

ORDINANCE NO. 1013

AN ORDINANCE ADOPTING A NEW AND INCREASED SCHEDULE OF RATES TO BE CHARGED FOR GARBAGE AND REFUSE COLLECTION; AMENDING SECTIONS 16-7 AND 16-10 OF THE CODE OF THE CITY OF ROSWELL, REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT OR INCONSISTENT HEREWITH; PROVIDING FOR SEVERABILITY; FIXING THE EFFECTIVE DATE OF THIS ORDINANCE; AND, DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL OF THE CITY OF ROSWELL, NEW MEXICO:

SECTION 1. Amendment. Sections 16-7 and 16-10, respectively, be, and the same hereby are amended to read as follows:

Section 16-7. Same-Rates. The collection of garbage and refuse from dwellings and residential premises are divided into six classifications designated in accordance with the type of family unit or units served. The City Clerk shall collect the garbage fees as imposed from time to time either as a separate item stated as a part of each monthly water and sewer billing or by any other practicable means of collection. Service fees shall be assessed against the person in whose name the water meter is registered of record. Fair and reasonable charges for such residential utility service under each classification for a calendar month shall be as follows:

A. Residential rates.

- 1. Single Family residence. \$4.25
- 2. Duplex Family units, including condominium or apartment type units, per unit \$4.25
- 3. Garage apartment or other accessory dwelling. . . \$4.25
- 4. Group housing (3 or more houses or dwellings on the same meter) per apartment rental unit . . . \$4.25
- 5. Three-family apartment or more, per apartment rental unit (provided that all containers serving such apartments shall be centrally located, otherwise Class 1 above shall apply) . . . \$3.10
- 6. Trailer Court, per trailer unit \$3.10

B. Commercial rates.

Fair and reasonable charges for commercial service shall be computed by the City Manager from time to time for each separate commercial establishment on the basis and at the rate of \$25.50 per hour for each hour of loading or proportionate part thereof of each garbage or collection unit employed, consisting of equipment and necessary operating personnel, provided that no commercial collection charge shall be less than \$4.25 per month. Procedure for the collection of fees for commercial service shall be the same as that above set forth for collection of residential fees.

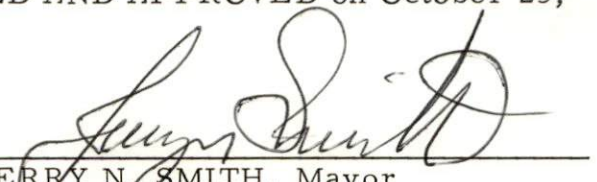
Section 16-10. Same-Rates. Fair and reasonable rates for special collections as defined in Section 16-9 above have been determined to be \$25.50 per truck load with proportionate charges for partial loads, except that the minimum fee for partial loads shall be not less than \$7.50. Upon request for special collection service, an authorized representative of the sanitation department will visit the site, estimate the amount of material for haulage and, collect the proper charge therefor prior to hauling the debris.

SECTION 2. Repealer. Prior Sections 16-7 and 16-10 be, and the same hereby are repealed together with all other ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or parts of any ordinance heretofore repealed.

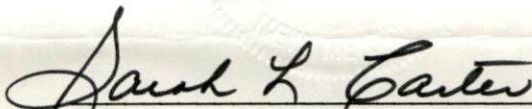
SECTION 3. Emergency Clause and Effective Date. This ordinance is necessary for the preservation of the public health, peace and safety of the inhabitants of the City, and because the City is in great need of the sanitation rate increase, this ordinance is hereby declared to be an emergency measure on the ground of urgent public need. Immediately upon the adoption of this ordinance by the Governing Body and upon its final passage, this ordinance shall be recorded in the book of ordinances of the City kept for that purpose, authenticated by the signatures of the Mayor and City Clerk, and this ordinance shall be published in full in the Roswell Daily Record, a newspaper which maintains an office in and is of general circulation in the City, in accordance with law, and this ordinance shall be in full force and effect from and after November 7, 1977, provided such publication occurs at least 5 days in advance of November 7, 1977, or 5 days after such publication if it does not.

PASSED, ADOPTED, SIGNED AND APPROVED on October 25, 1977.

CITY SEAL

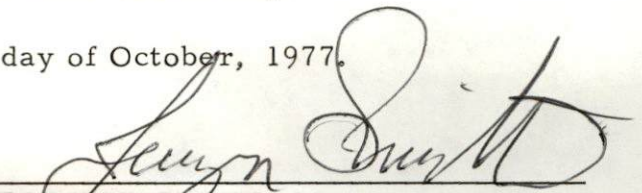

JERRY N. SMITH, Mayor

ATTEST:


Sarah L. Carter, Acting City Clerk

I, the Mayor of the City of Roswell, New Mexico, do hereby declare that an emergency exists with respect to the foregoing ordinance because the sanitation rate increase thereby imposed is necessary to alleviate an immediate danger to the public health, safety and welfare of the City.

WITNESS my hand this 26th day of October, 1977.


JERRY N. SMITH, Mayor