

ORDINANCE NO. 1237

AN ORDINANCE OF THE CITY OF ROSWELL, NEW MEXICO, AMENDING CHAPTER 27 OF THE ROSWELL CITY CODE; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; FIXING AN EFFECTIVE DATE.

WHEREAS, these regulations are necessary to protect the safety and general welfare of the public.

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

1. Section 27-25. of the Roswell City Code shall be amended to read as follows:

Sec. 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 (2) thirty-two gallon containers per unit. Charges for such residential service for a calendar month shall be:

	<i>Collection</i>	<i>Disposal</i>
(1) Single family residence	\$ 6.40	\$ 1.90
(2) Duplexes, per unit	6.40	1.90
(3) Accessory dwelling	6.40	1.90

(c) Monthly services not described in subsection (b) shall have a minimum monthly charge of eight dollars and thirty cents (\$8.30) (composed of a collection charge of six dollars and forty cents (\$6.40) and a disposal charge of one dollar and ninety cents (\$1.90). 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) = $1.60 AB + 15.5 AC + 9.60 AD + 3.20 AE$

Disposal charge (in dollars) = $0.35 AB + 5 AC + 2.10 AD + 0.70 AE + 0.5$

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

D = number of 300 gallon containers picked up

E = number of 90 gallon containers 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 two dollars and fifty cents (\$2.50) 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 (1) 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 water department, and all such charges shall be payable at the office of the city water department in the same manner as are other utility services billed and collected by the city water department.

2. All sections and subparagraphs not specifically mentioned in this ordinance shall remain unchanged.

3. Repealer. All ordinances or parts of ordinances or provisions of the Roswell City Code in conflict or inconsistent herewith be, and the same hereby are repealed to the extent only of such conflict or inconsistency, and as to all other ordinances, this ordinance is hereby made cumulative. This repealer shall not be construed to revive any ordinance or parts of any ordinance heretofore repealed.

4. Severability. If any section, paragraph, clause or provision of this ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not effect any other part of this ordinance.

5. Effective date. This ordinance shall be effective five days after publication.

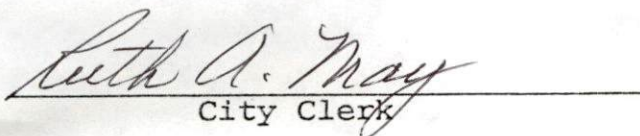
PASSED, ADOPTED, APPROVED AND SIGNED this 8th day of April, 1993.

CITY SEAL



Mayor

ATTEST:



City Clerk