

ORDINANCE NO. O-2023-337

AN ORDINANCE AMENDING CHAPTER 32, ARTICLE II, SECTION 32-33, GARBAGE COLLECTION SERVICE CHARGES, CODE OF ORDINANCES (2018 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING DOWNTOWN COMMERCIAL DISTRICT CHARGES; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK,

TEXAS:

Political Party	Percentage
Democratic	85
Republican	15

That Chapter 32, Article II, Section 32-33(a), (b) and (c), Code of Ordinances (2018 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

Sec. 32-33. - Garbage collection service charges.

(a) *Residential.*

- (1) A sanitation charge for the collection of refuse and for city-wide recycling services shall be made for each occupied residence within the city, whether or not any refuse is deposited for collection for such occupied residence during any month and whether or not the residence utilizes the city-wide recycling services during any month. For multiple housing units, up to and including five units, the sanitation charge shall be applied for each dwelling unit, regardless of the number of water meters.

- (2) The residential charge for the collection of refuse and for recycling services shall be \$~~20.45~~21.32 per month.

The amended residential charge for refuse and recycling services set forth above shall apply to bills for the collection of refuse and for recycling services issued ~~March 13, 2019~~ in December and thereafter.

- (3) Except as provided below, on and after June 10, 1993, the garbage rate discount for head of household residents 65 years of age and older will be discontinued. All head of household residents 65 years of age and older actually receiving said discounts prior to June 10, 1993, shall continue to receive said discounts as stated in this section, so long as they re-apply for said discounts before October 30 of each year. For residential service located within the corporate limits where the head of household has attained the age of 65, and if said resident head of household was receiving garbage rate discounts prior to June 10, 1993, and if said resident head of household re-applies for said discount between October 1 and October 30 of each year, said head of household shall be entitled to a discount as currently established or as hereafter adopted by resolution of the city council from time to time from the residential sanitation charge. In order to be entitled to said discount, the head of house shall make a sworn application therefor and present proof of age. It shall be a violation of this Code for anyone to make a false statement on such application, or to receive such discount without being eligible therefor. Each month a discount is unlawfully received shall be considered a separate violation.

(b) *Nonresidential.* A sanitation charge for the collection of refuse for all nonresidential customers shall be made by the city's contractor. The charge shall include furnishing containers for refuse. This subsection (b) shall exclude all businesses located within the downtown commercial district described in subsection (c) below. The sanitation charges for nonresidential customers as set forth below. The rates set forth below do not include any city franchise fees that may be passed through to nonresidential customers and taxes imposed directly upon any nonresidential customers by the state, city, or other governmental unit and collected by the city's contractor.

(1) *Monthly garbage rates:*

Container Size (yd)	1x Week	2x Week	3x Week	4x Week	5x Week	6x Week	Extra Pick-Up
2	\$56.82 <u>59.66</u>	\$113.64 <u>119.32</u>	\$170.44 <u>178.96</u>	\$227.26 <u>238.62</u>	\$284.08 <u>298.28</u>	\$340.90 <u>357.95</u>	\$80.81 <u>84.85</u>
3	\$68.07 <u>71.47</u>	\$136.14 <u>142.95</u>	\$204.21 <u>214.42</u>	\$272.28 <u>285.89</u>	\$340.34 <u>357.36</u>	\$408.41 <u>428.83</u>	\$85.86 <u>90.15</u>
4	\$79.32 <u>83.29</u>	\$158.65 <u>166.58</u>	\$237.97 <u>249.87</u>	\$317.29 <u>333.15</u>	\$396.62 <u>416.45</u>	\$475.94 <u>499.74</u>	\$90.91 <u>95.46</u>
6	\$101.83 <u>106.92</u>	\$203.66 <u>213.84</u>	\$305.48 <u>320.75</u>	\$407.32 <u>427.69</u>	\$509.15 <u>534.61</u>	\$610.98 <u>641.53</u>	\$101.01 <u>106.06</u>
8	\$124.33 <u>130.55</u>	\$248.68 <u>261.11</u>	\$373.01 <u>391.66</u>	\$497.34 <u>522.21</u>	\$621.69 <u>652.77</u>	\$746.02 <u>783.32</u>	\$116.16 <u>121.97</u>
10	\$142.97 <u>150.12</u>	\$285.97 <u>300.27</u>	\$428.95 <u>450.40</u>	\$571.95 <u>600.55</u>	\$714.93 <u>750.68</u>	\$857.93 <u>900.83</u>	\$141.41 <u>148.48</u>

(2) *Monthly recycling rates:*

Container Size (yd)	1x Week	2x Week	3x Week	4x Week	5x Week	6x Week	Extra Pick-Up
2	\$56.81 <u>59.65</u>	\$113.63 <u>119.31</u>	\$170.43 <u>178.95</u>	\$227.25 <u>238.61</u>	\$284.07 <u>298.27</u>	\$340.89 <u>357.93</u>	\$80.81 <u>84.95</u>
4	\$79.31 <u>83.28</u>	\$158.64 <u>166.57</u>	\$237.96 <u>249.86</u>	\$317.28 <u>333.14</u>	\$396.61 <u>416.44</u>	\$475.93 <u>499.73</u>	\$90.91 <u>90.15</u>
6	\$101.83 <u>106.92</u>	\$203.65 <u>213.83</u>	\$305.47 <u>320.74</u>	\$407.31 <u>427.68</u>	\$509.14 <u>534.60</u>	\$610.97 <u>641.52</u>	\$101.01 <u>106.06</u>
8	\$124.32 <u>130.54</u>	\$248.67 <u>261.10</u>	\$373.00 <u>391.65</u>	\$497.33 <u>522.20</u>	\$621.68 <u>652.76</u>	\$746.01 <u>783.31</u>	\$116.16 <u>121.97</u>

(3) *Monthly commercial curbside carts rates:*

1 96-gal garbage cart and 1 96-gal recycling cart	\$16.54 <u>18.22</u>
Each additional cart	\$16.54 <u>18.22</u>
Bulk pick-ups	\$25.25 <u>26.51</u> a trip plus \$5.05 <u>5.30</u> per item

(4) Roll-off rates (excluding roll-offs for construction activities):

Container Size (cy)	Rate Per Pick-Up	Delivery Fee	Additional Fee*	Overage Fee
20 cy	\$389.90 409.40	\$75.76 79.55	\$10.10 10.61 per day	\$44.10 /Ton over 10 Tons
30 cy	\$479.80 503.79	\$75.76 79.55	\$10.10 10.61 per day	\$44.10 /Ton over 10 Tons
40 cy	\$515.15 540.91	\$75.76 79.55	\$10.10 10.61 per day	\$44.10 /Ton over 10 Tons

*Additional fee is the fee charged per day if the roll-off is not picked up within 15 days.

(5) Containers with a receiver box rates:

Container Size (cy)	Rate Per Pick-Up	Rental Fee	Overage Fee
40 cy	\$593.94 623.64	\$105.00	\$44.10 /Ton over 10 Tons
42 cy	\$606.06 636.36	\$105.00	\$44.10 /Ton over 10 Tons

(6) Monthly lock bar price per container:

Frequency of Pick-Up	Without Casters	With Casters (4 yd max)
1x Week	\$10.10 10.61	\$20.20 21.21
2x Week	\$20.20 21.21	\$30.30 31.82

(c) Downtown commercial district.

- (1) The downtown commercial district shall consist of block 10, block 21 and block 22 of the original plat of Round Rock.
- (2) A sanitation charge for the collection of refuse and recycling services shall be made by the city at the rates in subsection (c)(3) below for each occupied business in the downtown commercial district, whether or not any refuse or recycling is deposited for collection by such occupied business during any month.
- (3) The charge for the collection of refuse and recycling for businesses in the downtown commercial district shall be determined based on the classification and square footage of a business as follows:

Business Classification	Sq. ft. Classification	Service Rate per month
Small Office	6500 or less	\$17.35 <u>18.22</u>
Large Office	6501 or more	\$34.70 <u>36.44</u>
Small Retail and Services	3000 or less	\$34.70 <u>36.44</u>
Large Retail and Services	3001 or more	\$184.00 <u>193.20</u>
Small Specialty	1600 or less	\$113.64
Medium Specialty	1601-3000	\$158.85
Large Specialty	3001 or more	\$248.68
Small Restaurant	1600 or less	\$184.00 <u>193.20</u>
Medium Restaurant	1601-3000	\$248.68 <u>261.11</u>
Large Restaurant	3,001 or more	\$317.29 <u>333.15</u>
Small Bar	2,500 or less	\$163.00 <u>171.15</u>
Large Bar	2,501 or more	\$248.50 <u>261.03</u>

*An administrative fee equal to \$3.10 or ten percent (10%) of the collection charge, whichever is greater, shall be added to the charges listed above for each business in the downtown commercial district.

- (4) For the purposes of this section, a restaurant shall be defined as a business deriving at least 51 percent of its sales from food and non-alcoholic beverages, and a bar shall be defined as a business deriving at least 51 percent of its sales from alcoholic beverages.
- (5) The director shall determine the appropriate business classification for each existing business in the downtown commercial district. If a new business does not clearly meet one of the business classifications, the director shall assign the most appropriate classification from the classifications set forth in subsection (c)(3) above. If a new or existing business owner disagrees with the assigned classification, the owner shall have the right to file a written request for reconsideration to the director. If the request for reconsideration is denied, the owner shall have the right to file a written appeal to be decided by the city manager. A request for reconsideration or an appeal shall be granted or denied within 30 days of receipt by the director or city manager. The city manager's decision shall be final.
- (6) For the purposes of this section, the square footage for a business shall be determined by adding the total main area square footage to the total outdoor area square footage. Outdoor area square footage shall include a covered or uncovered patio or any other outdoor space utilized by customers.

- (7) The city shall provide a common container in a designated area on each block. Each business in the downtown commercial district shall utilize only the common container on its block. All refuse and recycling shall be placed inside the common container. All garbage shall be drained before placing in container. All packing boxes larger than two cubic feet must be flattened before placing in container. No manure, building materials, rocks, dirt or dead animals shall be placed in the container.
- (d) *Outside city limits.* The above garbage collection rates shall apply to all users located within the corporate limits of the city. All users located outside the corporate limits of the city shall pay 1½ times the rate set forth above.

II.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

READ and **APPROVED** on first reading this the ____ day of _____, 2023.

READ, APPROVED and **ADOPTED** on second reading this the ____ day of _____, 2023.

1
2
3
4
5
6
7
8
9
10

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

MEAGAN SPINKS, City Clerk