

ORDINANCE NO. 1215

AN ORDINANCE OF THE CITY OF ROSWELL AMENDING SECTION 27-25 IN THE ROSWELL CITY CODE TO PROVIDE FOR NEW INCREASED SOLID WASTE COLLECTION AND DISPOSAL CHARGES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND FIXING AN EFFECTIVE DATE.

WHEREAS, increased operating expenses have made it necessary to produce additional revenue to fund the collection and disposal of solid waste in the City, and

WHEREAS, solid waste collection and disposal is performed as an enterprise activity and must generate sufficient revenue to support itself, and

WHEREAS, it is necessary to increase the charges for collection and disposal of solid waste,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE GOVERNING BODY, THE CITY COUNCIL, OF ROSWELL, NEW MEXICO, as follows:

Section 1. In the Roswell City Code, 1984, Section 27-25 is hereby amended to read:

Section 27-25. Fees

(a) Every person owning or controlling real property within the city shall pay the solid waste collection and disposal fees established and provided for by this chapter, whether or not the solid waste collection and disposal service is used by the person owning or controlling real property within the city.

(b) Monthly services for solid waste collection and disposal from dwellings and residential premises shall be assessed against the person in whose name the water meter for the premises is registered of record. Minimum charges for such residential service shall be as provided herein. Such charge is premised on twice a week pickup of no more than two 32 gallon containers per unit. Charges for such residential service for a calendar month shall be:

	Collection	Disposal
(1) Single family residence	\$7.00	\$1.30
(2) Duplexes, per unit	7.00	1.30
(3) Accessory dwelling	7.00	1.30

(c) Monthly services not described in subparagraph (b) shall have a minimum monthly charge of \$8.30 (composed of a collection charge of \$7.00 and a disposal charge of \$1.30). Charges shall be assessed against the person in whose name the water meter for the premises is registered of record. Charges for such services for a calendar month shall be determined as follows:

Collection Charge (in dollars) = $1.75 AB + 15.5 AC$
Disposal Charge (in dollars) = $0.2 AB + 3 AC + 0.5$

A = number of pickups per week (maximum of 6)
B = number of 32 gallon cans picked up
C = number of 3 cubic yard dumpsters picked up

Collection frequency, number of pickups per week, shall not be less than that determined necessary by the sanitation department for the serviced premises.

(d) The sanitation department shall not accept special or hazardous waste and may at any time refuse to collect or refuse to accept for disposal waste the department determines would be detrimental to operation of the collection system or landfill. Waste deemed unacceptable by the department shall not be presented for disposal or disposed of at the city's landfill unless such determination is amended prior to presentment or disposal.

(e) The fee for disposal of solid waste at the disposal area for rubble, debris, tree trimmings, building construction, scrap solid waste from remodeling, demolition or excavation of structures or other acceptable solid waste shall be \$1.50 per cubic yard. Under the direction of the sanitation department personnel, hauler of solid waste will unload in designated locations only. Tickets made out naming the account to be billed by the city for the foregoing will be signed by the hauler or driver. Tickets will contain the name, address, date and estimated volume, and will be invoiced monthly. Notwithstanding the foregoing, no charge shall be made for residential loads. As used in this section only, residential loads shall be defined as one or more loads of solid waste which are delivered to the solid waste disposal area in half-ton pickup trucks or in vehicles of comparable or smaller size. It is the express intention of this section to exempt haulers of residential loads of solid waste from payment of the above disposal fees.

(f) For the purpose of convenience, the billing and collecting of the charges levied for service under this chapter shall be done by the city clerk-treasurer of the city, and all such charges shall be payable at the office of the city clerk-treasurer in the same manner as are other utility services billed and collected by the water department.


Section 2. All ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any ordinance or part of any ordinance heretofore repealed.

Section 3. 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. This ordinance shall be effective after five (5) days following its publication as required by law.

PASSED, ADOPTED, SIGNED AND APPROVED the 9th day of July, 1991.

CITY SEAL


WM. F. BRAINERD, Mayor

ATTEST:


Ruth May, City Clerk