

ORDINANCE NO. 1040

AN ORDINANCE ADOPTING A NEW AND INCREASED SCHEDULE OF RATES TO BE CHARGED FOR GARBAGE AND REFUSE COLLECTION; AMENDING SECTION 16-24 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.

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

SECTION 1. Amendment. That Section 16-24 of the Roswell City Code be, and the same hereby is amended to read as follows:

Section 16-24. Fees-Schedule.

(a) Residential. The collection of solid wastes from dwellings and residential premises shall be divided into six classifications. Monthly service fees shall be assessed against the person and/or firm in whose name the water meter is registered of record. Fair and reasonable charges for such residential service under each classification for a calendar month shall be as follows:

- (1) Single-family residence.....\$4.50
- (2) Duplex family units, per unit.....\$4.50
- (3) Garage apartment or accessory dwelling.....\$4.50
- (4) Group housing (three or more dwelling units),
per unit.....\$4.50
- (5) Three-family apartment, or more; provided, that
all containers serving such apartments shall be
centrally located; per rental unit.....\$3.30
- (6) Mobile home court, per trailer.....\$3.30

(b) Commercial. Commercial accounts will receive solid waste collection service as often as necessary, up to six times per week, with the fees determined by time studies, with the minimum fee being \$4.50 per month. A time study shall develop the individual account's average monthly requirement in minutes and/or hours, with the time element then being used to compute the fee. Commercial refuse collection charge for labor and equipment shall be \$30.00 per hour. The procedure for the collection of fees for commercial service shall be the same as that set forth for collection of residential fees in paragraph (a) above.

(c) Abnormal service and special collections. For abnormal and special collection and disposal services to residents and commercial and industrial concerns for the removal of solid waste not covered by this chapter, the fee for such services shall be a maximum of \$100.00 per hour, depending upon the equipment and personnel required to perform the services. In addition, to be accepted for disposal, vehicle tires must be cut into at least four pieces.

Remainder of Section 16-24 shall remain unchanged.

SECTION 2. Repealer. 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. Severability. That if any section, paragraph, clause, or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any other part of this ordinance.

SECTION 4. Effective Date. This ordinance shall be and become effective five days after its publication.

PASSED, ADOPTED, SIGNED AND APPROVED on this 8th day of

July, 1980.

CITY SEAL

L. C. Stiles
L. C. STILES, Mayor

ATTEST:

Sarah L. Carter
SARAH L. CARTER, City Clerk

AFFIDAVIT OF PUBLICATION

County of Chaves }
State of New Mexico, }

I, R.M. Higginbotham
Manager

Of the Roswell Daily Record, a daily newspaper published at Roswell, New Mexico, do solemnly swear that the clipping hereto attached was published once a week in the regular and entire issue of said paper and not in a supplement thereof for a period

of one day
..... weeks

beginning with the issue dated July 16, 1980

and ending with the issue dated July 16, 1980

R.M. Higginbotham
Manager

Sworn and subscribed to before me
this 16th day of July, 1980

Notary Public

My commission expires, 19.....

(Seal)
OFFICIAL SEAL
JEAN BOE PETTIT
NOTARY PUBLIC - NEW MEXICO
NOTARY BOND FILED WITH SECRETARY OF STATE
My Commission Expires

Publish July 16, 1980

ORDINANCE NO. 1040

AN ORDINANCE ADOPTING A NEW AND INCREASED SCHEDULE OF RATES TO BE CHARGED FOR GARBAGE AND FERUSE COLLECTION; AMENDING SECTION 16-24 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.

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

SECTION 1. Amendment. That Section 16-24 of the Roswell City Code be, and the same hereby is amended to read as follows:

Section 16-24. Fees-Schedule.

(a) Residential. The collection of solid wastes from dwellings and residential premises shall be divided into six classifications. Monthly service fees shall be assessed against the person and/or firm in whose name the water meter is registered of record. Fair and reasonable charges for such residential service under each classification for a calendar month shall be as follows:

- (1) Single-family residence...\$4.50
- (2) Duplex family units, per unit...\$4.50
- (3) Garage apartment or accessory dwelling...\$4.50
- (4) Group housing (three or more dwelling units), per unit...\$4.50
- (5) Three-family apartment, or more; provided, that all containers serving such apartments shall be centrally located; per rental unit...\$3.30
- (6) Mobile home court, per trailer...\$3.30

(b) Commercial. Commercial accounts will receive solid waste collection service as often as necessary, up to six times per week, with the fees determined by time studies, with the minimum fee being \$4.50 per month. A time study shall develop the individual account's average monthly requirement in minutes and/or hours, with the time element then being used to compute the fee. Commercial refuse collection charge for labor and equipment shall be \$30.00 per hour. The procedure for the collection of fees for commercial service shall be the same as that set forth for collection of residential fees in paragraph (a) above.

(c) Abnormal service and special collections. For abnormal and special collection and disposal services to residnets and commercial and industrial concerns for the removal of solid waste not covered by this chapter, the fee for such services shall be a maximum of \$100.00 per hour, depending upon the equipment and personnel required to perform the services. In addition, to be accepted for disposal, vehicle tires must be cut into at least four pieces.

Remainder of Section 16-24 shall remain unchanged.

SECTION 2. Repealer. 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. Severability. That if any section, paragraph, clause, or provision of this ordinance for any reason shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any other part of this ordinance.

SECTION 4. Effective Date. This ordinance shall be and become effective five days after its publication.

PASSED, ADOPTED, SIGNED AND APPROVED on this 8th day of July, 1980.

CITY SEAL L.C. STILES, Mayor

ATTEST:

SARAH L. CARTER, City Clerk

CITY OF ROSWELL

JUL 17 1980