

Ordinance amending Chapter 21 of the Code of Ordinances regarding solid waste collection and disposal by clarifying definitions, combining sections, establishing a resource recovery fee for hazardous cart collection, and revising language where necessary; providing for severance, publication, and an effective date.

WHEREAS, the City of Corpus Christi ("City"), following the acquisition of land in the mid-1990's to establish and operate a new 100-year expected life municipal landfill, to be known as the Cefé Valenzuela Landfill, pursued the required statutory permitting of the new landfill and planned for the closure of the existing J. C. Elliott Landfill and conversion to use as a City solid waste transfer station site within the municipal landfill system;

WHEREAS, in order to provide for a comprehensive and functional municipal solid waste system to be utilized by all residents and businesses in the City, to include a mechanism for grinding brush, receiving and properly disposing of household hazardous waste, and increasing the volume of recycled waste being collected annually, the City enacted the necessary ordinance provisions to establish fees and charges and incorporated operating procedures to address the orderly, efficient, and sanitary disposal of all solid waste generated within the City;

WHEREAS, the City issued bonds and other municipal debt financing measures to provide for the development of the Cefé Valenzuela Landfill and closure and conversion of J. C. Elliott Landfill based on a methodology for waste acceptance that ensures a continuous and consistent positive rate of return for City taxpayers that is sufficient to reduce landfill debt, offset necessary expenses, and achieve cost savings through the acceptance of greater waste volumes;

WHEREAS, in accordance with the purposes and goals of operating and maintaining a comprehensive municipal solid waste system, the City desires to amend provisions of Chapter 21 of the City's Code of Ordinances to revise language where necessary, correct and clarify language, and combine various sections pertaining to solid waste and its efficient and effective continued collection and disposal;

WHEREAS, the City desires to establish a new fee to recover costs incurred to dispatch City personnel to remove trash carts when the same are reported to present an immediate hazard to vehicular traffic and pedestrian movement; and,

WHEREAS, the City deems these corrections, clarifications, revisions, and the new fee to be necessary for the continued operation and maintenance of an efficient, effective, and comprehensive City-wide solid waste collection and disposal system.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS:

Section 1. The City Council specifically finds that the foregoing statements included in the preamble of this ordinance are true and correct and adopts such findings for all intents and purposes related to the amendment of the Code.

Section 2. Chapter 21 of the City's Code of Ordinances, which is entitled "Garbage, Trash and Other Refuse," is amended by deleting certain existing language and inserting new language where necessary to correct and clarify provisions pertaining to solid waste and its efficient collection and disposal, to read as follows:

"Sec. 21-1. Definitions.

"As used in this chapter, the following terms shall mean:

"*Act:* * * *

* * *

"*Customer:* A person who receives collection services from the Solid Waste Operations Department. As used in context within this chapter, the term may also refer to a person who receives collection services from a permitted solid waste hauler.

* * *

"*Dumpster:* A container, ~~which that~~ holds more than one (1) cubic yard, used to store solid waste until it is collected for disposal and which is designed to be hoisted for emptying into a specially equipped truck or hauled away. The term ~~also includes~~ does not include roll-on/roll-off containers that are used to transport solid waste on a vehicle chassis.

* * *

"*Heavy brush:* Tree and shrub limbs and trimmings, ~~which are~~ greater than ~~three~~ (3) five (5) inches in diameter, and includes tree trunks, root balls, and other large plant matter.

* * *

"*Roll-on/roll-off container:* A bulk container that holds more than one (1) cubic yard used to collect and store solid waste for disposal and that is designed to be transported on a vehicle chassis equipped with hydraulic or mechanical tilt-frame and hoist-type equipment, commonly referred to as roll-offs or hook-lifts for disposal.

* * *

"*Truckload:* Volume of waste, including brush, measured to be up to 30 cubic yards.

* * *

~~“Yard waste: Grass clippings, weeds, leaves, mulch, and small trees and shrub limbs, which are less than three (3) five (5) inches or less in diameter and less than five (5) feet in length, and other similar plant matter, including palm fronds and fruit tree limbs.~~

“Section 21-2. * * *

* * *

“Sec. 21-12. Collection of tree limbs, grass clippings, etc. (e.g., yard waste), heavy brush, clean wood waste, and bulky items.

~~“(a) Yard waste, heavy brush, clean wood waste, and bulky items shall be are collected on a regularly published scheduled basis. Yard waste, heavy brush, clean wood waste, and bulky items may be set out only on days designated for set out for each applicable property address.~~

~~“(1) Notice of the areas of the city that are allowed to set out yard waste, heavy brush, clean wood waste, and bulky items is published weekly in a paper of general circulation within the city. Information regarding area collection on designated set out days is also available on the city’s website and by contacting the Solid Waste Operations Department City’s call center.~~

~~“(2) It is a defense to prosecution for a violation of this chapter that the yard waste, heavy brush, clean wood waste, or bulky item was set out on an unauthorized set out day if the yard waste, heavy brush, clean wood waste, or bulky item was set out after an authorized set out period but before the expiration of the then-current scheduled collection period for the yard waste/heavy brush/clean wood waste/bulky item designated for that address. The property owner or occupant has the burden of proving the date the yard waste, heavy brush, clean wood waste, or bulky item was set out and the expiration date of the then-current and applicable scheduled yard waste/heavy brush/clean wood waste/bulky item pick-up period.~~

~~“(3) It is also a defense to prosecution for a violation of this chapter that there was a delay by the department in picking up yard waste, heavy brush, clean wood waste, or bulky items from the customer’s location and such delay occurred after the authorized set out period but before collection of the customer’s items was concluded by the department.~~

~~“(b) Yard waste shall be the only waste material(s) collected on the scheduled day and shall not be collected on any other day. No other litter, garbage, refuse, debris, heavy brush, or trash may be co-mingled with the yard waste.~~

~~“(c) Unless bagged or placed in receptacles, only piles no larger than two and a half (2½) feet high, by four (4) feet wide, by five (5) feet long shall be collected.~~

~~“(d c) Yard waste, heavy brush, clean wood waste, and bulky items shall must~~
be set out for collection ~~before 7:30 a.m. on the days designated collection day,~~
but may not be set out earlier than the ~~Saturday immediately before the days~~
designated ~~collection day.~~

~~“(e) Tree and shrub limbs set out to be collected as yard waste must be three (3) inches or less in diameter and not more than five (5) feet in length.~~

~~“(f d) Grass clippings, leaves, weeds, and other small yard waste materials must be bagged or placed in a receptacle.~~

~~“(g e) Yard waste, heavy brush, clean wood waste, and bulky items shall generally be collected in the same location as garbage is collected as provided by section 21-22. Rear door garbage collection customers shall set out yard waste, heavy brush, clean wood waste, and bulky items on the curb or alley service location. Yard waste, heavy brush, clean wood waste, and bulky items may not be set out in the side yard of a residence, if the side yard adjoins an arterial or collector street.~~

~~“(h f) Yard waste, heavy brush, clean wood waste, and bulky items may be placed in the right-of-way, but may not be placed on the street pavement, in the gutter, on the sidewalk, or in a drainage ditch. Except, except, the director may allow yard waste, heavy brush, clean wood waste, and bulky items to be placed in roadside drainage ditches when there is no practical alternative. However, the person who places any yard waste, heavy brush, clean wood waste, or bulky items in a roadside drainage ditch may be liable for any flooding damage caused by the yard waste, heavy brush, clean wood waste, or bulky items. The owner or occupant of a residence or business, who authorizes, directs, or allows yard waste, heavy brush, clean wood waste, or bulky items to be placed in a drainage ditch on or adjacent to the person's property, also may be liable for any flooding damage caused by the yard waste, heavy brush, clean wood waste, or bulky items.~~

~~“(g) Yard waste, heavy brush, clean wood waste, and bulky items collected from a customer is limited to one truckload per scheduled pick-up. An additional assessment will be charged for each additional truckload, or fraction thereof, of yard waste, heavy brush, clean wood waste, or bulky items collected after the first truckload, as provided by section 21-40(a)(9), and the assessment will be applied to the customer's next monthly utility bill.~~

~~“(h) The director may assess a surcharge, as provided in section 21-40(a)(10), that will be applied to the customer's next monthly utility bill if other solid waste that cannot be composted is co-mingled with the yard waste, heavy brush, clean~~

wood waste, or bulky waste set out for a designated collection. Additionally, an additional charge, as provided in section 21-40(a)(11) may be assessed for each truckload, or fraction thereof, of yard waste, heavy brush, clean wood waste, or bulky items:

“(1) Which was placed for collection during a period not designated for setting out yard waste, heavy brush, clean wood waste, or bulky items.

“(2) When the director determines the waste, brush, or items need to be removed in the interest of public health, safety, aesthetics, or welfare prior to the next regularly-scheduled, applicable pick-up period.

“(3) When the waste, brush, or items have been set out in violation of any ordinance.

“(i) In order to be safely manageable by the department’s collection equipment, the following provisions apply to setting out parts of trees for collection:

“(1) Tree limbs may not exceed ten (10) feet in length.

“(2) Tree trunks less than one foot in diameter may not exceed ten (10) feet in length.

“(3) Tree trunks and root balls greater than one foot in diameter may not exceed five (5) feet in length.

“(j) A pile of yard waste, heavy brush, clean wood waste, or bulky items may not be placed by a person in such a manner that the pile is an obstruction to the view of a motorist.

“(k) Special, non-scheduled yard waste/heavy brush/clean wood waste/bulky item collection service, as determined by the director, is available at a direct charge, as provided by section 21-40(a)(11), and will be applied to the customer's next monthly utility bill or, if applicable, will be billed directly to the property owner.

“(l) Because mechanical equipment is used to pick up yard waste, heavy brush, clean wood waste, and bulky items, any containers used to hold the yard waste, heavy brush, clean wood waste, or bulky items will be considered waste and picked up for disposal.

“(m) Bulky items must be separated into three distinct piles as follows:

“(1) Non-grindable/non-compostable materials and debris (i.e., mattresses, box springs, furniture, couches, televisions, etc.).

“(2) Metal appliances and metal materials (i.e., washing machines, water heaters, refrigerators, bicycles, metal swing sets, etc.).

“(3) Tires (subject to the limitations in section 21-18).

“Sec. 21-13. Heavy brush and clean wood waste collection. Reserved.

~~“(a) Heavy brush and clean wood waste, which is not mixed with other construction/demolition material or any other waste, shall be collected from customers on a regularly scheduled basis as published in local media.~~

~~“(b) No other litter, garbage, refuse, bulky items, debris, or trash may be commingled with the heavy brush and clean wood waste set out for collection.~~

~~“(c) Heavy brush and clean wood waste shall generally be collected in the same location as garbage is collected as provided by section 21-22. Rear door garbage collection customers shall set out heavy brush and clean wood waste at the curb or alley service location. Heavy brush and clean wood waste may not be set out in the side yard of a residence, if the side yard adjoins an arterial or collector street.~~

~~“(d) Heavy brush and clean wood waste may be placed in the right-of-way, but may not be placed on the street pavement, in the gutter, on the sidewalk, or in a drainage ditch. Except the director may allow heavy brush and clean wood waste to be placed in roadside drainage ditches when there is no practical alternative. However, the person who places any heavy brush and clean wood waste in a roadside drainage ditch may be liable for any flooding damage caused by the heavy brush and clean wood waste. The owner or occupant of a residence or business, who authorizes, directs, or allows heavy brush and clean wood waste to be placed in a drainage ditch on or adjacent to the person's property, also may be liable for any flooding damage caused by the heavy brush and clean wood waste.~~

~~“(e) Heavy brush and clean wood waste may be set out only on days designated for set out for that address.~~

~~“(1) Notice of the sections of the city that are allowed to set out heavy brush and clean wood waste is published weekly in a paper of general distribution within the city. Information is also available by telephoning the Solid Waste Operations Department.~~

~~“(2) It is a defense to prosecution for violation of this section that the heavy brush and clean wood waste was set out on an unauthorized day if the heavy brush and clean wood waste was set out after the authorized set out period, but before the next heavy brush/clean wood waste pickup at that address. The property owner or occupant has the burden of proving the date~~

~~the heavy brush and clean wood waste was set out and the date of the next heavy brush/clean wood waste pickup.~~

~~“(f) In addition to any fines that might result from a violation of this provision, a special fee, as provided by section 21-40(a)(11), shall be charged for each truckload (or major fraction thereof) of heavy brush or clean wood waste:~~

~~“(1) Which was placed for collection during a period not designated for setting out heavy brush and clean wood waste.~~

~~“(2) When the director determines the waste should be removed in the interest of public health, safety, aesthetics, or welfare prior to the next scheduled pickup.~~

~~“(3) When the waste has been set out in violation of any other ordinance.~~

~~“(g) The special collection fee is payable at the time of removal, and, if not paid at the time of removal, will be applied to the customer's next monthly utility bill.~~

~~“(h) In order to be manageable by the collection equipment:~~

~~“(1) Any tree limbs placed for collection may not exceed ten (10) feet in length.~~

~~“(2) Tree trunks less than one foot in diameter may not exceed ten (10) feet in length.~~

~~“(3) Tree trunks or root balls greater than one foot in diameter may not exceed five (5) feet in length.~~

~~“(i) Piles of heavy brush and clean wood waste may not obstruct the view of motorist at street intersections. No pile of heavy brush or clean wood waste may be greater than six (6) feet high, ten (10) feet long, and six (6) feet deep.~~

~~“(j) Heavy brush or clean wood waste collected from collection service customers shall be limited to one truck load per scheduled pickup.~~

~~“(k) A fee shall be charged for each additional truckload of heavy brush and clean wood waste (or major fraction thereof) after the first load as provided by section 21-40(a)(9), and shall be billed at the time of removal. If not paid at the time of removal, the fee shall be payable at the time of collection, and, if not paid, it will be applied to the customer's next monthly utility bill.~~

~~“(l) A surcharge, as provided in section 21-40(a)(10), will be applied to the customer's next monthly utility bill for each pile of solid waste that is set out for collection, which contains any solid waste, other than heavy brush or clean wood waste, that is set out for collection.~~

~~“(m) Special, non-scheduled heavy brush and clean wood waste collection service established by the Director shall be available at a direct charge as provided by section 21-40(a)(11), and shall be payable at the time of collection and if not paid it will be applied to customer's next monthly utility bill.~~

~~“(n) Because mechanical equipment is used to pickup heavy brush and clean wood waste, any containers used to hold heavy brush and clean wood waste will be considered waste and will be picked up for disposal.~~

~~“Sec. 21-14. Bulky items Reserved.~~

~~“(a) Bulky items, not mixed with other construction/demolition material, may be collected from customers during special collection events that are published in the local media.~~

~~“(b) Bulky items will generally be collected in the same location as garbage is collected as provided by section 21-22. Rear door garbage collection customers shall set out bulky items at the curb or alley service location. Bulky items may not be set out in the side yard of a residence, if the side yard adjoins an arterial or collector street.~~

~~“(c) Bulky items may be placed in the right-of-way, but may not be placed on the street pavement, in the gutter, on the sidewalk, or in a drainage ditch. Except the director may allow bulky items to be placed in roadside drainage ditches when there is no practical alternative. However, the person who places any bulky items in a roadside drainage ditch may be liable for any flooding damage caused by the bulky items. The owner or occupant of a residence or business, who authorizes, directs, or allows any bulky items to be placed in a drainage ditch on or adjacent to the person's property, also may be liable for any flooding damage caused by the bulky items.~~

~~“(d) No other litter, garbage, refuse, construction/demolition material, trash, heavy brush, clean wood waste, or yard waste may be co-mingled with the bulky items set out for collection.~~

~~“(e) Bulky items may be set out only on days designated for set out for that address.~~

~~“(1) Notice of the sections of the city that are allowed to set out bulky items will be published in a paper of general distribution within the city. Information is also available by telephoning the Solid Waste Operations Department the City's call center or by accessing the City's website.~~

~~“(2) It is a defense to prosecution for violation of this section that the bulky items were set out on an unauthorized day if the bulky items were set out after the authorized set out period, but before the next bulky items pickup at~~

~~that address. The property owner or occupant has the burden of proving the date the bulky items was set out and the date of the next bulky items pickup.~~

~~“(f) In addition to any fines that might result from a violation of this provision, a special fee, as provided by section 21-40(a)(11), shall be charged for each truckload (or major fraction thereof) of bulky items:~~

~~“(1) Which was placed for collection during a period not designated for setting out bulky items.~~

~~“(2) When the director determines the waste should be removed in the interest of public health, safety, aesthetics, or welfare prior to the next scheduled pickup.~~

~~“(3) When the waste has been set out in violation of any other ordinance.~~

~~“(g) The special collection fee is payable at the time of removal, and, if not paid at the time of removal, will be applied to the customer's next monthly utility bill.~~

~~“(h) Bulky items collected from collection service customers shall be limited to one truckload per scheduled pickup.~~

~~“(i) A fee shall be charged for each additional truckload of bulky items (or major fraction thereof) after the first load, as provided by section 21-40(a)(9), and shall be billed at the time of removal. If not paid at the time of removal, the fee shall be payable at the time of collection, and, if not paid, it will be applied to the customer's next monthly utility bill.~~

~~“(j) A surcharge, as provided in section 21-40(a)(11), will be applied to the customer's next monthly utility bill for each pile of solid waste that is set out for collection, which contains any waste other than authorized bulky items that is set out for collection.~~

~~“(k) Special, non-scheduled bulky item collection service established by the director shall be available at a direct charge as provided by section 21-40(a)(11), and shall be payable at the time of collection and, if not paid, it will be applied to customer's next monthly utility bill.~~

~~“(l) Piles of bulky items may not obstruct the view of motorist at street intersections. No pile of bulky items may be greater than six (6) feet high, ten (10) feet long, and six (6) feet deep.~~

~~“(m) Because mechanical equipment is used to pick up bulky items, any containers used to hold bulky items will be considered waste and will be picked up for disposal.~~

~~“(n) Bulky items shall be separated into two (2) distinct piles as follows:~~

~~“(1) Non-grindable/non-compostable materials and debris (i.e., mattresses, box springs, furniture, couches, tv’s, etc.).~~

~~“(2) Metal appliances and metal materials (i.e., washing machines, water heaters, refrigerators, bicycles, metal swing sets, etc.).~~

“Sec. 21-15. Bricks, broken concrete, ashes, dirt, etc., not included.

~~“(a) The Solid Waste Operations Department department will not collect accumulations of bricks, broken concrete, plaster, sand, gravel, ashes, tires, roofing materials, dirt, automobile frames, lumber (other than clean wood waste generated by a residential customer) resulting from either residential or commercial construction or demolition, or any other bulky heavy material.~~

~~“(b) * * *~~

“Sec. 21-16. * * *

“Sec. 21-17. Disposition of dead dogs, cats, etc.

~~“No dead dog, cat, or other small animals may be placed in a container or cart for collection but must be bagged separately and placed inside the curb area. The department Animal control will pick up and dispose of small dead animals upon telephone notification to the City’s call center.~~

“Sec. 21-18. Tires set out for collection.

~~“(a) A total of up to four (4)-tires each having a diameter of 20 inches or less may be set out for collection on the designated collection day for bulky items. Any tires must be placed separate and apart from any other bulky items.~~

~~“(b) If any tires in excess of the four (4)-allowed under this section are set out for collection, in addition to any fine that may be assessed for a violation of this article, the director shall assess a surcharge, as described in subsection 21-40(a)(13) for each tire in excess of four (4)-set out for collection that is picked up, which will be applied to the customer's next monthly utility bill.~~

“Sec. 21-19. Limitation on filling receptacles.

~~“(a) In order to protect the safety of solid waste workers, filled conventional refuse receptacles that are emptied manually by the department may not weigh more than fifty (50) pounds.~~

“(b) Filled paper or plastic bags collected by the department may not weigh more than ~~thirty (30)~~ pounds.

“(c) The contents of a any refuse receptacle may not protrude above the top of the receptacle and inhibit placement of the lid or have a potential of causing injury to the collector or customer.

“(d) Uncovered conventional refuse receptacles that contain rain water will not be picked up. No person may keep refuse receptacles in such a manner as to allow rain water to enter or collect inside the receptacle and co-mingle with refuse, garbage, or waste.

“(e) * * *

“**Sec. 21-20.** * * *

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“**Sec. 21-22. When and where solid waste is to be placed for collection—Generally.**

“(a) * * *

* * *

“(e-1) Refuse receptacles must be removed from the public right-of-way (which includes the street, curb, gutter, and sidewalk area) by midnight on the designated collection day and stored elsewhere at the customer’s location until the next scheduled and designated set out day for collection of solid waste.

“(f) ~~Not more than two (2) containers may be set out for collection by a residential customer.~~ There is not a limit on the number of containers of used gift wrapping and boxes that may be set out on the designated collection day for a residential customer following Christmas Day, which falls on December 25 each year. Additionally, there is not a limit on the number of containers or boxes that may be set out on the first collection day of a new residential customer.

~~(1) There is no limit on the number of containers of used gift wrapping and boxes that may be set out on the first collection day for a residential customer after the following select holidays: Thanksgiving Day, Christmas Day, and New Year's Day.~~

~~(2) There is no limit on the number of containers or boxes that may set out on the first collection day of a new residential customer.~~

~~(3) The director may grant waivers to the rules in this subsection to allow residential customers to set out more than two (2) containers on an occasional basis.~~

~~“Sec. 21-23. * * *~~

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~~“Sec. 21-25. Secs. 21-25 and 21-26. Reserved.~~

~~“Sec. 21-26. Procedure as to damaged, etc., receptacles.~~

~~“(a) A customer may not use a refuse receptacle that has deteriorated or become damaged to the extent that it has jagged or sharp edges capable of causing injury to the collectors or to the extent that the covers will not fit securely.~~

~~“(b) A solid waste service employee designated by the director may give notice to the owner that a receptacle may no longer be used because of its defective condition, and solid waste in the receptacle will no longer be collected.~~

~~“Sec. 21-27. Collection services on routes with automated collection equipment.~~

~~“Notwithstanding any other provision of this chapter, at residences and businesses that are on collection routes serviced by automated equipment:~~

~~“(1) All refuse must be enclosed in a paper or plastic bag and placed inside the provided container refuse receptacle.~~

~~“(2) Any refuse placed outside the container refuse receptacle will not be collected with the trash in the container refuse receptacle.~~

~~“(3) Any refuse that will not fit in a container refuse receptacle may only be set out for collection on a day designated for setting out waste under subsection 21-13(b) this chapter.~~

~~“(4) If any refuse that will not fit in a container refuse receptacle is set out for collection on a day not authorized for setting out waste, in addition to any fine that may be assessed for a violation of this ordinance, the director shall assess the surcharge for each pile of debris or trash, as described in subsection 21-40(a)(11), for each pile of trash set out for collection that is picked up. The surcharge shall be applied to the customer's next monthly utility bill.~~

~~“(5) * * *~~

“Sec. 21-28. Loose and scattered waste will not be collected.

“The department will not pick up loose litter or scattered waste that is not properly set out for collection as specified in ~~sections 21-12, 21-13, and 21-14~~ section 21-12.

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“Sec. 21-30. Disposal services—Available.

“(a) The disposal services of the ~~Solid Waste Operations Department~~ department are deemed available to every premises occupied for residential use within the City of Corpus Christi, and the customer shall pay the charges therefor.

“(b) * * *

“Sec. 21-31. * * *

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“Secs. 21-35—21-39. Reserved.

“Sec. 21-40. Charges/Assessments—For collection services within the City of Corpus Christi.

“(a) The following charges apply to the collection of solid waste from Solid Waste Operations Department customers located within the limits of the City of Corpus Christi. In addition to the charges listed below, each customer is liable for any applicable federal/state surcharges or fees specified in ~~section 21-20~~ 21-42 and state and city taxes. The charges for collection services are:

Type	Description	Minimum Charge Per Month or Fraction Thereof Collection
(1)	One-family dwelling	\$16.91
(2)	Two-family dwelling on one (1) water and/or gas meter	\$33.82
(3)	Two-family dwelling to eight-family dwelling on separate water	\$16.91 each unit

	and/or gas meters	
(4)	Apartment	\$16.91 per unit
(5)	One-family dwelling and single apartment on one (1) water and/or gas meter	\$33.82
(6)	Apartment house, travel trailer park, or manufactured home park on one (1) water and/or gas meter	\$16.91 per unit
(7)	Apartment house, travel trailer park, or manufactured home park—Each apartment, travel trailer pad, or manufactured home site on separate water and/or gas meter	\$16.91 per unit
(8)	Additional charge for rear door pickup <u>pick up</u> on any type above	\$11.86 per unit
(9)	Additional <u>truckloads</u> of <u>yard waste</u> , heavy brush, <u>clean wood waste</u> , or bulky items at time of scheduled <u>yard waste</u> , heavy brush, or bulky item collection	\$75.00 per <u>truckload</u>
(10)	Surcharge for bulky item pickup <u>pick up</u>	\$12.00 per item
(11)	Special non-scheduled <u>yard waste</u> , heavy brush, clean wood, waste, debris, or bulky items pickup <u>collection</u> , including pickup <u>pick up</u> of <u>yard waste</u> , heavy brush, <u>clean wood waste</u> , and debris, and bulky items set out more than two (2) weeks <u>five days</u> prior to the scheduled pickup <u>pick up</u> of brush, <u>waste</u> , or debris, or bulky items and that is a traffic, safety, or health hazard	Actual cost not to exceed \$200.00 per <u>truckload</u>
(12)	Recycling containers: Each solid waste services customer account will pay a fee for recycling containers that will be refunded upon termination of the account and return of the recycling containers <u>Reserved</u>	\$ 6.00 per container <u>Reserved</u>

(13)	Surcharge for tires set out for collection on a non-designated collection day; <u>size of tires must be 20 inches or less in diameter.</u>	\$ 5.00 per tire
(14)	Garbage cart delivery fee—assessed for every second and additional residential cart delivered and for every third commercial cart delivered per account	\$10.00 per cart
(14.1)	Monthly collection fee on second and additional residential carts and commercial carts	\$10.00 per cart
(15)	Recycling Incentive Program—collection of bins and carts <u>Improvements to Solid Waste Services</u>	\$0.68 per month
(16)	Recycling education—surcharge	\$0.25 per month
(17)	Recycling cart—assessed per cart <u>Solid Waste Capital Improvements</u>	\$1.00 per month
(18)	<u>Non-Scheduled Cart Collection—assessed for service or for removal of cart when cart is an immediate hazard to vehicular traffic on a street or alley or to pedestrian movement on a sidewalk, or when cart is left out for collection and remains present on an undesignated collection day</u>	<u>\$10 per incident</u>

“(b) * * *

“(c) Collection services for an apartment house, travel trailer park, or manufactured home park on one (1) water or gas meter will be charged against the person in whose name the water or gas meter account is maintained.

“(d) A business and commercial establishment and any other occupied premises located within the City of Corpus Christi, except a residence covered by subsections (a) and (b) of this section, shall be charged for collection services by the department at a rate determined by the director based on the following:

“(1) * * *

“(2) The director may not set a rate below ~~thirty-three dollars and eighty-two cents (\$33.82)~~ a month (the minimum rate), plus any applicable state disposal fees and state and city taxes.

“(e) * * *

“Sec. 21-41. Charges—for disposal services.

“(a) * * *

* * *

“(d) Before disposing of any solid waste, a person who does not have billing account with the ~~Solid Waste Operations Department~~ department shall make a deposit based upon the estimated size of the load as determined by the landfill superintendent, or an employee designated by the superintendent. The minimum deposit will be the commercial charge for one ~~(1)~~ ton of solid waste.

“(e) The following fee schedule applies to each load of solid waste deposited at a disposal site operated by the department:

“(1) *Residential customers.*

* * *

“(2) *Commercial vehicles (tipping rate).*

* * *

“(3) *Special fees.*

A	Clean, uncontaminated dirt that is suitable for landfill use (as determined by landfill superintendent or designee of the superintendent)	No charge
B	Clean wood waste, heavy brush, or rubble suitable for recycling, including crushed concrete, asphalt, bricks, etc.	\$ 9.57 per ton
C	Large household appliances, such as stoves, washing machines, clothes dryers, dishwashers, refrigerators, or other similar items, except large household appliances transported in a non-commercial vehicle by a residential customer who resides within the city	\$10.00 each
D	Tires	
	Automobile	\$ 1.75
	Truck or large trailer tires (16–19”)	\$ 2.75

	Tractor tires ($\leq 20''$)	\$ 3.75
	Larger than 20''	Not accepted <u>Market price as determined by director</u>
	Cut into quarters or more	Tipping fee rate
E	Vehicles with loads not adequately secured so as to prevent any of the contents of the transported load from being ejected or dropped during transport of the load	\$10.00
F	Use of scales	\$25.25
G	Any solid waste that requires special preparation, handling, or cover	As determined by the director

“(f) The city manager is authorized to adjust the commercial tipping fees at the city's landfill established in subsection 21-41(e)(2)(A) based on market competition.

“(g) The city manager, or the city manager's designee, may contract with a solid waste hauler, other political entity, entity with an industrial district contract with the city, or entity that generates solid waste outside the city limits for the disposal of specified volumes of solid waste at a city operated disposal facility.

“(1) The term of any such contract shall not exceed six ~~(6)~~ months, and

“(2) * * *

“(h) * * *

“(i) If payment in full is not made on or before the due date for any disposal fees billed under this section, the hauler shall pay an administrative late fee of ~~one hundred dollars (\$100.00)~~ and any amount remaining unpaid shall bear interest at the rate of ~~one and one-half (1½)% per cent~~ per month or the highest rate that may then be lawfully charged and paid, whichever is less, from the due date to the actual date of payment.

“(j) The director may deny access to a disposal facility operated by the city if the customer has not paid any disposal fees within ~~sixty (60)~~ days of the due date.

“**Sec. 21-42.** * * *

“**Sec. 21-43. Disposal fee for large dead animals.**

“A direct charge, not to exceed ~~two hundred dollars (\$200.00)~~ per animal, as established by the director for removal and disposal of large dead animals shall

will be assessed charged at the time of removal and will be applied to the customer's next monthly utility bill or, if applicable, will be billed directly to the property owner.

“Sec. 21-44. Bills for services; when charges payable.

“(a) * * *

* * *

“(e) Subject to the limitations in ~~section 402.0025~~ Chapter 402 of the Texas Local Government Code, a customer is liable for all unpaid services rendered to a premises, while the premises is owned or occupied by the customer. Any unpaid charges must be paid before the customer opens a new or additional utility account.

“Sec. 21-45. ~~Credit~~ No credit for vacancy.

“No credit will be given to any customer for a vacancy at a residence or business or commercial establishment that has an active utility service account or that is receiving collection services.

“Sec. 21-46. Suspension of services for failure to pay charges; reinstatement of service.

“(a) The service of any person who fails or refuses to pay the charges specified in this article ~~within ten (10) days from the date by the date the charge is~~ charges are due and payable shall be may be suspended.

“(b) Upon the renewal of services to premises where services have been discontinued under the provisions immediately above, the customer of the premises shall be charged ~~ten dollars (\$10.00)~~ the fees provided under Chapter 55 for reinstatement.

“(c) If, upon reinstatement, the director finds it necessary to either clean up the premises or remove more than the maximum amount provided for by the minimum fee, or to make an additional trip to remove accumulated solid waste, the customer shall be charged, in addition to the reinstatement charge, ~~fifty dollars (\$50.00).~~

“Sec. 21-47. * * *

* * *

SECTION 2. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable,

and if any phrase, clause, sentence, paragraph, or section in this ordinance is declared invalid or unconstitutional by decree or judgment of any court of competent jurisdiction, such invalidity or 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 into this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 3. The City Secretary is directed to publish this ordinance in the official newspaper of the City of Corpus Christi in accordance with the requirements of the City Charter and State law.

SECTION 4. This ordinance takes effect on October 1, 2016, following final passage and publication as required by law.

The foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2016, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucio Rubio	_____
Michael Hunter	_____	Mark Scott	_____
Chad Magill	_____	Carolyn Vaughn	_____
Colleen McIntyre	_____		

The foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2016, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucio Rubio	_____
Michael Hunter	_____	Mark Scott	_____
Chad Magill	_____	Carolyn Vaughn	_____
Colleen McIntyre	_____		

PASSED AND APPROVED this the _____ day of _____, 2016

ATTEST:

CITY OF CORPUS CHRISTI

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor