

An Ordinance of the City of Plano, Texas, repealing in its entirety Ordinance No. 2021-11-7, codified as Section 18-34 of Article II, Commercial Container Rates, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, Texas and enacting this new Section 18-34 of Article II, Commercial Container Rates, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, establishing a revised schedule of rates and charges for solid waste disposal and collection applicable to commercial accounts; providing a repealer clause, a severability clause, and an effective date.

WHEREAS, on November 22, 2021, the City Council of the City of Plano enacted Ordinance No. 2021-11-7, which was codified as Section 18-34 of Article II, Commercial Container Rates, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, revising the schedule of rates and charges for the collection and disposal of solid waste from commercial customers within and outside the City and repealing Ordinance No. 2020-11-9, which had established the prior rate structure in Section 18-34; and

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

WHEREAS, upon recommendation of staff and upon full review and consideration of all matters thereto, the City Council hereby finds and determines that it is necessary to revise the schedule of rates and charges for solid waste collection and disposal, as hereinafter provided, and that such revised schedule of rates and charges is reasonable and in the best interest of the City of Plano and its citizens.

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

Section I. Ordinance No. 2021-11-7, codified as Section 18-34 of Article II, Commercial Container Rates, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, Texas, is hereby repealed in its entirety.

Section II. Section 18-34 of Article II, Commercial Container Rates, of Chapter 18, Solid Waste, of the Code of Ordinances of the City of Plano, Texas is enacted to read as follows:

"Sec. 18-34. Commercial container rates.

(a) The collection and disposal of solid waste from commercial accounts in the City of Plano shall only be performed by those commercial contractors authorized by the City Council to conduct such business within the City of Plano.

(b) The following rates and charges as set forth in the schedule below are hereby established as the maximum rates that may be charged by an authorized commercial contractor for collection, transportation and disposal of solid waste pursuant to that commercial contractor's contract with the City:

- (1) Rates for commercial container service for containers with a volume between two (2) cubic yards and eight (8) cubic yards shall be as follows plus a one-time delivery charge of one hundred forty-two dollars and five cents (\$142.05):

<u>SIZE OF CONTAINER</u>	<u>SERVICE</u>	<u>MONTHLY CHARGES</u>
2 Cu. Yd.	1 x Week	\$70.47
	2 x Week	\$109.05
	3 x Week	\$163.55
	4 x Week	\$202.70
	5 x Week	\$244.73
	6 x Week	\$302.58
	Extras	\$55.66
3 Cu. Yd.	1 x Week	\$93.09
	2 x Week	\$169.88
	3 x Week	\$236.20
	4 x Week	\$279.99
	5 x Week	\$357.33
	6 x Week	\$426.38
	Extras	\$59.60
4 Cu. Yd.	1 x Week	\$112.87
	2 x Week	\$197.86
	3 x Week	\$282.68
	4 x Week	\$368.70
	5 x Week	\$472.01
	6 x Week	\$563.39
	Extras	\$65.51
6 Cu. Yd.	1 x Week	\$155.66
	2 x Week	\$279.99
	3 x Week	\$403.65
	4 x Week	\$544.48
	5 x Week	\$686.38
	6 x Week	\$851.61
	Extras	\$73.79
8 Cu. Yd.	1 x Week	\$202.70
	2 x Week	\$355.27
	3 x Week	\$528.48
	4 x Week	\$713.46
	5 x Week	\$852.24
	6 x Week	\$1,008.57
	Extras	\$83.41

- (2) Rates for commercial compactors with a volume between two (2) cubic yards and eight (8) cubic yards shall be as follows plus a onetime delivery charge of one hundred forty-two dollars and five cents (\$142.05):

<u>SIZE OF CONTAINER</u>	<u>COMPACTORS SERVICE</u>	<u>MONTHLY CHARGES</u>
2 Cu. Yd. Compactor	1 x Week	\$180.98
	2 x Week	\$355.79
	3 x Week	\$532.13
	Extras	\$56.37
4 Cu. Yd. Compactor	1 x Week	\$273.08
	2 x Week	\$544.27
	3 x Week	\$811.66
	Extras	\$72.79
6 Cu. Yd. Compactor	1 x Week	\$462.17
	2 x Week	\$924.31
	3 x Week	\$1,386.48
	4 x Week	\$1,848.64
	5 x Week	\$2,310.77
	6 x Week	\$2,772.92
	Extras	\$83.19
8 Cu. Yd. Compactor	1 x Week	\$616.18
	2 x Week	\$1,232.31
	3 x Week	\$1,848.48
	4 x Week	\$2,464.57
	5 x Week	\$3,080.76
	6 x Week	\$3,696.91
	Extras	\$110.92

- (3) Rates for container service for open top containers and compactors with a volume in excess of eight (8) cubic yards will be determined and paid based on haul charges plus a per ton disposal charge that is established annually by the North Texas Municipal Water District (NTMWD). Haul charges are determined based on established zip codes that reflect the contractor's transportation costs using time/distance from the service location to the disposal site. A minimum haul charge of two hundred ten dollars and twenty-four cents (\$210.24) will be assessed for disposal at one of NTMWD's three transfer stations or the appropriate zip code charge associated for disposal at the NTMWD RDF 121 Landfill site. Customers renting containers will be charged a delivery fee and per day rental fee. Haul rates and associated fees shall be as follows:

HAUL FEES BY ZIP CODE

75074	75024	75093	DELIVERY	DAILY RENTAL	MONTHLY RENTAL
75023	75075				
75025					
75094					
\$308.31	\$369.98	\$431.63	142.05	\$6.04	\$181.33

DISPOSAL FEE: \$43.35 per ton

- (4) Reserved.
- (5) In addition to the rates specified in subsections (b)(1) and (b)(3) above, there will be a delivery charge of one hundred forty-two dollars and five cents (\$142.05) for each temporary or on-call container delivered. "Temporary service" shall be defined as service of duration of less than one year.
- (6) All rates for solid waste services are subject to the appropriate state taxes.
- (7) Charges for damages to commercial solid waste containers not caused by the authorized commercial contractor, and charges for replacement of such containers at more frequent intervals than approved by the City Council shall be set forth in the performance standards for the authorized commercial contractor as referenced in the commercial franchise agreement.
- (8) In addition to the charges hereinabove specified, the following additional fees and charges are authorized:

FRONT LOADER FEES:

Casters	\$5.68 per lift
Locks	\$2.85 per lift
Gates	\$2.85 per lift
Exchange	\$142.05
Extra Yardage	\$ 46.60
Relocation	\$ 85.24
Removals	\$142.05

ROLL-OFF FEES:

Dry Run	\$193.19
Liner	\$ 39.77
Relocate	\$142.05
Removal	\$142.05
Wash	\$284.11

RETURN CHECK CHARGE: \$ 35.00

FEE FOR LATE PAYMENT: 1.5% per month for balance due over 30 days."

Section III. The rates established in Section 18-34 shall be effective for all billings rendered on and after December 1, 2022.

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

Section V. It is hereby declared to 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. This Ordinance shall become effective immediately upon its passage as required by law.

DULY PASSED AND APPROVED this 28th day of November 2022.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY