

**TOWN OF FAIRVIEW, TEXAS**

**ORDINANCE NO. 2018-25**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, AMENDING ARTICLE 13.02, "SOLID WASTE," OF THE FAIRVIEW CODE OF ORDINANCES, BY AMENDING DIVISION 2, "COLLECTION AND DISPOSAL", AS HERETOFORE AMENDED; PROVIDING A SAVING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Fairview ("Town") and Republic Services ("Contractor") entered into a certain Agreement dated on or about July 11, 2006, pursuant to which Contractor agreed to provide waste collection and disposal services, and

**WHEREAS**, the Agreement, pursuant to provisions in Section 9 – Term, was automatically renewed from April 30, 2011 to September 30, 2016, and

**WHEREAS**, Section 9 – Term provided that the Agreement may be extended for an additional five (5) year term upon the written, mutual agreement of both parties, and

**WHEREAS**, the Town and the Contractor agreed upon certain revised terms and conditions in the extended Agreement approved by the Council subject to legal form on August 2, 2016, and

**WHEREAS**, the Town Council approved the additional renewal period from October 1, 2016 to September 30, 2021, and

**WHEREAS**, the Town Council desires to amend Article 13.02 "Solid Waste" of the Fairview Code of Ordinances to reflect an increase of 28% for recycling services.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS:**

**Section 1.** Section 13.02.034, "Charges generally; collection regulations" of the Fairview Code of Ordinances, is hereby amended by amending subsections (a) and (b) to hereafter read as follows:

(a) Residential monthly charges; collection regulations.


- (1) A charge of \$19.70 per month plus sales tax shall be made to each residential water customer of the town. This monthly charge shall include collection & disposal services weekly, once a month brush/bulk pickup, recycling services weekly, and town administrative fee.

- (2) A “senior rate” charge of \$18.38 per month plus sales tax shall be made to each residential water customer of the town. This monthly charge shall include collection & disposal services weekly, once a month brush/bulk pickup, recycling services weekly, and town administrative fee.
- (A) A residential water customer account holder of the town may receive the “senior rate” once they provide a valid document verifying an occupant of the residence is age sixty-five (65) or over. Valid documents could include a driver’s license, passport or other government issued document identifying the occupant’s date of birth and current address.
- (3) A special “carry out” charge shall apply to those residents requesting contractor to recover weekly trash and recycling carts at the residents “backdoor” instead of at the resident’s curb.
- (A) A charge of \$19.70 per month plus sales tax shall be made to handicapped customers. This monthly charge shall include “backdoor” collection & disposal services weekly, once a month curbside brush/bulk pickup, “backdoor” recycling services weekly, and town administrative fee.
- (B) A charge of \$30.84 per month plus sales tax shall be made to non-handicapped customers. This monthly charge shall include “backdoor” collection & disposal services weekly, once a month curbside brush/bulk pickup, “backdoor” recycling services weekly, and town administrative fee.


**Section 2.** The sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the Town Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 3.** This ordinance shall take effect immediately upon passage and the amounts set forth herein shall be deemed to have taken effect December 4, 2018.

**PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRVIEW, TEXAS, this 4<sup>th</sup> day of December 2018.**

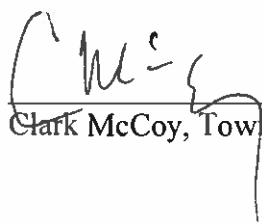
  
Darion Culbertson, Mayor  
Town of Fairview, Texas

ATTEST:

  
Adam Wilbourn, Alternate Town Secretary  
Town of Fairview, Texas



APPROVED AS TO FORM:

  
Clark McCoy, Town Attorney

