limits, of Article II, Collection Charges, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, Texas, establishing a schedule of rates and charges for the collection and disposal of solid waste from residential and commercial customers within the City; and

WHEREAS, on November 12, 2011, the City Council of the City of Plano enacted Ordinance No. 2011-11-8, codified as Section 18-36, Downtown collection accommodation and rates, of Article II, Collection Charges, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, Texas, establishing downtown collection accommodation and rates; and

WHEREAS, the schedule of rates and charges for solid waste collection and disposal and downtown collection rates must be reviewed and adjusted periodically to address increased operational costs; and

WHEREAS, the City staff finds it necessary to increase power washing of enclosed areas around the downtown service containers to protect the health and safety of the public; and

WHEREAS, the City Council of the City of Plano, after consideration of the recommendations of staff and all matters attendant and related thereto, is of the opinion that the recommended changes are in the best interest of the City and its citizens and will promote health, safety, and welfare of the citizens of Plano and the general public.

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

Section I. Section 18-32, Collection within city limits, of Article II, Collection Charges, of Chapter 18, Solid Waste of the Code of Ordinances of the City of Plano, Texas, is hereby amended to read in its entirety as follows:

"Sec. 18-32. Collection within city limits.

(a) *Rates for collection and disposal.* The following schedule of rates for the collection and disposal of solid waste, landscape waste, bulky waste, household

hazardous waste collection and the collection and processing of recyclable materials for residential and non-franchisee commercial customers is hereby adopted:

- (1) Residential rates. To provide an economic incentive for recycling, the City of Plano has implemented a variable rate system that charges residential and non-franchisee commercial customers based on the size of their residential solid waste container, as follows:
 - a. Single-family residence utilizing a 95-gallon residential solid waste container: \$25.60 per month
 - b. Single family residence utilizing a 68-gallon residential solid waste container: \$18.32 per month
 - c. Duplex, per unit: \$25.60 per month
- (2) Non-Franchisee commercial rate per month \$32.45
- (3) Non-Franchisee commercial customers generating no more solid waste than can be contained in one City provided ninety-five (95) gallon residential solid waste container per week may receive collection from the Environmental Waste Services Division. This service may also be available to those non-franchisee commercial customers whose physical location prohibits the use of two cubic yard or larger containers.
- (4) Downtown Non-Franchisee Commercial Customers. Special collection services are provided to downtown non-franchisee commercial customers in the following categories: small generator, medium generator, and large generator. The rates and charges associated with these services are determined by the Environmental Waste Services Division.
- (5) All other commercial customers, regardless of the amount generated, shall be serviced only by the City's authorized commercial contractor. Mobile homes and trailer parks shall also be serviced by the City's authorized commercial contractor, either by container or through the collection of disposable containers.
- (6) Residential and non-franchisee commercial customers requesting additional bulky waste collections, over and above the one bulky waste collection per month, shall be charged a minimum of twenty dollars (\$20.00) per collection or ten dollars (\$10.00) per cubic yard, whichever is greater. Volume of the bulky waste collection will be based on the dimensions of the pile as estimated by the Director or their designee.
- (7) If a residential or non-franchisee commercial account serviced by

the City shall continually generate more solid waste than can be placed in one 95-gallon residential container on a weekly basis, an additional container shall be obtained from the City. That residential or non-franchisee commercial account will be charged an additional twenty-one dollars and thirty-three cents (\$21.33) per month for each additional container plus a fifteen-dollar (\$15.00) delivery fee for each additional 95-gallon containers.

- (8) If any residential container is lost or damaged beyond repair as a result of the occupant's neglect or misuse, the Director of Public Works or his/her designee will determine the replacement fee based on the current cost of a replacement container from the vendor. A fifteen-dollar (\$15.00) delivery fee will also be charged.
- (9) The type of solid waste collection service for new customers shall be determined by the Director of Public Works or his/her designee, in accordance with the requirements of this section.
- (10) Upon approval from the Director of Public Works or his/her designee and in accordance with the guidelines for providing service to undeveloped areas, the City shall provide solid waste collection service to property within the City that has not previously received such services. Once a previously un-served area within the City is approved for service, all residential customers in such area shall receive collection services by the Environmental Waste Services Division and shall pay solid waste collection and disposal rates in accordance with this section.
- (11) *Reserved.*
- (12) *Reserved.*
- (13) *Reserved.*

(b) *Continuous Service.* In accordance with this Section, all property located within the corporate city limits of the City of Plano with an active utility account shall be required to pay the monthly solid waste collection and disposal rate as set out herein.

(c) *Pro rata billing.* Customers who request to commence, transfer, or terminate any residential or commercial account for utility service within a billing cycle shall be charged based on the number of days service was provided.”

Section II. Section 18-36, Downtown collection accommodation and rates, of Article II, Collection Charges, of Chapter 18, Solid Waste of the Code of Ordinances of the City of Plano, Texas, is hereby amended to read in its entirety as follows:

“Sec. 18-36 Downtown Collection Accommodation and Rates.

(a) *Monthly rates.* Downtown merchants south of 15th Street are required to utilize shared solid waste service containers as designated by the City of Plano. The City will provide designated containers for shared use including both recycling and solid waste in a centralized location. Merchants will be charged monthly by the City of Plano based on the use and floor area of the building occupied. Service rates are established as follows:

- (1) Restaurants with less than 1,000 square feet of floor area will be charged \$0.066 per square foot per month.
- (2) Restaurants with 1,000 square feet or more of floor area will be charged \$0.103 per square foot per month.
- (3) Businesses designated as retail or office with less than 1,000 square feet of floor area will be charged fifteen dollars and sixty-eight cents (\$15.68) per month.
- (4) Businesses designated as retail or office with 1,000 square feet or more of floor area, will be charged forty-five dollars and seventy-six cents (\$45.76) per month.
- (5) Businesses designated as retail or office with more than eleven thousand (11,000) square feet of floor space will be charged two hundred fifty-five dollars (\$255.00) per month.

(b) *Sanitary maintenance.* Merchants that fail to place discarded items completely in solid waste containers may be charged a clean up fee of fifty dollars (\$50.00) per incident. All clean up fees will be included in the utility bill of the responsible merchant.

(c) *Power washing.* Downtown solid waste enclosures will be power washed once per month, as needed in order to maintain a sanitary enclosure. In the event additional power washing of the solid waste enclosure becomes necessary due to excessive spillage or leakage caused by downtown merchants, the City will include the power washing fee in the utility bill of the responsible merchant.

(d) *Appeal to Director of Public Works.* Any merchant assessed a fee on their utility bill for sanitary maintenance or power washing may appeal in writing to the Director of Public Works (“Director”) of the City of Plano within 60 calendar days of receiving their utility bill. An appeal of the charges filed pursuant to this section shall clearly state the reason and factual basis for the appeal. The Director or designee will hear the appeal within 10 calendar days of the receipt of the written notice of appeal. Appeals not filed within the 60 daytime period are waived.

(e) *Issuance of decision by Director.* A decision from the Director or designee shall be issued within 10 calendar days of hearing the appeal. The Director or designee's decision is final and cannot be appealed.

(f) *Failure to pay charges.* Failure to pay power washing charges assessed pursuant to this section shall not be grounds for termination of utility services; however, the City will pursue all available collection remedies allowed by law."

Section III. The rates in Sections 18-32 and 18-36 established pursuant to this Ordinance shall be effective for all billings incurred on and after October 1, 2025.

Section IV. All provisions of the Ordinances of the City of Plano, Texas, codified or uncodified, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Plano, Texas, codified or uncodified, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section V. 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, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section VI. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this Ordinance.

Section VII. This Ordinance shall become effective October 1, 2025.

PASSED AND APPROVED on the 16th day of September, 2025.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY