

**CITY OF KRUGERVILLE, TEXAS**

**ORDINANCE NO. 2017-001**

**AN ORDINANCE OF THE CITY OF KRUGERVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF KRUGERVILLE, TEXAS, CHAPTER 6, HEALTH AND SANITATION, BY REPEALING SAID ARTICLE 6.100, GARBAGE COLLECTION, IN ITS ENTIRETY AND REPLACING SAID ARTICLE WITH A NEW ARTICLE 6.100; PROVIDING PENALTY FOR ANY VIOLATION OF THE NEW ARTICLE 6.100, NOT TO EXCEED \$2,000 OR THE HIGHEST AMOUNT PROVIDED BY LAW, WHICHEVER IS LESS; PROVIDING FOR SAVINGS, SEVERABILITY, AND REPEALING CLAUSES; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, the City Council of the City of Krugerville (“City Council”) has investigated and determined that it would be advantageous and beneficial to the City and its citizens to repeal Article 6.100 of Chapter 6 of the Code of Ordinances, City of Krugerville, Texas (the “Code”), regarding regulations relating to garbage collection and replacing it with a new Article 6.100, Garbage Collection.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF KRUGERVILLE, TEXAS:**

**Section 1.** The City Council finds that the recitals set forth above are true and correct, and said recitals are incorporated into this ordinance as if set forth in full.

**Section 2.** Article 6.100, Garbage Collection, of Chapter 6, Health and Sanitation, of the Code is hereby repealed in its entirety and replaced with the following:

**ARTICLE 6.100 GARBAGE COLLECTION<sup>1</sup>**

**Sec.6.101 Garbage Collection and Recycle Services**

Each resident or business owner shall complete a Trash and Recycling Collection Contract before garbage collection will begin. These forms can be obtained from City Hall or through the City’s website. Once collection service has begun, the resident shall be responsible for payment of each billing cycle until such time as a Trash Disconnection Request has been completed and submitted to City Hall. Recycling services are not available to commercial customers.

**Sec.6.102 Billing Cycle**

Residential billing shall be on a quarterly basis in January, April, July, and October. Commercial accounts are billed monthly.

**Sec. 6.103 Collection Fees and Deposits**

Fees for garbage collection and account deposits are listed in the fee schedule found in the Appendix of this Code.

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<sup>1</sup> **State law reference** – Authority to enforce laws to protect public health, V.T.C.A., Health & Safety Code, Sec. 121.003.

**Sec. 6.104      Collection and Frequency**

- (a) Residential Service
  - (1) Garbage will be collected once per week, with all garbage being placed beside the road in front of the resident's house by 7:00 am on the specified day.
  - (2) All garbage shall be bagged or placed in a garbage container and cannot weigh more than 40 pounds.
  - (3) Limbs and brush shall be bundled, tied, cut in lengths of no more than four feet, and cannot weigh more than 40 pounds.
  - (4) Garbage cannot be placed inside the recycle container.
  - (5) For special arrangements for handicapped stops, contact the City Secretary.
  
- (b) Commercial Service
  - (1) Collection days are based on the number of pickups per week.
  - (2) Garbage must be placed inside the canister.
  - (3) Garbage cannot be placed on the ground around the canister.

**Sec. 6.105      Garbage Collection Requirements**

- (a) All residences and commercial businesses within the City Limits are required to have garbage services through the City of Krugerville.
  
- (b) Trash payments are due as follows:
  - (1) Residential bills are due on the last working day of January, April, July, and October.
  - (2) Commercial bills are due on the last working day of every month.
  
- (c) Late fees are found in the fee schedule in the Appendix of this Code. They are assessed on the next working day following the bill due date. Late fees for commercial accounts are assessed per container.
  
- (d) Second notices will be mailed to residential accounts on the next working day following the bill due date. Second notices will be due 14 working days from the bill date. If the account is not brought current, services will be suspended. On the last working day of February, May, August, and November, if the resident's account is still in arrears, the matter will be turned over to the Code Enforcement Officer and a citation will be issued for a City Code Violation. The City maintains the option of turning over past due accounts to a collection agency.

**Sec. 6.106      Penalty**

Any person violating any of the provisions of this article shall be deemed guilty and shall be fined, in accordance with the general penalty provision found in Section 1.109 of this code, for each offense, and a separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

**Section 3.      Savings, Severability and Repealing Clauses.**

All ordinances of the City in conflict with the provisions of this ordinance are repealed to the extent of that conflict. If any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect as if such invalid or unconstitutional provision had never been a part hereof. The City declares that it would have passed this ordinance, and

each section, subsection, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

**Section 4. Publication of the Caption Hereof and Effective Date.**

This ordinance shall be in full force and effective from and after its passage and upon the posting and/or publication, if required by law, of its caption and the City Secretary is hereby directed to implement such posting and/or publication.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KRUGERVILLE, TEXAS, ON THIS 22<sup>nd</sup> DAY OF AUGUST, 2017.**

**APPROVED:**



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**JEFF PARRENT, MAYOR**

**ATTEST:**



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**SANDY FRANTZ, CITY SECRETARY**

